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Official Report

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Wednesday 28 January 2015

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Scottish Parliament

Wednesday 28 January 2015

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

Portfolio Question Time

Education and Lifelong Learning

The Deputy Presiding Officer (Elaine Smith):

Good afternoon. The first item of business is portfolio questions on education and lifelong learning. As ever, in order to get in as many people as possible, I would be grateful for short and succinct questions and answers.

Looked-after Children (Secure Unit Bed Vacancies)

1. Graeme Pearson (South Scotland) (Lab):

To ask the Scottish Government how many vacant beds there are in secure units for looked-after children. (S4O-03941)

The Minister for Children and Young People (Fiona McLeod): There are 90 secure beds in Scotland. Capacity is monitored daily and information is available on the secure accommodation network Scotland website.

Graeme Pearson: Concerns have been raised recently about the capacity for looked-after children, particularly in respect of vacant beds when they are required. There are indications that requests have been made outside Scotland because of a lack of vacancies. Will the minister review the situation to ensure that we have sufficient accommodation?

Fiona McLeod: As Mr Pearson knows, secure care is used only for a small number of young people who present a high risk to themselves or to others. The average number of young people in secure care in 2012-13 was 78, which was a fall of 9 per cent compared with the figure for 2011-12. That was 13 per cent under the capacity limit of 90 in Scotland.

We are working with providers and Scotland Excel, which manages a framework contract on behalf of local authorities and the Scottish Government, to monitor capacity issues. I assure Mr Pearson that, when I asked last week, no children were known to be accommodated outside Scotland.

College Students (Support)

2. Mary Scanlon (Highlands and Islands) (Con): To ask the Scottish Government how it

supports college students to complete their studies. (S4O-03942)

The Cabinet Secretary for Education and Lifelong Learning (Angela Constance): On top of the record £104 million for student support this year, we have been working closely with Colleges Scotland and the Scottish Further and Higher Education Funding Council to understand the scale of any shortfall in 2014-15. Colleges have now said that they need £7 million, which is down from their earlier estimate of £11 million. I am very pleased to say that we will bridge that gap.

In addition, since 2006-07, the successful completion rate for full-time further education students has increased by 10 percentage points overall and by 13 percentage points for those from the most deprived backgrounds.

Mary Scanlon: I am pleased to hear that the Scottish Government is taking seriously the problems that college students face at this time, particularly given that our FE colleges have an excellent reputation of addressing inequalities and giving opportunities to students of all ages and backgrounds.

Although the bursary awards have increased by 18 per cent, the funding increased by only 3 per cent. Childcare awards increased by 22 per cent, but that budget went up by only 6 per cent. Although I appreciate what the cabinet secretary is doing, will she have a look at the National Union of Students findings, which contain those figures?

Angela Constance: I appreciate the question from Mrs Scanlon, who will, of course, appreciate that our record on student support for further education college students is very good. Before the Government took office, the budget was £67 million; it now sits at £104 million.

As I said in my original answer, we have worked very hard to fill the gap, as we do every year. There are, of course, planned improvements for 2015-16 with inflationary increases in bursary scales and childcare.

I am due to speak with the NUS this afternoon and to have a further meeting with it in due course about a whole range of student support matters.

The Deputy Presiding Officer: I have several requests to ask supplementary questions. Please keep them brief.

Iain Gray (East Lothian) (Lab): It is extremely welcome to hear that the gap in bursary funding is to be bridged again this year, but the reality is that not knowing until now that the money will be available has a real impact. Students are left waiting many months not knowing whether they will get bursaries, and colleges have to spend or overspend their budgets. Instead of doing what it does every year, would it not be better if the

Scottish Government just budgeted enough money for supporting students in the first place?

Angela Constance: I am glad that Mr Gray welcomes the information that we are meeting our obligations to students, as we always do. As he will be aware, there are difficulties in predicting the levels of student support that are required, because they vary depending on the personal circumstances of students—on whether or not they have children and on the age of the student, for example. Nonetheless, we will continue to work very hard with our partners and with NUS Scotland to resolve outstanding issues.

George Adam (Paisley) (SNP): Could the cabinet secretary outline how the Scottish Government's budget for college funding compares with that in England?

Angela Constance: Unlike the United Kingdom Government, the Scottish Government has managed to stabilise college funding. As members will be aware, we have created a funding floor of £522 million. In the draft budget, that will go up to £526 million for the forthcoming financial year. In contrast, the Department for Business, Innovation and Skills plans to cut its adult skills budget by £466 million, which is a decrease of more than 17 per cent.

Neil Findlay (Lothian) (Lab): We seem to be able to predict the numbers and the budget for higher education but, somehow, we cannot predict it for further education. Does the cabinet secretary believe that Scottish further education students are treated like second-class citizens compared with others in higher education?

Angela Constance: No, I certainly do not, and I am sure that that is of no surprise to Mr Findlay.

There is a genuine debate about the benefits of discretionary funding versus entitlement funding for HE students. Of course, there are many higher education students within the college sector. They have entitlements to bursaries and loans—of course, they have to pay loans back, whereas further education students could be entitled to up to £93 a week of discretionary funding, and they do not have to pay that back. Those are all issues that we have to explore in the round.

New Teacher Registration (Streamlining)

3. Christian Allard (North East Scotland) (SNP): To ask the Scottish Government what work it is carrying out to streamline the process for the registration of new teachers. (S4O-03943)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): The registration of teachers is a matter for the General Teaching Council for Scotland.

Christian Allard: Would the minister agree that we need to attract teachers from the European Union and across the world, and that that is prevented by the failed immigration policies coming out of Westminster?

Dr Allan: I very much agree that, subject to the right regulatory controls being applied by the General Teaching Council, Scotland can and does benefit from a diverse teacher workforce from countries outside Scotland. It is vital that the United Kingdom's immigration policy, to which the member refers, takes cognisance of that need and also that its rhetoric on the subject is suitable.

Liam McArthur (Orkney Islands) (LD): The minister will be aware that there is a considerable movement of teachers north and south of the border. Does he believe that there is work to be done by GTCS to smooth the process, so that teaching post vacancies across Scotland can be filled?

Dr Allan: The typical period for registration for teachers in Scotland is about three to four weeks. For teachers who come from outside Scotland, it is typically about 10 weeks. I understand the point that the member makes.

Considerable efforts have been made in particular areas—where there has been a specific, urgent need for teachers—to fast-track the process. For instance, there were recently successful efforts to fast-track the progress of the registration of a number of teachers from Ireland who were applying for jobs in the north-east of Scotland.

Dumfries Learning Town

4. Elaine Murray (Dumfriesshire) (Lab): To ask the Scottish Government what discussions it has had with Dumfries and Galloway Council regarding its plans for Dumfries learning town. (S4O-03944)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): We have been working with Dumfries and Galloway Council through the preparation of the Dumfries learning town initiative. We will continue to engage with the local authority to help it realise that vision.

In addition, the Government is providing substantial investment of about £14 million, through the schools for the future programme, to replace Maxwelltown high school and its associated community facilities and also St Joseph's college, both of which form part of the Dumfries learning town initiative.

Elaine Murray: The minister will be aware that the Dumfries learning town involves a new model of three-to-18 education delivered on a whole-town basis, and that it also involves the creation of

a learning hub in north-west Dumfries, bringing together early years, vocational education and adult education. Does the minister agree that that approach is consistent with the recommendations of the Wood report, and will the Scottish Government therefore support the creation of the learning hub?

Dr Allan: As has already been mentioned, there has been a degree of engagement—indeed, a long tradition of engagement—between the Government and Dumfries and Galloway Council on the subject, and there has been no shortage of investment in schools in the area. The Government supports the aspiration of a learning hub for Dumfries, but it is no secret that the Government has taken a different view from the council since it moved away from its initial proposals, which would have seen the hub centred on the Crichton campus.

The Deputy Presiding Officer: Question 5 has not been lodged. An explanation has been provided.

University Student Population (Forecasts)

6. Annabel Goldie (West Scotland) (Con): To ask the Scottish Government whether it anticipates the university student population contracting or expanding over the next five years. (S4O-03946)

The Cabinet Secretary for Education and Lifelong Learning (Angela Constance): The Scottish Government does not anticipate a significant contraction or expansion over the next five years. The number of first degree entrants who live in Scotland—broadly the measure of the number of Scots school leavers going to university—has gone up by 7 per cent under this Government, to 33,500.

Annabel Goldie: The minister will be aware of the recent Scottish Further and Higher Education Funding Council announcement regarding indicative funding decisions for 2015-16, and she will also be aware that there are continuing challenges in widening access to university, which is an area in which none of us wants to see any contraction at all. However, research confirms that the funding package for Scotland's poorest students is the most regressive in the United Kingdom because of significant cuts to bursaries. How does the Scottish Government think that switching students from bursaries to loans, so that they have more debt, can possibly improve access to university for our poorest students?

Angela Constance: I am rather stunned that Miss Goldie has tripped up to the chamber to ask me about student debt, when students in Scotland have an average debt of around £7,500 compared with the £20,000 on average that students in

England graduate with. The Scottish Government has a record that compares well with her party's Government south of the border. We very much believe that education should be based on the ability to learn and not on the ability to pay, and we will stick firmly to our position of no tuition fees.

The balance between supporting tuition fees and providing bursaries and loans is something that we have discussed with the National Union of Students Scotland, and it is at the request of NUS Scotland that we do what we can to get more money into the pockets of students. Our minimum income guarantee for the students from the poorest households is either the best or the second-best support package in the UK, depending on whether they are living at home or away from home.

Stewart Maxwell (West Scotland) (SNP): I heard what the cabinet secretary just said to Miss Goldie in response to her question about students from more disadvantaged backgrounds. Could she expand on her answer and give other examples of what the Scottish Government is doing to ensure that students from disadvantaged backgrounds get the opportunity to take part in university education?

Angela Constance: The programme for government clearly set out the creation of a widening access commission, which will advise on how the number of students entering university from more disadvantaged areas or backgrounds can be increased. The proportion of 18-year-olds from disadvantaged backgrounds going to university has improved under this Government, but that does not detract from the fact that much more needs to be done. That is why £2 million of funding has been made available in 2015-16 for local widening access initiatives through the Scottish funding council, and why funding for the impact for access fund has been doubled.

Iain Gray (East Lothian) (Lab): The cabinet secretary's Government has reduced the size of bursaries that are available to students and lowered the income threshold above which bursaries are replaced by loans. How can she come to the chamber and pretend that that is helping students from low-income families?

Angela Constance: Mr Gray fails to recognise that we got where we are now through a collaborative approach with NUS Scotland. The points that he raises about income thresholds are important. If we compare what happens in Scotland with what happens south of the border, we see that the threshold incomes in Scotland are lower but so are the interest repayment rates. As Mr Swinney said last week in the budget debate, we can consider changing the threshold rates. They are due to be uplifted, but some aspects of that require Treasury consent.

Local Government Settlement (Educational Outcomes)

7. Paul Martin (Glasgow Provan) (Lab): To ask the Scottish Government what progress it has made on agreeing educational outcomes with the Convention of Scottish Local Authorities as part of the local government settlement. (S4O-03947)

The Cabinet Secretary for Education and Lifelong Learning (Angela Constance): Discussions on those matters between the Scottish Government, COSLA and partners, including the teacher unions, are on-going.

Paul Martin: Will the minister confirm that, however she seeks to present it, the Government has abandoned its pledges on teacher numbers and class sizes?

Angela Constance: Let me say as succinctly and clearly as I can that the Government has not abandoned, and will not abandon, teachers and does not abandon its commitment to maintaining teacher numbers. It is a very important matter, which we take with great seriousness, and we are discussing it with our partners in local government. Although teacher numbers have been stabilised since 2011, the December census showed a small reduction in the number of teachers. Any change in the wrong direction is a concern to the Government and we are firmly of the view that the number of high-quality teachers is imperative to the life chances and education of our children.

Colin Beattie (Midlothian North and Musselburgh) (SNP): Will the cabinet secretary confirm that all parties are represented in the talks with COSLA and that those who are involved should be consistent in what they say during the negotiations and outwith them?

Angela Constance: Yes. It is an important principle in any negotiation that parties maintain a consistent position within and outwith the negotiations. The talks that the Government is taking part in involve all its key partners, including COSLA, teachers unions, parental organisations, Education Scotland, the Association of Directors of Education in Scotland and chief executives of Scottish local government.

College Buildings (Support for Improvements)

8. Stuart McMillan (West Scotland) (SNP): To ask the Scottish Government what support it is providing to colleges in West Scotland to improve the fabric of their buildings. (S4O-03948)

The Cabinet Secretary for Education and Lifelong Learning (Angela Constance): The Scottish Government is committed to supporting all colleges, including those in the West Scotland region, to invest in their estates. In the current financial year, we have provided £26.6 million of

capital funding to the Scottish Further and Higher Education Funding Council to support infrastructure investment across the sector. The disbursement of that funding to individual colleges is a matter for the funding council.

Stuart McMillan: In the past, I have called for a feasibility study to be undertaken to determine whether an alternative location can be sought for the campus at Inverclyde. I believe that the Scottish funding council has had discussions with West College Scotland regarding options for its Greenock campus. I would be grateful to know whether the Scottish Government will consider any proposals from West College Scotland regarding the fabric of its building in the next spending review period.

Angela Constance: The Scottish funding council has, indeed, been in discussion with West College Scotland and has recently provided £70,000 to help it to develop a business case outlining options for the Greenock campus. That is of course a matter for the funding council.

The funding council is developing a 10-year strategy that is aimed at determining priority investment opportunities across the college and university estates. That strategy will form the basis of discussion with the Scottish Government about capital funding in the 2016 spending review. I understand that the funding council has agreed to include proposals from West College Scotland in the strategy.

College Students (Qualifications)

9. Gordon MacDonald (Edinburgh Pentlands) (SNP): To ask the Scottish Government how many college students are achieving qualifications that are recognised and valued by employers. (S4O-03949)

The Cabinet Secretary for Education and Lifelong Learning (Angela Constance): I am pleased to say that 73,704 college students on full-time and substantive part-time courses successfully obtained recognised qualifications in 2013-14, which represents an increase of almost 15 per cent since 2006-07. It is strong evidence that our vision of a college sector that focuses on skills to help people to get jobs is beginning to pay off.

Gordon MacDonald: Does the cabinet secretary agree that it shows that the focus in the college sector on skills for work and economic growth is starting to pay dividends?

Angela Constance: Yes—there is a strong body of evidence that shows that students and employers are beginning to reap the rewards of college reform. As well as the figures that I have mentioned, the latest statistics from the Scottish Further and Higher Education Funding Council

show that the average number of hours of learning per student has gone up by 59 per cent since 2006-07. We also have record rates of successful completion and, crucially, 17 per cent more full-time students between the ages of 16 and 24 than we had in 2006-07. Great credit is due to college leaders, who have clearly seized the opportunities that reform has presented and are definitely delivering better outcomes for young people.

Fostering Programmes (Support for Local Authorities)

10. Roderick Campbell (North East Fife) (SNP): To ask the Scottish Government what support it provides to local authorities for fostering programmes. (S4O-03950)

The Minister for Children and Young People (Fiona McLeod): Local authorities are responsible for the provision of foster care in their areas, which is supported through the block grant. The Scottish Government provided more than £1 million between 2007 and 2014 to the Fostering Network to support local authorities and the wider sector to recruit, retain and develop foster carers.

The Scottish Government produced the first national guidance to help local authorities to commission foster care more effectively and in line with the needs of each child. We are looking at ways in which we can provide more direct support to local authorities in strategic commissioning, and at how we could optimise recruitment.

In response to the foster care review that was published in 2014, the Scottish Government agreed to progress recommendations that will support local authorities in improving the way in which fostering services are run, and to expand the skills of foster carers.

Roderick Campbell: As the minister will be aware, it was recently reported that Fife had the largest waiting list of children waiting to be put into foster homes, with 27 children in residential units over Christmas. The second largest waiting list was 17, in Falkirk. What steps can be taken to reduce what has been described as an "urgent need" for foster carers in Fife?

Fiona McLeod: Fife Council is responsible, as are all local authorities, for its own recruitment because it is best placed to know its local needs.

The Scottish Government is, through our realigning children's services programme, supporting a number of local authorities to map longer-term demand levels for services, including foster care. That will aid local authorities in recruiting the right number of foster carers when and where they are needed.

In 2013 the Scottish Government ran a fostering recruitment and retention seminar in Glasgow to

support local authorities and independent fostering agencies to share successful experiences and good practice. That resulted in the establishment of a recruitment and retention forum.

Roderick Campbell may wish to note that the Fostering Network's estimated shortage figures for foster carers in Scotland have been halved in the past four years.

Adult Literacy, Numeracy and Basic Skills

11. Alex Rowley (Cowdenbeath) (Lab): To ask the Scottish Government how it is supporting colleges and other adult learning providers to improve adult literacy and numeracy, and what progress has been made in tackling poor basic skills levels in adults. (S4O-03951)

The Cabinet Secretary for Education and Lifelong Learning (Angela Constance): Colleges are now funded on the basis of meeting the needs of learners in their regions, which includes the provision for adult learners of programmes that focus on literacy and numeracy. Colleges continue to play a key role in providing education to adult learners, with 27 per cent of all college-sector learning hours in 2013-14 being delivered to students aged 25 or over.

We are committed to improving adult literacy and numeracy levels throughout Scotland, as outlined in "Literacy Action Plan: An Action Plan to Improve Literacy in Scotland". The standing literacy commission will produce a final report on the progress of the plan in the spring.

Progress in tackling basic skills levels has been improving. The latest available figures show a small reduction in the proportion of adults aged between 16 and 64 with low or no qualifications, from 13 per cent in 2012 to 12.6 per cent in 2013.

Alex Rowley: I thank the cabinet secretary for her response. However, figures from the Scottish Further and Higher Education Funding Council show that college budgets in Scotland have since 2011 been cut in real terms by £61 million, and that there are now more than 32,000 fewer adult learners in college than when the Government was elected in 2011.

Given the extent to which college budgets and places in Scotland have been cut, does the cabinet secretary agree that the Government is not giving adult learners the support that they need to improve their basic skills? That support is essential for them to get jobs and to escape the cycle of deprivation and poverty that so many find themselves in.

Angela Constance: I very much regret that Mr Rowley, along with some of his colleagues, has a misplaced faith in head count when the reality is that we know that the most meaningful

measurement of college activity is the number of full-time equivalent places. I remind him that this Government's manifesto commitment was to maintain numbers of full-time equivalent places. In fact, we have exceeded that. The move to full-time courses benefits young people, but it also benefits older learners. As I said in my original answer, 27 per cent of all college sector learning hours are delivered to people who are 25 or over.

On the budget, Mr Rowley will be well aware that this Government, like our partners, is living with Westminster austerity. Our discretionary budget has been reduced by 10 per cent. Nonetheless, there is a funding floor of £522 million, which will increase to £526 million. That is certainly more in cash terms than the £510 million that was made available under the previous Labour and Liberal Executive.

I know that Mr Rowley cares deeply about adult literacy and numeracy because I know his background in community education. I also know that Fife Council has a very good record in this area, and it is not unreasonable for colleges to look to align their provision with that of their local government partners.

University Principals (Pay)

12. Sandra White (Glasgow Kelvin) (SNP): To ask the Scottish Government what steps it is taking to monitor the pay of university principals. (S4O-03952)

The Cabinet Secretary for Education and Lifelong Learning (Angela Constance): The Scottish Government has made it clear in the past that some increases in the remuneration of principals have been unacceptable. Although in the latest round a number of universities have exercised restraint in setting senior pay, that view remains and persists.

Senior pay packages should be in step with the salaries and terms and conditions that are offered to other university staff, and institutions must ensure that they have the highest standards of transparency in setting pay awards.

Sandra White: Does the cabinet secretary share my concerns about the transparency of university bodies such as remuneration committees? It is nigh on impossible to find out who is on them, when they have met or what was said at them. According to Glasgow Caledonian University, its remuneration committee last met in 2012, which is, at least, better than the University of Glasgow's information. Will the cabinet secretary meet me to discuss those concerns?

Angela Constance: I am happy to meet Ms White to discuss her concerns, bearing in mind in particular that the constituency that she represents, Glasgow Kelvin, includes a university

and that a large part of the academic community will be her constituents. With any body that receives large amounts of public funding, it is important that there is transparency at all levels, including remuneration committees.

Higher Education Governance Bill (Educational Principles)

13. Nanette Milne (North East Scotland) (Con): To ask the Scottish Government what educational principles will underpin the higher education governance bill. (S4O-03953)

The Cabinet Secretary for Education and Lifelong Learning (Angela Constance): The Scottish Government is investing more than £1 billion this year and next in higher education institutions. In return, we expect institutions to embrace good governance that is based on open, accountable and democratic principles. Improved governance will help to create better learning environments where staff and students have more say in how their institutions operate.

Our consultation on a higher education governance bill ends this month; the views of all stakeholders will, of course, be considered.

Nanette Milne: The cabinet secretary will be aware of the many concerns that are being expressed about the potential loss of the traditions and autonomy that have underpinned Scotland's ancient universities. What added value will the proposed changes to their governance bring to universities—including the University of Aberdeen—that have been rated as world leaders in the recent research excellence framework assessment of the impact of their research outputs on society, business and culture? Does the cabinet secretary agree that, far from strengthening the sector's effectiveness, the proposals on university governance could actually compromise the performance of Scotland's universities?

Angela Constance: As I said to Ms Milne in my first answer, we will of course look at all the responses to our consultation in very great detail. It is part of the programme for government that we will have a higher education governance bill. We recognise, of course, that universities are autonomous, but they are also in receipt of large sums of public money, so the bill will include a definition of and safeguard for academic freedom. It is important to recognise that transparency and good governance lead, for example, to a more productive and engaged workforce, which will certainly improve learning outcomes for students.

Free School Meals (Aberdeen)

14. Kevin Stewart (Aberdeen Central) (SNP): To ask the Scottish Government how many pupils

in Aberdeen are being provided with free school meals following its recently introduced policy. (S4O-03954)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): While that information is not held centrally, we collect data on the uptake of free school meals annually through the healthy living survey, which is carried out in February and published in June. We expect the policy to benefit 135,000 children across Scotland.

Kevin Stewart: Aberdeen City Council has recently changed menus in some schools. Parents have not been fully informed about the change, and they have often withdrawn children—particularly those with specific dietary requirements or additional needs—from meals. What guidance, if any, is in place to ensure that there is consultation and communication about menu changes so that all those who are entitled to them can get their free school meals?

Dr Allan: There certainly is guidance in some areas. The guidance in the "Better Eating, Better Learning" document makes clear that the involvement of parents and families in supporting activity around food and health is essential. In preparing to deliver the free school meals policy for primaries 1 to 3, local authorities must consider the implications for the school meal service and for other arrangements, as well as any opportunity that might be afforded to make further improvements.

Nutritional requirements for food and drink in schools are in place, and "Better Eating, Better Learning" is clear that all schools should have a documented process in place for dealing with special dietary requirements.

Oil and Gas Industry (Careers)

15. Richard Baker (North East Scotland) (Lab): To ask the Scottish Government how it is engaging with schools to encourage pupils to consider careers in the oil and gas industry. (S4O-03955)

The Minister for Learning, Science and Scotland's Languages (Dr Alasdair Allan): The Government recognises the importance of the oil and gas sector, and indeed the whole energy sector in Scotland, for young people's current and future job opportunities.

Learning and skills development that supports pathways into the energy sector is embedded within curriculum for excellence, and it features in a number of national qualifications. Education Scotland, energy skills Scotland and Skills Development Scotland are working in partnership to ensure a co-ordinated approach to raising awareness of energy sector careers with our

schools. That includes career events for young people at school involving industry and colleges. We will continue those efforts as we take forward our plans for developing Scotland's young workforce.

Richard Baker: Does the minister agree that, despite the recent contraction in the oil and gas sector, it is important to emphasise to pupils that there are still great opportunities in the industry? Does he welcome the work of Northfield academy in Aberdeen in working with oil and gas businesses to enable pupils to attain the skills for a career in the industry? What support will ministers provide to schools, particularly in the north-east, to take forward similar collaborations in the future?

Dr Allan: I certainly welcome all the efforts that I know are taking place in schools in the north-east and elsewhere in Scotland to make clear to people the real opportunities that the member rightly says exist in the oil and gas sector. Indeed, as recently as December, the study that was done for the "Fuelling the next generation" report found that the sector in Scotland had identified a need for 12,000 new entrants into the industry in the next five years.

Sometimes we might not know it from the tone of what is said about the oil industry in some quarters of this chamber, but the opportunities in the oil sector in Scotland are very real indeed.

Christian Allard (North East Scotland) (SNP): Does the minister agree that a simple way to encourage pupils to consider careers in the oil and gas industry might be to target teachers so that they understand the skills shortages and job opportunities in the sector? Does he agree that programmes such as your future in energy are already helping to encourage young people to consider careers in the energy industry?

Dr Allan: As the member says, encouraging awareness among teachers is of course important and for that reason energy skills Scotland ran three oil and gas career events for schools, at Ayrshire College, Forth Valley College and Inverness College. Those events, which were aimed at young people and their teachers, involved schools from around Scotland. Further events are planned, with the important aims that the member mentions very much in mind.

Full-time Equivalent College Places (Target)

16. George Adam (Paisley) (SNP): To ask the Scottish Government whether it has met the target for full-time equivalent places at colleges. (S4O-03956)

The Cabinet Secretary for Education and Lifelong Learning (Angela Constance): I am pleased to say that colleges have again exceeded

their target. The latest figures show that colleges delivered 119,636 funded places in 2013-14, which is well over the target of 116,000.

George Adam: I welcome that increase in full-time equivalent students. Will the cabinet secretary outline how many students from the most deprived areas in Scotland are studying for recognised qualifications at college?

Angela Constance: I am pleased to say that, in 2013-14, 33,439 students from Scotland's 20 per cent most deprived areas were studying full-time or substantive part-time courses that lead to recognised qualifications, which is an increase of about 1,800 students when compared with 2006-07. Colleges have always delivered strongly for deprived communities, which is why the programme for government makes it clear that they have a crucial role in helping us to meet our ambitions to widen access to higher education.

College Bursary Funding

17. Neil Findlay (Lothian) (Lab): To ask the Scottish Government what the average college bursary funding is compared with England, Wales and Northern Ireland. (S4O-03957)

The Cabinet Secretary for Education and Lifelong Learning (Angela Constance): In 2014-15, a full-time 19-year-old further education student at college in Scotland could receive a bursary of up to £4,000 per year plus access to discretionary funding. Making direct comparisons is complicated, but we have data showing that, in contrast, a full-time 19-year-old further education student could receive up to £1,200 per year in England, up to £1,500 in Wales and up to £2,092 in Northern Ireland. Along with Wales and Northern Ireland, Scotland has of course continued with the education maintenance allowance of £30 per week, whereas the scheme has been scrapped in England by the Westminster Government.

Neil Findlay: According to what we have heard from the cabinet secretary during question time today, colleges are doing better, teacher numbers are not being cut, college buildings are all fine, student numbers are up and students are all well supported. No doubt the cabinet secretary believes in Santa Claus, the tooth fairy and the Easter bunny, too. Will the cabinet secretary show just a glimmer of empathy and acknowledge that FE students who are expected to live on at best between £30 and £93 a week are having major difficulties affording transport, food and the basics that they need to complete their course? Is it not the case that, actually, support in Scotland is the poorest across the United Kingdom?

Angela Constance: We can always rely on Mr Findlay to lower the tone. I expected him to come

to the chamber with some facts and to actually compare college bursary funding for students in Scotland, England, Northern Ireland and Wales, but of course he has absolutely failed to do that and, instead, we have his usual empty rhetoric.

I asked the National Union of Students Scotland for the comparative data that Mr Findlay has failed to provide but, unfortunately, it does not have that data. However, I can say that students in Scotland continue to receive the EMA, unlike those south of the border. Under 18s can receive up to £36 per week, 18 to 25-year-olds can receive up to £73 per week, which can equate to up to £4,000 per year, and full-time students can receive up to £93 a week, which can be as much as £6,300 over a year.

When we get to the detail and try to compare that with the situation south of the border, it is difficult. However, we can see that, south of the border, there is no education maintenance allowance. There is a vulnerable student bursary, which is for young people in care rather than a wider catchment based on entitlement, and there is some discretionary funding. Although comparisons are difficult, I had hoped that Mr Findlay would come to the chamber with some facts, as opposed to rhetoric, but what else can we expect?

Unconventional Oil and Gas

The Presiding Officer (Tricia Marwick): The next item of business is a statement by Fergus Ewing on unconventional oil and gas. The minister will take questions at the end of his statement and therefore there should not be any interventions or interruptions.

14:41

The Minister for Business, Energy and Tourism (Fergus Ewing): The Scottish Government has long been concerned about the United Kingdom Government's approach to the licensing of unconventional oil and gas in Scotland. Following the Smith commission process, and given that licensing powers are coming to Scotland—something that I campaigned for and welcome—it makes no sense for the UK Government to exercise them in Scotland.

The Scottish Government's policy has been cautious, considered and evidence-based, whereas the UK's approach has sought to develop shale gas quickly, at any cost. In particular, the Tory plan to remove landowners' rights to object to fracking under their property is a disgrace. I formally objected to the UK Government plans and I am pleased that the UK will not now remove householders' rights in Scotland.

Given that precedent of not acting in a policy area that is about to be devolved, the UK Government should do the same with onshore licensing and not issue any further licences. I wrote to the Secretary of State for Energy and Climate Change, Ed Davey, last Friday to make that point. That is also why Scottish National Party MPs backed the amendment in the House of Commons, which called for a UK-wide moratorium on onshore oil and gas.

This Government takes the issue of unconventional oil and gas, including fracking, very seriously. There are a range of views on the issue and we have tried to listen to all of them as we have developed our policy. We have listened carefully to concerns raised by local communities and environmental campaigners and have strengthened planning policy in five key ways, including the introduction of buffer zones for the first time.

However, we need to do more. We recognise that local communities are likely to bear the brunt of any unconventional oil and gas developments, particularly through increased traffic and the related emissions and noise impacts, which are issues that must be more carefully considered and subject to further research. We are therefore working to further strengthen planning guidance,

and my colleague Alex Neil, as the minister responsible for planning, is taking that forward.

We have ensured that strong environmental regulation is in place via the Scottish Environment Protection Agency and made clear that we wish to tighten that further. Work to take that forward will begin shortly, in partnership with my colleague Dr Aileen McLeod, the Minister for the Environment, Climate Change and Land Reform.

Last summer, when the independent expert scientific panel published its report, we said that we would look further at the public health aspects of unconventional oil and gas. I can confirm today that we plan to commission a full public health impact assessment. We have listened to legitimate concerns about the potential negative impacts. However, we must also acknowledge that some take a different view and see opportunities in unconventional oil and gas extraction. The oil and gas industry, in particular, has a potential interest in this area for a number of reasons, as does the chemical industry. Ineos has indicated that it can use shale gas as both a fuel and a petrochemical feedstock for Grangemouth. I am sure that I do not need to remind members of Grangemouth's economic importance to the Scottish economy.

Although much of the debate on oil and gas taxation has been about the revenues from our offshore oil fields, onshore extraction could lead to additional public revenues.

There is also an international dimension to unconventional oil and gas, and we should have due regard to the experience and practice of other countries. If there are lessons to be learned, we must understand what those are and implement them here. We will seek to do that as part of our evidence-gathering activities.

I want to ensure that the voices of the communities that are likely to be most affected are heard in a more formal and structured way. I therefore announce that, in addition to the technical work that I have referred to on planning, environmental regulation and assessing the impact on public health, the Scottish ministers will launch a full public consultation on unconventional oil and gas extraction. That will allow everyone with a view on the issue to feed it into Government; it is a logical next step in the cautious and evidence-based approach that we have demonstrated to date and an example of this Government's commitment to community engagement. It will also mean that longer-term decisions on unconventional oil and gas will be informed not just by technical assessments, but by a fuller understanding of public opinion.

I have set out this Government's cautious, evidence-based approach to date and the work that we will do to build on and further inform that

approach. The further work that I have announced on planning, environmental regulation, assessing the health impact and holding a full consultation process will take time to complete. We will update Parliament on the timescales for that work in due course.

Given the importance of that work, it would be inappropriate to allow any planning consents in the meantime. I am therefore announcing a moratorium on the granting of planning consents for all unconventional oil and gas developments, including fracking. That moratorium will continue until such time as the work that I have referred to has been completed. I will keep Parliament advised of the progress of that work. A direction will be sent to all Scottish planning authorities today to give effect to that policy. In order to ensure consistency in the regulatory regimes, the Minister for Environment, Climate Change and Land Reform will issue a similar direction to SEPA for relevant new controlled activity regulation licences.

The Scottish Government has taken a responsible, cautious and evidence-based approach to unconventional oil and gas extraction, and my statement sends the strongest possible message that we will continue to do so. When we assume responsibility for onshore licensing of unconventional oil and gas, rest assured that my colleague Mr Neil and I will deliver a robust, consistent and complementary licensing and planning system that will be developed through the evidence that we receive from our consultation and the further research that I have announced.

We should never close our minds to the potential opportunities of new technologies, but we must also ensure that community, environmental and health concerns are never simply brushed aside. This Government will not allow that to happen, and I hope that the actions that I have announced today will be widely welcomed as proportionate and responsible.

The Presiding Officer: The minister will now take questions on the issues raised in his statement. I intend to allow around 20 minutes for that, after which we will move on to the next item of business.

Lewis Macdonald (North East Scotland) (Lab): Nobody who knows him will be surprised that Mr Ewing used the word “cautious” four times in his short statement—an advance copy of which I thank him for—but the most important words that he used were

“we need to do more.”

Indeed, the Scottish Government needs to do much more if it is to meet public concern about the issue.

Labour has pressed for early devolution of licensing powers following the Smith agreement—*[Interruption.]*

The Presiding Officer: Order.

Lewis Macdonald: The response of some of those behind the minister is very revealing indeed: it shows how selective they are in the way that they have followed this issue.

As I have said, we have pressed for the early devolution of licensing powers, but the key issue is how ministers use the planning and environmental consent powers that they already have. Despite his instinct for caution, therefore, will the minister add some more to what he has to say about those issues?

Labour at Westminster added 13 specific conditions—*[Interruption.]*

The Presiding Officer: Order.

Lewis Macdonald: Members would do well to listen to what I have to say—

The Presiding Officer: Just get to the question, Mr Macdonald.

Lewis Macdonald:—so that they can be a little better informed in dealing with these issues.

Labour has added to the Infrastructure Bill 13 specific conditions that must be met before consent can be given to fracking, and 10 of those conditions relate to devolved areas. Will the Scottish Government endorse those 13 conditions to ensure that the consents regime in Scotland is at least as tough as that in the rest of the United Kingdom?

Will the minister today match Scottish Labour’s commitment that Scotland will not be the first to frack in the UK and that fracking will not happen here until lessons have been learned from elsewhere? Finally, will the Scottish Government now agree that no fracking project can proceed without the support of a local community expressed in a local referendum?

Fergus Ewing: It is the hope of the Scottish Government that it can build the widest consensus and coalition behind the measures that we have announced today, which we believe, as Lewis Macdonald has recognised, are characterised by a cautious approach in which the evidence will be the central foundation of the decisions that should be taken. As a lawyer and MSP, I believe profoundly that that is the correct approach.

Today we have announced a moratorium in Scotland on unconventional oil and gas extraction, and that moratorium will prevent any planning permission from being granted until such time as we have completed the work that I have announced. It is not necessary to hold local

referenda on these issues, because no planning permission will be granted while the moratorium is in place. *[Interruption.]*

The Presiding Officer: Order.

Fergus Ewing: I gently point out to Mr Macdonald that his colleagues in Westminster might say that they wish to stop fracking but when they have an opportunity to vote to halt it they abstain or just do not turn up. That is a very funny approach to the matter. It might be that, as the former Labour leader in Scotland said, Scottish Labour is a branch office. Although it is under new management, it appears that nothing very much has changed.

As for the suggestion about local referenda, I note that the Labour Party's track record in such things is not auspicious. When it held a referendum in Aberdeen on the Union Terrace proposals, the people said yes but Labour said no.

Murdo Fraser (Mid Scotland and Fife) (Con): I thank the minister for an advance copy of his statement, but it looks like his need not to be outflanked on this issue by Labour means that he has suffered a humiliating defeat in his war with Joan McAlpine. It must be a source of regret that so much of this debate has been characterised by political posturing instead of being evidence led and science based, and that the Scottish Government would rather play politics than take decisions in the best interests of the Scottish economy.

Yesterday, Tom Crotty of Ineos said that, if Scotland did not embrace shale gas, we could see a collapse in manufacturing. Little more than a year ago, every major party in this Parliament came together to help secure the future of the Ineos Grangemouth plant and the thousands of jobs that rely upon it. Now the Scottish Government has taken the decision to cut off any domestic supply of shale gas to Grangemouth, even though Ineos has said that that would help secure jobs for the future. Instead, it will have to continue to import shale gas from the United States. Is it really the Scottish Government's position that fracking is fine as long as it happens in Pennsylvania, but not if it happens in our back yard?

Fergus Ewing: It is our position that in Scotland we should look at the evidence pertaining to Scotland. However, that evidence does not exist—that was the conclusion last year of our independent panel, which said that there were considerable gaps in our knowledge of hydraulic fracturing in Scotland.

Let me repeat that we closely engage Ineos and meet it regularly. I made it absolutely clear that we want to hear everyone's view in the consultation that I have announced. That includes Ineos and

the chemical sector's views just as it includes those of individuals and communities throughout the country.

Murdo Fraser overstates and exaggerates his case. In yesterday's newspapers, Mr Crotty made it clear that the supply of gas required to continue its operation is per a contract that has been secured for 13 years. We welcome that; indeed, John Swinney and the former First Minister were fully involved in supporting and helping to facilitate those arrangements.

I will turn to the approach that Murdo Fraser's colleagues in England are taking. I first characterised that approach as "gung-ho". Their approach is to carry out fracking any time, any place, anywhere. It seems to me that an inevitable consequence, as we have seen in places where planning applications have been made in England, is conflict and confrontation—leading, I suspect, to challenges in court. Therefore, I suggest that the Conservatives revert to the approach advocated in their policy document of January 2013, which was to take an evidence-based approach on these matters.

The Presiding Officer: Many members want to ask a question. If the questions and the answers are as brief as possible, we might just get to the end of the list.

Angus MacDonald (Falkirk East) (SNP): The minister will be aware of my significant constituency interests. How will his statement affect the live planning application for unconventional gas extraction in Airth?

I warmly welcome the moratorium, including the commitment to conduct a full public health impact assessment and a full public consultation on UG extraction. Will the minister give an assurance that evidence will be gathered from experiences in other parts of the globe and not just those in the United Kingdom?

Fergus Ewing: I recognise that Angus MacDonald has consistently and long campaigned for his constituents on these matters. I pay tribute to his industry and how he has pursued the issues. His representations helped to form part of the process that persuaded us that we need to consider the public health impacts—I am happy to confirm that that will happen.

The moratorium cannot be applied retroactively to existing planning applications. However, it will be applicable with immediate effect. The chief planner of Scotland and my colleague, Mr Neil, are taking that forward.

Liam McArthur (Orkney Islands) (LD): I thank the minister for advance sight of his statement. It has been fascinating to watch Labour and the Scottish National Party try to outdo each other in

sounding sceptical about fracking, which they both support.

Just so that we are clear, is Mr Ewing saying that, after all the consultations, assessments and impact studies have been completed, that he as energy minister will be ruling out signing any contract for fracking in Scotland?

Fergus Ewing: The whole point of obtaining evidence on, as I have announced, a series of fronts and a variety of issues—which are of genuine concern; I would have thought that Mr McArthur, as some of his colleagues have, would acknowledge that—is to consider the evidence once we have it and not to prejudge it before we have sought or obtained it. Plainly, we will not prejudge the outcome of the process that we have set out.

I hope that the United Kingdom Government will listen to the recent plea that I made to Liam McArthur's colleague, Ed Davey, that no further licences should be issued in Scotland, following the principle set out by Amber Rudd in disapplying from Scotland the Liberal and Conservative proposal to confiscate the rights of householders to object to activities under their houses. Now that that precedent has been set, surely Liam McArthur and the Scottish Liberals will say that no further licences should be granted by their colleagues who are in the coalition Government with the Conservatives? I very much hope that they will speak out on that issue.

Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): Friends of the Earth Scotland head of campaigns Mary Church said of Monday's vote at Westminster on a UK-wide moratorium on fracking:

"It was a surprise that Scottish Labour MPs ... mostly abstained, given the party's new commitments over the weekend."

Does the minister agree with Mary Church? Does he also agree that the vote clearly exposed Labour's posturing on fracking to be nothing more than a disgraceful, shameless sham?

The Presiding Officer: Minister, that did not relate to the content of your statement. I call Jackie Baillie.

Jackie Baillie (Dumbarton) (Lab): I give the minister another chance to provide clarity on the Government's position. Will he give a yes or no response on two elements of Labour's triple-lock system? First, does he agree that there will be no fracking in Scotland until we learn lessons from the rest of the United Kingdom? I did not hear an answer when Lewis Macdonald asked that question. Secondly, given that he said in his statement that the moratorium is not indefinite, will he agree to local referenda when applications are

submitted? Will he deny communities a voice on issues that affect their areas?

Fergus Ewing: Today I announced a moratorium on granting planning permission for the extraction of unconventional oil and gas. Let me make this absolutely clear: that means that no planning permissions will be granted for that activity. The Scottish Government position is therefore totally clear—[*Interruption.*]

The Presiding Officer: Order.

Fergus Ewing: A moratorium applies and no planning permissions will be granted. I am not quite sure what part of that is unclear.

On the second part of Jackie Baillie's question, according to the initial advice that we have had, local referenda would be complex and costly. It would be difficult if not impossible to ascertain the electorate, given the nature of fracking activity, which happens beneath the ground over an extensive area. Therefore such an approach is not sensible—nor, indeed, is it currently part of planning law.

However, because we have announced a moratorium, the questions that Jackie Baillie raised do not arise. It seems that the Labour position is not so much a triple lock as a total joke.

Graeme Dey (Angus South) (SNP): I warmly welcome the statement and, in particular, the moratorium. What steps will the Government take to ensure that the consultation is as far reaching as possible, so that the voices of the people of Scotland on unconventional oil and gas extraction are heard?

Fergus Ewing: I hope that all members can agree that it is right that decisions about such matters are taken in Scotland. We hope that in 2016 we will have the opportunity to take decisions armed with not just some of the relevant levers. We hope to have levers in relation to not just planning and environmental regulation but licensing, which is the key lever—that is why it is so important.

Mr Dey was right to suggest that there should be wide consultation of the people of Scotland, whom we represent. The people of Scotland are entitled to and should have the opportunity to participate in a debate about proposals on a technology that, although it is not new in any sense, will be newly applied in Scotland. We intend to announce the consultation in around two months' time. It will last for the standard period of 12 weeks. I very much look forward to engaging with all the people of Scotland in the debate.

Sarah Boyack (Lothian) (Lab): Will the minister confirm that he will consider the climate change implications of fracking and coal-bed methane extraction? In particular, will he consider

the research into fugitive emissions, given that the Scottish Government failed to meet its own climate targets in their first three years?

Fergus Ewing: I confirm that that is, of course, one of the relevant issues that Dr McLeod and I will consider carefully in the course of the evidence-gathering exercise that I described today.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): Can the minister confirm that the granting of further licences by the UK Government cannot circumvent Scotland's planning system, through which applications will be determined?

Fergus Ewing: The purpose of the moratorium is to use the powers that we have to ensure that we can obtain the necessary evidence and have the consultation that I described.

I point out to Mr Coffey that it is a matter of fact that planning decisions can be challenged through the courts—they are subject to challenge by judicial review and in other ways. The only means whereby Scotland can take full power and control in decision making and represent the people of Scotland on such matters is by restoration to Scotland of all powers in that regard, so that we have powers in relation to not just planning but licensing.

Claudia Beamish (South Scotland) (Lab): Where does the Scottish Government moratorium leave communities such as Canonbie, in my region, where permission for coal-bed methane extraction has already been granted? Does the minister agree that, however robust any future guidelines might be if fracking were to go ahead, the skills capacity does not exist to assess applications or monitor developments?

Fergus Ewing: It is a perfectly valid question and we have given considerable thought to it. That is why, as I indicated earlier, Dr McLeod has issued a direction today to the Scottish Environment Protection Agency that no controlled activity regulation licences will be issued in respect of any unconventional gas application during the moratorium. That action has been taken with ministers—me, Mr Neil and Dr McLeod—working together.

Of course, the answer again is that if we had full powers in Scotland over all these matters, including power over the licensing—the ability to grant the right to carry out mineral extraction in the first place—we would be far better able to control these matters in Scotland than we are while they are in the hands of a Conservative-Liberal Government in London.

Rob Gibson (Caithness, Sutherland and Ross) (SNP): Can the minister deal with the question of the international evidence gathering

that needs to be carried out on public health and on methane emissions in a way that separates the worrying facts surrounding unconventional oil and gas extraction from the fictions that are out there about fossil fuel use being acceptable in this day and age?

Fergus Ewing: As I have already stated, that will be the subject of consideration in our evidence-based approach. The member knows that we are in transition to a low-carbon economy and that we have made great strides forward both in generating green electricity and in reducing emissions. However, there is more work to do. In the course of the evidence gathering that I have described, we will consider those matters with extreme care.

Alison Johnstone (Lothian) (Green): The Scottish Green Party is pleased that the Scottish Government has finally agreed with our long-standing call for clear opposition to unconventional gas extraction. The huge public support that we have had for our principled stance has undoubtedly played an important part in today's announcement, but of course a moratorium is only—

The Presiding Officer: I really need a question, Ms Johnstone.

Alison Johnstone: A moratorium is only a delay or a suspension. Is the minister aware that, if he keeps this door ajar, public opposition will continue to grow and the Greens will continue to engage with those communities across Scotland that want an outright ban now?

Fergus Ewing: As I said at the very outset, I hope that a broad consensus can emerge that the proposals that I have announced today on behalf of the Scottish Government are a sound, sensible and cautious approach and that we will have a national debate that is characterised by examining the evidence and looking at it with extreme care. As the member knows, we need to do that precisely because we do not have all the evidence relating to Scotland in a whole variety of ways. The debate should be better informed by the process that I have set out today.

In the meantime, the moratorium will apply until the process of evidence gathering and consultation has been concluded. I think that that is the right approach, as is not prejudging the outcome of that process, but of course everyone in the chamber is perfectly entitled to continue to campaign and make their views known. I am perfectly sure that that is exactly what they will do.

Claire Baker (Mid Scotland and Fife) (Lab): The minister is well aware of my concerns about the underground coal gasification proposals for Fife. Will the minister's announcement on a

moratorium apply to the UCG proposals for the Firth of Forth?

Fergus Ewing: The powers that we possess apply to onshore planning activities. As the member will know, they do not apply to offshore activities such as those that I believe would be covered by UCG. Therefore, in the meantime, we urge the potential developers to engage closely with the local communities on these matters and to acknowledge that the highest possible standards in respect of environmental regulation must be pursued. Of course, were we to be in possession of powers in relation to offshore licensing as well, then we could have been in a position to make further progress, as Claire Baker might wish us to do, but, sadly, we are not yet in such a position.

Liz Smith (Mid Scotland and Fife) (Con): In the interests of complete clarity about the Scottish Government's position, is the minister saying that any landowner in Scotland would be in a position to prevent fracking under his property?

Fergus Ewing: Applications are considered in accordance with the planning process. Today, I have announced that a moratorium applies in Scotland. Applications will therefore not be granted, pending the outcome of the process that I have described. [*Interruption.*]

The Presiding Officer: Order, Mr Fraser.

Fergus Ewing: We took a view that I think is widely shared in Scotland. When Matt Hancock announced on 28 July—without any consultation of the Scottish Government, far less of the Scottish people—that rights to object to activities underneath people's houses would be withdrawn, we thought that that decision was entirely wrong. I think that most people in Scotland agree with us.

The Presiding Officer: My apologies to Richard Simpson. I am afraid that I need to move on.

Women Offenders

The Deputy Presiding Officer (Elaine Smith):

The next item of business is a debate on motion S4M-12160, in the name of Kezia Dugdale, on women offenders. I call Kezia Dugdale to speak to and move the motion. You have 14 minutes.

15:11

Kezia Dugdale (Lothian) (Lab): I welcome the opportunity to devote Labour business time to female offending. It is to our collective shame that the female population of our prisons has doubled in the lifetime of this Parliament—especially as crime rates have fallen. I intend to outline why female offending matters and what it does to women, children, families and communities. I will then consider alternatives to prison, how we might grow and develop them, and how we might ensure sustainability in their funding. I will focus specifically on the impact of female imprisonment on children and the consequences of that.

I will first address the proposed superprison in Inverclyde. I whole-heartedly welcome the new Cabinet Secretary for Justice's decision to abandon plans for the 350-person capacity prison in Inverclyde. It is a welcome U-turn and is a credit to all those, including women for independence, who have made the case over the past few weeks and months and, in the case of the Howard League, for years.

I was astonished to see that the Government's amendment to Labour's motion would remove both the motion's reference to that "coalition of views" and the section about the

"cross-party and wider stakeholder support"

for the issues that we will debate. I am disappointed to see that.

The Government's decision is a U-turn, because the plans for the prison were very advanced. HM chief inspector of prisons for Scotland told the Justice Committee in 2012 not only that the prison would be in Inverclyde but its exact location, and noted that the land and building permissions had been sought and that the cost would be £70 million to £100 million. It was also said that we must plan for a prison of 300 and that it

"must run a service that is capable of servicing the courts."—[*Official Report, Justice Committee, 30 October 2012; c 1923.*]

Annual reports on progress towards the Angiolini recommendations were made to Parliament in 2012 and 2013, each arguing that the new prison was in the spirit of the Angiolini report. A letter to the Justice Committee in July last year reiterated that the build design was for a capacity of 300, but also said that that could be

extended to 350, if necessary. It said, too, that the land would be cleared before Christmas. The tender for the works was live on the public contracts Scotland website in September, with closing for notes of interest being before Christmas. As of yesterday, the documents were still live on that website.

The jail was happening until the Cabinet Secretary for Justice took the brave and radical step to scrap it, for which he should be congratulated. However, serious questions flow from that decision. The project was live for two years and was nodded along the way by the current First Minister and by the former First Minister.

The Telegraph has reported that the Government has spent £7.8 million so far on the plans for the superprison. That is an astonishing figure; it is almost three times what we have spent in the past two years on alternatives to jail. That money could have been much better spent building sustainability for community-based disposals across the country.

The former Cabinet Secretary for Justice, Kenny MacAskill, welcomed the U-turn—which was a reversal of his own decision—on Twitter. That is the theatre of the absurd.

The U-turn is welcome because a large-scale prison was not in keeping with the Angiolini report, which was a substantial piece of work with no fewer than 37 recommendations that achieved cross-party support. I reiterate the Labour Party's support for it. The commission was, of course, a commission on female offending, so it is worth taking a moment or two to reflect on why the issue is gendered.

Female offenders are far more likely to have suffered a trauma or a series of traumas in their lives. They are far more likely to have suffered rape, homelessness, physical or sexual abuse, or a history of addiction and neglect. Some 76 per cent of women who were sent to jail last year were in for six months or less. The most common crime was shoplifting. When I spoke to staff at the willow project and the 218 service—I will come to them shortly—they said that, in most cases, women stole to feed a habit; their own or that of a partner. I mention that simply to highlight that the best way to break the cycle of offending is to treat its root causes. I will say more about that shortly.

It is important to say that we must not let this become a debate about who is hard or soft on crime. Such labels only serve to create tabloid headlines. Our duty as legislators and scrutineers is to focus on what works.

I mentioned that 76 per cent of women who were sent to jail last year were in for six months or less, but it is important to state that just 5 per cent

of the women who were imprisoned last year were in for serious or violent offences—crimes that came with a custodial sentence of four years or more. If women are a danger to themselves or to wider society, of course they should go to jail. Of course that is right, and it is in keeping with the Angiolini report, which stated that we need one small-scale national facility. I was very interested to hear the cabinet secretary's reflections yesterday on the siting of such a facility. Perhaps we will hear more on that from him later.

I will move on to the development of community disposals. The Howard League has told me to try to avoid using the word "alternative" because it gives primacy to sentencing or custodial sentences. Many great organisations are working on alternatives. I have had the pleasure of visiting three of them in the past few weeks: the willow project in Edinburgh, the 218 service in Glasgow and Tayside Council on Alcohol.

The criminal justice social workers at the willow project and the 218 service said to me that their alternative disposals are not soft options and that it is, in fact, much harder for women to use the services than it is to go to jail because using them forces people to look at themselves in the mirror, to see themselves as they really are and to face up to some of the real challenges in their lives. The services offer health checks, serious group work, one-to-ones, addiction clinics and a full schedule of activities during the day to try to tackle the root causes of offending.

The 218 service in Glasgow has just 12 permanent residential bed spaces, although it deals with more people who attend on a day-to-day basis, of course. In Glasgow, sheriffs quite often wish to send people to the 218 service, but there is no room at the inn. We should aspire to having facilities such as the 218 service across the whole country in order to remove that impediment from sheriffs.

There are, of course, associated housing issues that we cannot ignore. Transitions out of projects such as the 218 service and the willow project are just as important as the existence of the services themselves, particularly in relation to security of housing. Many women in the 218 service have tenancies; the focus must be on retaining them because of the impact otherwise on their families. A woman's housing benefit will be spent on maintaining that tenancy, which means that the cost of her place at the willow project or the 218 service is carried by the project. The alternative is the woman losing her tenancy, which creates a homelessness problem that is even harder to address, as there is a shortage of one-bedroom properties.

The focus has to be on breaking the cycle of offending, but we must also consider relapse

prevention. Things do not stop at the end of the community disposal—what matters are the services beyond that. I have already mentioned housing. In Edinburgh, the willow service encourages women to return at any point when they ever require the service in their lifetime. The door is always open for people who need that additional support.

When the Angiolini commission reported, the Scottish Government awarded £3 million to 16 projects across the country in order to build up community disposals. It is right to say that that is not just core funding, and it is certainly not revenue funding. It was awarded to build up a number of opportunities around the country in the hope that they would be self-sustaining through the criminal justice authorities. I ask the minister: what now for those facilities? What evaluation has the Government done of their sustainability? I know that the Government is considering the effectiveness of the projects, but is it examining how much money is left? One of the services that I have visited in the past few weeks does not know whether it will have any money beyond 31 March this year. If we are serious about building up community disposals, we must give such services security of funding so that they can continue their work.

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): I am very much in tune with what Kezia Dugdale is saying. A Soroptimist International report that came out recently says that 80 per cent of women offenders have a history of mental illness. I note that she has not touched on that subject, nor does her motion. Will she therefore welcome the fact that the Government amendment introduces health to the debate, and will she swing behind the Government in recognising that it is a very important part of the debate?

Kezia Dugdale: I absolutely concur with that. Several Labour members will touch on mental health. I would have more sympathy with Stewart Stevenson's position, however, if his own Government had not cut research funding for mental health within the past few days. He is right to focus on mental health, but other mentoring projects exist, and the future of their funding is particularly pertinent for organisations such as Barnardo's.

That brings me on to children. Two thirds of the women in our prisons have kids—at least, we think that is what the numbers are. We do not have exact figures because, understandably, women are not particularly keen to disclose, given the impact that that can have. We know that for the children of men who have been jailed there is a 95 per cent chance that they will go on to live with their mum. However, just 17 per cent of kids

whose mum is jailed go on to live with their father, which means that there is a much higher propensity for children to end up in care when their mother is jailed. That should concern us all.

Barnardo's runs a project at Cornton Vale that works with young women offenders under the age of 21. Not a single one of the mums currently has custody of her children. Just one third of the women who access another project that is operated by Barnardo's—it mentors women who have experience of the criminal justice system—have custody of their kids.

Parliament has done great work on care leavers during this session, and we should be proud of that. Labour members were certainly proud to support the Government on the Children and Young People (Scotland) Bill, but we must follow that through and focus on the needs of looked-after children all along the way.

The Angiolini report tells us that more children in Scotland are affected by parental imprisonment than are affected by divorce, and that up to 30 per cent of those children will go on to develop mental health problems in their lifetimes.

We need services that are focused on tackling the deep-rooted issues of poverty and inequality, and we need them now. We need to break the care-leaver trajectory that says that a looked-after child is far more likely to go to jail than they are to go to university. That, too, should concern us all.

Later in the debate, members will hear from my colleague Elaine Murray, who will focus on the particular issues that affect women who are on remand. I spoke at the 218 project to a woman who had been on remand for eight weeks. During that time, she lost custody of her children: it took her three years to get those children back. That was a consequence of an eight-week stint on remand.

My colleague Jayne Baxter will focus on community justice centres, in particular in Fife. Mary Fee will talk about families that are affected by imprisonment and the work that the cross-party group that she chairs has done in that regard.

My colleague Richard Simpson will come on to Labour's record. It was particularly unfortunate to see a tweet over the past few days from Christina McKelvie, I think, which asked what Labour had ever done on this issue. We will hear more about that in the course of the afternoon. When in office, Labour did a tremendous amount of work on this issue—Richard Simpson and Hugh Henry both served Parliament in the role of Deputy Minister for Justice. They set up drug treatment and testing order courts. I spent an entire day at one with Dr Oliver Aldridge, who is a consultant psychiatrist and world-leading expert on these issues. Hugh

Henry and Richard Simpson are also responsible for the 218 project's inception.

In the past few weeks, I have said that Parliament is at a crossroads on female offending. We were about to spend £75 million on the wrong thing while funding for the thing that works was about to run out. Half that problem has been solved with the justice secretary's U-turn this week, which we very much welcome, but the picture is not yet complete.

Once again, I congratulate all the organisations that have been campaigning and I emphasise the need for cross-party support in the future. I look forward to today's debate.

I move,

That the Parliament welcomes the decision of the Scottish Government to abandon its previously published plans for a large-scale women's prison; congratulates the coalition of views that helped to bring about this decision; believes that the report produced by the Commission on Women Offenders led by Dame Elish Angiolini provides a clear roadmap for a different approach to women offending; believes that adequate and sustained funding is needed for community-based alternatives to imprisonment, and calls for full cross-party and wider stakeholder support and engagement in the debate and delivery of the commission's recommendations.

15:25

The Cabinet Secretary for Justice (Michael Matheson): Members are aware that I announced on Monday that the Scottish Prison Service's plan for a women's prison in Inverclyde will not go ahead because the plan does not fit with my vision of how a modern and progressive country should address female offending. We need to be bolder and to take a more radical and ambitious approach.

When it comes to the justice system, we must make smarter choices and be more sophisticated in how we deal with female offenders. To do that, we must make sure that we tackle the underlying causes of offending, including mental health problems, drug and alcohol use and all the other issues that can result in a person committing a criminal offence in the first place.

I want to be clear, however, that some women who present an unacceptable risk to the community or to themselves need to be in prison. We also have a small number of young women who offend and we need to ensure that they have separate and appropriate facilities. When it comes to how we deal with women who are sent to prison, we intend to have a separate national facility for high-risk women and a separate facility for young women.

I believe that we should invest in smaller regional and community-based custodial facilities across Scotland for the majority of women who are

sent to jail. That approach is more closely aligned with the vision that was set out by Dame Elish Angiolini. The commission on women offenders called for radical reform of the existing system and in working practices across the criminal justice system, and of how universal services including housing, welfare benefits and healthcare interact with women to help them to make positive changes and to build the skills that they need to move away from a life of offending. I want to make sure that that happens.

On Monday, I said that I will now enter a period of dialogue; that is exactly what I will do. I will work collaboratively with partners from across the sector who have a serious contribution to make to the debate.

Although it is obviously for the courts to decide who receives custodial sentences, I believe that we continue to lock up too many women who present low risk. I want to take a new approach to dealing with that type of offender, and to provide them with the best possible support to help them to turn their lives around. I am committed to reducing the female prison population in Scotland, but let me be clear: there are no quick solutions and there is no one-size-fits-all approach.

The evidence tells us that community-based residential units are better at supporting women and helping them to make positive changes in their lives. They provide a safe and structured environment in which women can improve their health and wellbeing and address the underlying issues that contribute to their offending behaviour—for example, substance misuse. Women offenders are far less likely to be a danger to the public than men. We also know that the families—the children—of female offenders are more likely to go off the rails and to offend if their mothers are jailed miles away from home. That becomes a vicious circle that affects future generations and does nothing to address reoffending behaviour. Therefore, we need to ensure that a woman's links to family and community can be maintained at the same time as she takes part in targeted work to address the specific issue that fuels her offending behaviour.

On Monday, I spent a few hours with the women and staff at the 218 centre in Glasgow, as other members have done over the years since the facility was established. Although the centre takes an entirely voluntary approach, it provides exactly the type of sophisticated approach that I would like to be part of our plans for dealing with women in custody in the future. I was struck by how honest the women are about how tough it is to stick with a residential rehabilitation centre, compared with spending time in prison. It is definitely not a soft option; it is hard work for them to be honest with themselves and, finally, to ask for and take the

help that they need to deal with their issues and problems. Deep-seated issues including substance misuse, trauma, bereavement, physical and sexual abuse and low self-esteem can often be a woman's way into offending.

Dame Elish's commission said that "many of" its "recommendations could be achieved through reconfiguration of existing funding, rather than significant new investment."

However, the Government recognises that it might be difficult for partners to reconfigure service delivery for women quickly. That is why we have been working with community justice partners and have invested £3 million between 2013 and 2015 to allow reconfiguration of existing services to take place. That has allowed us to support 16 projects to deliver new or enhanced services for women offenders in communities throughout the country. The Scottish Government's funding has allowed local partners some headroom to reconfigure their services in a way that it is felt can meet the commission's aspirations and provide the best outcomes for women in their localities and, crucially, at a level that partners are sure they can sustain beyond the limited funding.

In Glasgow, Edinburgh and Aberdeen, we have worked with partners to establish justice centres for women. Those centres provide a multi-agency service and a holistic response to women who offend. They have not only central locations, but networks of activities and services that operate from those bases. The staff work proactively to support the women who use the services.

I recently visited the new centre in Glasgow, called tomorrow's women Glasgow. It is a new co-ordinated service for women that local justice and health partners have developed to work alongside existing services for women in the city like those who use the 218 centre. I was struck by the multi-agency approach to working with women and the clear commitment of all the staff to providing the right help to support the women who require their assistance to turn their lives around. I also spoke to some of the women who use the centre. Just like the women at the 218 centre, they told me how much of a difference it is making to their ability to address their offending behaviour.

Our funding has also helped services—the willow project in Edinburgh and the Aberdeen women's justice centre—to secure new fit-for-purpose facilities, expand their activities and increase the availability of services to women in their areas. Some projects have been created through criminal justice social work provision, for example, in Dundee.

In North Lanarkshire, Renfrewshire and Highland, services have all taken approaches that they believe could enhance how they deal with

women offenders in their localities. In Fife, Angus, South Lanarkshire, Falkirk and Forth Valley, partners are testing an outreach model to engage and deliver services to women in the communities where they live, rather than basing them in single locations. Evaluation of the approach that they are taking will be undertaken to identify the most effective approach in those models.

Kezia Dugdale: I welcome the cabinet secretary's remarks on evaluation. Can he tell us, in response to the question that I asked in my opening speech, whether he has examined the financial viability of projects' continuing past March this year?

The Deputy Presiding Officer: Cabinet secretary—you are approaching your last 30 seconds.

Michael Matheson: My officials are engaged in work on those projects. When the projects received funding two years ago, part of the agreement concerned their sustainability and the ability to reconfigure existing services. We are working with them to ensure that that happens.

As I have made clear to members, I am determined to reduce the female prison population, and to enable more women to do the tough work that they need to do to turn their lives around in their communities. That is why I announce today that we will invest an additional £1.5 million in 2015-16 to support community-based provision for women offenders.

The course that I have set opens up the potential for greater use of community-based solutions for women who offend and women who are at risk of offending. That will benefit us all. By dealing appropriately and effectively with that vulnerable group of women, we will ensure that Scotland will be a safer place.

I move amendment S4M-12160.2, to leave out from "to abandon" to end and insert:

"not to proceed with the plans for HMP Inverclyde as a prison for women; agrees that Scotland needs to take a more radical, ambitious and sophisticated approach in the way in which it deals with female offenders; welcomes the Scottish Government's commitment to enter into dialogue with all interested parties to develop a modern and progressive response to women who offend in Scotland, and agrees with the view of the Commission on Women Offenders that it is imperative that mainstream service providers, such as health, education and housing work, recognise their responsibilities and work collaboratively with each other and with criminal justice partners to facilitate the provision of all necessary services to women offenders."

15:36

Margaret Mitchell (Central Scotland) (Con): I congratulate Labour on bringing the issue of women offenders to the chamber. I am sympathetic to the intent behind the motion, but it

misses the mark with regard to focusing on the issues that must be clarified and resolved if we are not to find ourselves in the same situation many months—or even years—from now, still pursuing an unrealised Angiolini-type strategy to deal with this vexing problem.

I pay tribute to the cabinet secretary for being prepared, even at this late stage, to reverse the plans for HMP Inverclyde. However, questions must be asked about why the decision to commission the prison was taken in the first place and why it has been reversed only at this late stage, after a staggering £7.8 million has been spent on the proposals. At a time when budgets are being squeezed across the board, that represents a significant dent in the public purse, which takes us back to the drawing board and creates yet more uncertainty about the way forward.

The Government has recognised the need for a national women's prison, but the Labour motion fails to mention that, although Kezia Dugdale clarified the position. It is worth taking a moment to set out why such a prison is needed.

First, women are not in a different category from male offenders purely because of their gender but rather, as Dame Elish Angiolini emphasised, because there is a need to address the “distinct features and characteristics” of female offending.

Secondly, there is no doubt that there are dangerous—and even evil—women, just as there are men who fall into that category. Yesterday was Holocaust memorial day, which also marked 70 years since the liberation of Auschwitz, where approximately 1 million Jews were exterminated. It was a chilling reminder that some of the cruellest and most feared guards in Auschwitz were women.

Decades later, in the United Kingdom, there is a clear and present danger that results from a known increase in the number of women terrorists who are joining the Islamic State and who are not just perfectly prepared for, but fully committed to, carrying out the most evil atrocities.

I also found in my teaching experience in a previous life that a disruptive female pupil could be much more problematic than a male pupil. It is crucial that, in devising and delivering the best way forward to tackle female offending, and in sympathising with and seeking to put in place the most effective treatment for the vast majority of women prisoners, we avoid the temptation to look at the issue through rose-tinted glasses.

Instead, there is a need for a forensic and realistic assessment of the risk that women offenders present, which acknowledges that some—albeit a very small percentage—of the female offender population will, by the nature of

their crimes, require a prison sentence for the public's protection.

For the debate to be of tangible value, we want to hear a clear indication of precisely how the Government intends to move forward, including what provision is being made for the 218-type centres that tackle the higher lifetime incidence of severe and repeated physical and sexual victimisation, the higher rates of poor mental health and the greater tendency to self-harm that are recognised as being distinguishing features of women offenders. The evidence from judges, including sheriffs, makes it perfectly clear that they value having 218-type centres as a disposal and support many more of them being available as an option for sentencing.

It is depressing that, instead of giving a distinct commitment to 218-type centres and an explanation of how they will be resourced and financed, the Government has merely stated that the Scottish Prison Service

“will now undertake a period of extensive engagement with key partners.”

Community service and disposals have been mentioned, but not precisely the 218-type services that are the key. This is after the Equal Opportunities Committee conducted an inquiry into female offenders in the criminal justice system in 2008 and after the commission on women offenders, which was led by the former Lord Advocate Dame Elish Angiolini, published its comprehensive recommendations on women offenders in 2012, having consulted more than 100 individuals and organisations.

Seven years later, unless there is some meat on the bones and some concrete proposals, it looks very much as if we are back to square 1. Rather than vague statements about funding community projects that are not specified and about how it is imperative for service providers to work collaboratively with the criminal justice system, there should be a clear indication of how the 218-type centres, in line with the constructive proposals in the Angiolini report, will be funded and established.

I move amendment S4M-12160.3, to leave out from “welcomes” to end and insert:

“notes the decision of the Scottish Government to reverse its previously published plans for a female prison in Inverclyde; seeks clarity about the proposals for the new prison together with an explanation as to why this decision was taken so late in the day; further seeks information relating to the financial ramifications of the decision, and believes that the report produced by the Commission on Women Offenders led by Dame Elish Angiolini has constructive proposals for dealing with women offenders.”

15:42

Alison McInnes (North East Scotland) (LD): I am so pleased that the Cabinet Secretary for Justice has reflected on the plan for HMP Inverclyde and listened to the progressive voices that were raised against it. The Howard League for Penal Reform, Families Outside and many others across civic Scotland played an important role in securing that outcome. His decision has presented us with another opportunity to do things differently and to redefine the experiences of women who come into contact with our justice system.

In responding to the Angiolini report almost three years ago, Kenny MacAskill said:

“how women are dealt with in the criminal justice system is one of the most pressing social justice issues of recent times.”

I agreed then and I agree now. What dismays me is how faltering the progress has been in the interim. Efforts must now be redoubled to bring about the radical and more ambitious approach that the cabinet secretary talked about. I have long campaigned for that, and the Scottish Liberal Democrats will offer steadfast support if the Government is up for such radical change.

We should take a moment to praise the staff at the Scottish Prison Service who were tasked with delivering HMP Inverclyde. Led by Kate Donegan, a former governor of Cornton Vale, they had to operate within the constraints that the Scottish Government set. It is evident that they worked extremely hard to ensure that the facility would be as sympathetic as possible to women offenders' needs, and I am certain that much of their enlightened thinking could be usefully adopted elsewhere in the prison estate. However, I agree that the fundamental plan for a prison of the proposed size in the proposed location was too significant a departure from the Angiolini report. Building to meet projections only risks entrenching the mistakes of the past.

The commission on women offenders made scores of recommendations. I ask the cabinet secretary to end the fragmented approach to their implementation and to commit today to implementing the package in the round. It really is the radical, ambitious and sophisticated programme that he mentioned and is seeking. Many of the reforms are complementary and require a multi-agency, holistic response. The cabinet secretary will therefore need health boards, local authorities, the judiciary and others to buy into the vision.

That brings me to my amendment. The current lack of judicial diversity is indefensible and has contributed to serious failings in the sentencing of women. The Judicial Appointments Board's diversity strategy acknowledges that the

composition of the judiciary must reflect the diversity of society and that

“A judiciary whose members are drawn from a wide range of backgrounds and life experiences will bring varying perspectives on legal issues and is likely to enhance public confidence”.

However, the statistics reveal a different story. Just nine of the 34 senators of the College of Justice are women. Only 30 of the 139 sheriffs sitting on the bench and one of the six sheriffs principal are women.

Indeed, Scotland is among the worst in Europe for equality among the judiciary. Last October, the Council of Europe reported that, of the 47 council members, only Azerbaijan has a worse gender balance. In contrast, the gender balance around Europe is almost equal. In France, Spain, Italy, Holland, Finland and Denmark, the majority of judges are female.

It cannot be that only in Scotland are such a small number of women able and experienced enough to sit on the bench. Why is the number of women in the eligible pool increasing faster than the number of applications for judicial office from women?

Only a third of women remanded in custody go on to receive a custodial sentence. In 2011-12, four fifths were serving sentences of six months or less. The number of women convicted of a crime has gone up by 14 per cent in the past 10 years, but the number in custody has more than doubled, yet all the while the gravity of offending has remained the same. When all that is the case, we are surely compelled to consider how the judiciary can better utilise the available disposals. How can we ensure that judges have greater confidence in community-based services and innovative approaches such as restorative justice?

The commission on women offenders identified that there was scope to expand the breadth, depth and regularity of training on sentencing. The Scottish sentencing council could make a difference by promoting understanding and consistency in sentencing practice. The Lord Justice Clerk, Lord Carloway, believes that the council can generate a shift from punishment to rehabilitation. He suggested that

“It will advance Scotland into a more civilised era where retribution other than in relation to the most serious of crimes, will have a smaller plate at the sentencing table.”

Reducing the prison population, reducing the number of people held on remand and ending senseless short-term sentences all hinge on sentencing policy, yet the council still has not been established, four years after Parliament legislated for it.

At the heart of improving the situation for every woman who comes into contact with Scotland's

justice system is the need to break down such barriers, overcome misconceptions and increase understanding. That is the only way to ensure that sentencing is focused on rehabilitation and addresses the specific and distinct needs of women.

I move amendment S4M-12160.1, to insert after “women offending”:

“; considers that further judicial training, greater judicial diversity and the establishment of a Scottish sentencing council would help ensure that sentencing is focused on rehabilitation and addresses the specific needs of women offenders”.

The Deputy Presiding Officer: We move to the open debate. We do not have a lot of time available, so I ask members to keep to speeches of six minutes.

15:48

Roderick Campbell (North East Fife) (SNP): Like others, I welcomed the cabinet secretary’s statement on Monday. I also welcomed his considered response to the Justice Committee on 16 December. Members might recall that he said:

“I intend to take the opportunity to understand all the different aspects that feed into our thinking about the future shape of that facility before any final decision is made on the matter. That will include looking at its size as well as the model and the approach that we will choose.”—[*Official Report, Justice Committee*, 16 December 2014; c 3.]

This decision was not taken overnight.

I have taken the opportunity to remind myself of the contents of the Angiolini report. Its section on prisons highlighted the inadequacies of Cornton Vale and called for its replacement with a smaller specialist prison for long-term offenders. It drew attention to successes such as the community integration unit at the then HMP Aberdeen and the 218 centre in Glasgow, which was highlighted as an example of good practice and which we have heard a lot about today.

Recommendation 227 makes it clear that

“Additional places for women offenders should be provided in local prisons to enable improved community integration and family contact ... and supported accommodation should be commissioned as an alternative to custody and to support women on release.”

The report highlighted alternatives to remand and to prosecution, together with a commitment to community justice centres. As the cabinet secretary said, most important, it was stated that many of the recommendations could be achieved through the reconfiguration of existing funding rather than through significant new investment.

In his response to Dame Elish Angiolini in June 2012, the then cabinet secretary envisaged that HMP Inverclyde, which was not then designated solely for women, would accommodate 52 women

plus a further five in the community integration unit. In addition, he accepted the need for pilot schemes for community justice centres. Following that, the Scottish Prison Service embarked on a consultation in August 2012. The response to that highlighted strong support for regional units for women on remand or serving short sentences as well as a debate about the best place for a new national prison.

Along the way, we perhaps became too focused on the building to replace Cornton Vale as a national prison and on the bricks and mortar, rather than the underlying issues, so I am pleased that we are now exploring a more local approach. Maintaining family and community links wherever possible while tackling underlying alcohol, drugs and mental health issues, for example, must be the way forward.

There can be no doubt that ease of access for those serving any form of custodial sentence or punishment is important. That allows contact between mothers and their families wherever possible, and it may have a preventative purpose, as approximately 30 per cent of children with mothers in prison develop mental health problems and there is a higher risk of those children ending up in prison.

In evidence to the Justice Committee on 26 June 2012, Dame Elish highlighted that mentoring is critical to successfully keeping women out of prison. The Government has embraced that fully, in particular through the shine mentoring service, which is delivered through a public-social partnership. Along with other mentoring services, the shine service continues to be funded through the reducing reoffending fund, which is worth £18 million over the five-year period to 2017.

Women who have experience of mentoring projects have responded positively. Former prisoners have responded positively to the difference that mentoring can make. Mentors can be role models who fulfil a role that social workers simply cannot and, in some cases, former mentees become mentors.

I hope that the new HMP Grampian will build on experience of community reintegration at HMP Aberdeen and HMP Inverness. For offenders who are completing custodial sentences, we need to recognise the importance of reintegration. Throughcare support is vital; statutory throughcare is limited, but extending support fully to short-term offenders is important.

Let us remember that a ministerial group on offender reintegration was established in October 2013 to assist integration between the criminal justice system and wider public services. Trials such as the one conducted at HMP Perth, which seeks to maintain existing tenancies for short-term

offenders to help them to reintegrate into the community after release, are important. Community justice is still a work in progress but, with fully integrated community planning partnerships that have a focus on reducing reoffending and on alternatives to custody, there are grounds for optimism.

I am pleased that the cabinet secretary still plans to close the existing Cornton Vale facility, and I share his preference for possibly building a smaller prison on that site. However, a decision remains to be made on where to site a secure facility for the small cohort who are the most dangerous offenders. That will need to be consulted on further.

I accept that, in a diverse country of cities, small towns, villages and countryside, a uniform system for community justice centres might not be feasible. Dame Elish accepted that when she gave evidence in 2012. With the projects that are under way in Angus and Fife, for example, we recognise that. I await with interest the independent evaluation of the 16 projects that the Government has funded. I also welcome the cabinet secretary's commitment to provide £1.5 million for community-based solutions, which is clearly a step forward.

We have a cabinet secretary who listens to interested parties and takes on board the comments of the Howard League for Penal Reform and others. The aims must be to reduce the number of women in prison wherever possible, to reduce numbers on remand, to look critically at any short sentence and to redouble efforts to reduce reoffending. For us as a society, having rising numbers of women in prison is not a sign of success. I am pleased that the trend has stalled and that numbers are now dropping, albeit in a small way. Scotland can do better; indeed, it must do better.

15:54

Elaine Murray (Dumfriesshire) (Lab): Like other members and the organisations that have campaigned for a rethink on the proposed female prison at Inverclyde, I welcome the cabinet secretary's statement. As Roddy Campbell said, when the Cabinet Secretary for Justice attended the Justice Committee on 16 December, he said that he intended to understand all the aspects of the issues before he took the final decision, and I am pleased that he has done so.

Previously, the Scottish Government stated that it accepted 33 of the Angiolini commission's 37 recommendations. However, the principal recommendation—that HMP Cornton Vale should be replaced by a smaller, specialist prison for female offenders who are serving a statutory long-term sentence and those who present a significant

risk to the public—was not really followed either in spirit or to the letter.

The statistics on female offenders speak for themselves. In 2012-13, 14 per cent of crimes were committed by women, but the vast majority of the offences were minor. Overall, women are less likely than men to receive a custodial sentence. Less than 6 per cent of the prison population are women, but three quarters of those who are serving a custodial sentence are serving 6 months or less.

One quarter of women in the prison population are on remand—that figure has doubled in 10 years. Those prisoners are women and girls who have not yet been found guilty of any offence and, shockingly, only 30 per cent of women who are held in prison on remand actually go on to serve a custodial sentence. More than one in six women who are held in prison on remand should not be there at all, as the crimes of which they are accused do not merit a custodial sentence. Those women are removed from their homes, their families and their children and placed in prison, accused of a crime that is not punishable by imprisonment. That cannot be right.

As Stewart Stevenson indicated, four fifths of the female prison population have mental health problems, and 60 per cent were under the influence of drugs and 40 per cent under the influence of alcohol at the time of their offence. Eighty-four per cent were unemployed at the time of their offence and 71 per cent have no formal qualifications—compare that to the figure of 15 per cent for the general population. More than half of them have experienced domestic abuse and one third are victims of sexual abuse.

Almost four out of five women offenders show evidence of impulsive and risk-taking behaviour. Recent studies, including those of male prisoners, indicate that such behaviour may result from brain injuries, particularly those that are acquired in childhood.

It is not just the women themselves who are affected. Two thirds of the women in prison have children and across Scotland 27,000 children annually are affected by their parents' imprisonment. However, although two thirds of women prisoners have children, only four in 10 receive visits. Prison visiting is a particular problem when women are imprisoned far from home and where public transport links are poor. That was one of my concerns about the configuration that was proposed previously, which had a large prison in Inverclyde and hubs in Edinburgh and Grampian. Prison visiting would not be easy for families from Dumfries and Galloway.

HMP Dumfries used to take local women offenders when it was a young offenders

institution, but there were insufficient numbers for it to be able to offer the women an effective programme of education and work. Once when I visited there was only one woman there; clearly, that was a very unsatisfactory situation for her. There needs to be an examination of how we treat different parts of the country.

The Angiolini commission stated that it was convinced that there needs to be a new approach to the management of women in Scotland's prison system. We know that very short prison sentences are often ineffective in addressing the causes of offending. Alternatives to imprisonment, remand and prosecution need to be developed that challenge offending behaviour and provide support to deal with the underlying issues that result in offending—mental health problems, addiction and so on.

The Angiolini commission, as members have said, recommended investment in community justice centres to provide intensive interventions that would be available at every stage of the criminal justice system. Attendance could be a condition for diversion from prosecution, a condition of bail or a condition of release from prison. Offenders would be supervised and managed and would be able to draw on support from a variety of agencies and services on mental health, debt management, employment, housing, childcare and benefits. Community justice centres can co-ordinate alternatives to prosecution such as early intervention with young offenders, fiscal work orders and composite diversion orders.

As other members have said, support needs to be made available for female offenders across Scotland, including those in rural communities. That means sustainable funding for other support models, too, so I was pleased to hear the cabinet secretary's announcement today of £1.5 million in the next financial year.

Women often end up on remand because they have broken their bail conditions; that should be tackled by better supervision of bail, but monitoring and supervision of bail have actually decreased. In contrast, some time ago Sweden introduced intensive supervision sentences of up to six months, which are served at home on an electronic tag. They are a form of house arrest, although women are allowed out for employment, training, healthcare and rehabilitation—they get those services, as well. We need to look at some of the international examples of good practice regarding alternatives to imprisonment.

Cancelling the prison contract is a welcome first step, but we have a long way to go in developing the sort of interventions that keep women out of prison and that work across urban and rural Scotland. Diversion from crime and prevention are of course the most preferable, but interventions

are needed at all stages of the criminal justice system.

16:00

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I commend Alison McInnes, not just for her very measured and thoughtful speech, but because she has single-handedly kept the focus on the delivery of the recommendations of Elish Angiolini's commission. She has not been opportunistic; she has fought her case inside and outside the Parliament, and not just in the chamber but in committee.

Alison McInnes and I are not joined at the hip, but she and I visited the 218 centre a long time ago. Its regime is one of tough love, and there are people who go on that course who regress. Mention has been made of electronic tagging. Electronic tagging on its own is not a solution, because people can lapse. The women at the 218 centre are supervised and the regime is very tough. As has been said, the facility is residential and can take only 12 people at a time. The course lasts for months, so it is intensive. It is an excellent facility.

I get a bit tetchy when I am told the blooming obvious. Some of us have known for a long time how many women offenders there are, the percentage of them who committed minor offences, the number who are on remand and the number who are victims. We have known all that for a long time. Many people in prison, not just women, are themselves victims.

I want to provide some background. On 5 August 2014, Colin McConnell and the then Cabinet Secretary for Justice came before the Justice Committee to set out their plans for Inverclyde as a more immediate solution to the pressing problems that were faced at Cornton Vale. Again, I agree with Alison McInnes—I might be destroying her career. Kate Donegan is a reformer, as is Colin McConnell; I have a lot of time for them. They might or might not have been constrained by the previous cabinet secretary, but they were certainly not developing a superprison. I object to that term, as it suggests the creation of an Alcatraz. The facility that was envisaged was to be nothing like that; it was to be more like a community setting in which people could wander about, have a sense of ordinary life and be supported. Regardless of whether the new prison was the right thing to pursue, it was never going to be an Alcatraz. Let us get away from the idea that it was to be a superprison. The idea was to allow a holistic approach to be taken to the care and management of women.

Of course we had concerns about local access, which were raised by members across the committee.

Margaret Mitchell: Is the point not that the facility that was proposed was not in line with Elish Angiolini's recommendations, which had been fully debated? It had been identified that that was not the way forward, so how on earth did we get into that position?

Christine Grahame: None of us on the committee thought that what was proposed was perfect, but I do not recall anyone opposing it aggressively. We had huge reservations about local access. I can remember reasonable questions being asked by Elaine Murray and me about the south of Scotland, and by Margaret Mitchell about local access. The tenor of the discussion was, "If this is what's on offer, let's get the local stuff sorted out and let's get the people who are really difficult inside the new prison." There was not aggressive opposition to the proposal at that time. I know that the mood in committees is very different from the mood in the chamber, where proceedings are more confrontational. Such an environment is not right for committees. I put it on record that of course I welcome the turnaround.

Members have been in a difficult position for years. Richard Simpson produced an excellent report called "A Better Way" in 2002. One of the recommendations was about

"Shifting the culture towards rehabilitation and treatment."

It is not Richard Simpson's fault that that culture shift was not fully achieved. Jim Wallace was the Minister for Justice at the time. Labour and the Liberals were in power for eight years, but they did not manage to make the necessary change. I think that this is the first time that the Parliament is grasping the thistle and saying, "This must be done, because women offenders deserve to be dealt with differently." Once we have done that, we might be able to move on to other people in the criminal justice system, such as young offenders, who might also be victims and need support.

I welcome the Government's move. I do not want the issue to be treated as a political football. I have been here too long and have seen good people in other parties trying to change things. The change is about to be made. Let us do it, and let us give credit to the cabinet secretary. After being in post for one month, he decided to change the approach.

The solution is not an easy one. As Alison McInnes has quite rightly made clear—my goodness, I think that I have mentioned her four times now—we have to look at sentencing, judicial training and resources, by which I mean having the right people in the right place. It is of course

important that people maintain their rented accommodation. One of the first things that we heard on our visit to the 218 project was that, when a woman came out of prison, someone was there to meet her, get her into a taxi and take her somewhere. It meant that she was not left standing outside, with nowhere to go. The second thing we heard at the project was that the people involved ensured that Glasgow City Council kept the person's rented accommodation open while they were in prison. Such measures are simple and practical.

This is a difficult issue, and sometimes the public will not be on our side. If they see someone who has been in prison—or, indeed, who has not been put in prison—getting a helping hand in society, they will say, "Why are they getting that, and not a member of my family?" That is where the Parliament must show leadership and make it clear that these women, their families and their children are, in the main, victims. There are some really bad people who will have to be imprisoned in a national facility for society's protection, but most of the women whom we are talking about are more of a danger to themselves than they are to society at large.

I very much welcome the approach that has been taken, and I hope that I am not going to see any more headlines in the papers that make it difficult for people like me to be consensual when that is what we want to be in our hearts.

16:06

Mary Fee (West Scotland) (Lab): I congratulate the cabinet secretary on taking the decision not to go ahead with the proposed women's prison in Inverclyde. We need a radical change in how we deal with women offenders, with more use of community intervention and rehabilitation and less of a focus on incarceration. Indeed, in previous justice debates, I have referenced the practices that are used by other countries such as our Scandinavian neighbours to tackle imprisonment.

That does not mean that we are soft on crime. If someone, male or female, is a danger to society, they must be dealt with by the rule of law, and society must be protected. However, many prisoners do not need custodial sentences; instead, they need help and their families need support. As the cabinet secretary knows, I am convener of the cross-party group in the Scottish Parliament on families affected by imprisonment. The cabinet secretary's predecessor took a keen interest in the group, and I hope that the new cabinet secretary will do likewise.

The Labour motion refers to the report of the commission on women offenders as "a clear

roadmap” for tackling women’s offending. It is disappointing that we have not made more progress since Dame Elish Angiolini presented the commission’s findings almost three years ago, but I look forward to seeing more of the renewed impetus that the new cabinet secretary has brought to this issue.

With the doubling of the female prison population over the past decade, the focus on women’s offending has increased. That greater attention on female offending is justified, but in the past week or two, I have read criticisms from people who believe that imprisonment should not be looked at through the spectrum of gender. However, as we know—and as the commission states—although many women come from similar backgrounds and experience similar health problems to men, there is a great disparity in the problems that lead to women finding themselves in prison and their experiences inside are vastly different.

For example, women are more likely than men to be imprisoned for dishonesty offences such as shoplifting and theft; more likely to be remanded in custody; more likely to have higher rates of mental health problems; more likely to have histories of physical and sexual abuse; more likely to be victims themselves; and, importantly, more likely to have dependent children. Given that research shows that children of imprisoned parents are more likely to end up in prison themselves, any work to reduce offending just now will be preventative for future generations. Each year, around 27,000 children are affected by parental imprisonment, and around two thirds of women in prison have children. That is only an estimate, because no extensive work has been undertaken to identify those children.

One solution to that would be to carry out family and child impact assessments at the point of sentencing.

Roderick Campbell: The member may recall that Dame Elish Angiolini, in giving evidence on child impact assessments, said:

“I do not believe that any judge who sentenced without reference to the fact that someone had children and the impact that imprisonment would have would be doing their job appropriately.”

She also said that

“creating more bureaucracy—more reports”—

would not necessarily

“make a difference to the sentencing process.”—[*Official Report, Justice Committee*, 26 June 2012; c 1582.]

Does the member disagree with Dame Elish Angiolini on that point?

Mary Fee: I take on board that point. However, I am trying to make the point that the child and

family impact assessment should be at the front and centre of decision making. I absolutely accept that those assessments are done but, in some cases, that is almost as an afterthought. More importance and pressure must be placed on courts to take into account the work that is done through the impact assessment. The relevant authorities should be informed about and liaise with one another on the assessment.

Children of prisoners should be considered an at-risk group because, as looked-after children, additional learning support would be available to them. During the passage of the Children and Young People (Scotland) Bill, I lodged amendments that would have had that effect but unfortunately they did not gain the Government’s support. The amendments would have made a substantial difference to the lives of many children.

Changing how we think about imprisonment will not only save the public purse now and in the future, but protect the next generation and those that come after from the reoffending rates that we have. Figures from criminal justice authorities show that 43 per cent of women leaving prison are reconvicted within one year, compared with 30 per cent of all prisoners.

Much has been said about the 218 project in Glasgow and other community-based initiatives across Scotland that care for women. Those excellent projects help troubled and fractured women find the right way forward. Far too often I hear of women and men who are in prison but who do not receive the correct medical, mental and supportive assistance that they need. When their sentence is up, they find themselves back in the same community and environment that landed them in prison in the first place.

I and many other members have visited the 218 project. It is the right way forward for many women in the criminal justice system, because women are at greater risk if we do not help them. Many dependent children rely on the state, as the guardian of the imprisoned, to help their mothers and fathers get the treatment that they require in order to have the normal family life that all in society want for their children. When a father is sent to prison, children often have their mother and can live in the family home, albeit in difficult circumstances. However, when a mother finds herself in prison we know that the children are more likely to end up with another relative or in care instead of with the father.

I repeat my support for the Scottish Government’s decision to look to smaller community-based solutions to imprisonment. I am happy to work with MSPs across the chamber to get the best solutions for Scotland and her justice system.

16:12

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): I congratulate Kezia Dugdale on what was basically a broadly drawn and generally well-argued case. I agree on the broad thrust and disagree on the detail—that is the nature of debate. I was slightly disappointed that the issue of remand did not come until 12 minutes into her 14-minute speech, but Elaine Murray dealt with the matter; I very much welcome that.

Like others, I have visited the 218 centre. It was probably more than 10 years ago when I went there with Pauline McNeill, who was a Labour MSP at the time, thus indicating a willingness and an ability to work together. At the risk of damaging Richard Simpson's political career forever, I add that we worked together very effectively when we were dealing with the issue of Peterhead prison. I used to take him away from his officials for secret coffee rendezvous. He is covering his face—but not in shame, because he did well on the subject. We can work together on the issue of women offenders and I very much welcome the tone of the debate so far.

An issue that has not come up might usefully be added for consideration afterwards. It is very clear that there are huge literacy and numeracy issues in prison. I genuinely do not know whether that is a gender issue. However, in smaller units, which is where we would expect to see women, there ought to be greater opportunity for dealing with that issue.

Dr Richard Simpson (Mid Scotland and Fife) (Lab): I have a couple of facts to share. The previous numeracy survey, which was carried out in 2013, says that 22 per cent of women had numeracy problems, 11 per cent had reading problems and 13 per cent had writing problems. The position is not that dissimilar for men.

Stewart Stevenson: I am grateful to the member for that. I am more familiar with the circumstances of male prisoners, because the sex offenders unit used to be in my constituency and I regularly visited constituents in there. We need to add numeracy and literacy to the mix of things that we look at.

It is interesting to visit different prisons. I visited quite a lot during the second session of the Parliament, when I was shadow deputy justice minister, with responsibility for prisons and drug policy. I went to the State hospital at Carstairs—we touched on mental health during the debate, which fortunately seems not to be quite so much of an issue for women—and my wife and I went to the women's unit at Porterfield prison, in Inverness. My wife, who was coming to the issue absolutely fresh, was extremely impressed by the care and attention that staff gave to prisoners, in

physical conditions that were far from ideal. The unit is small—I think that there were six women there when we visited.

I also visited Bapaume prison, north-east of Paris, to get comparative information for the Peterhead campaign, and was very impressed by what was being done for women there. The prison had a call centre, where women were being trained to work, and a manufacturing unit, where people were making changing mats for babies. There was a mother and baby unit, too, and the presence of children under two seemed to have a significant moderating effect on prisoners' behaviour. Such an approach must be considered carefully, because children need to be protected from the effects of imprisonment, but it seemed to work at Bapaume.

I visited HMP Grampian shortly after the first women prisoners arrived there. The women were enthusiastic about the physical environment, although at that stage they were not particularly engaged in rehabilitation, so I cannot speak to that. They even told me that the food was good and invited me to join them for lunch—alas, another appointment took me away.

We have talked about the numbers. It happens that, as part of a private project, I have looked at convictions in St Andrews court between 1889 and 1899—my interest in genealogy took me there. Just as is the case today, 5 per cent of the convictions were of women. Nothing has changed in 125 years. I thought that that was interesting. The Ministry of Justice figures for England show broadly the same proportion of women prisoners, even though English policy is rather different in certain regards.

When Jim Wallace made a statement to the Parliament in September 2002 he was questioned about the failure to reduce the number of women prisoners. Jim Wallace was also criticised for a 28 per cent increase in remand prisoners, which was not well understood, and Cathy Peattie talked about overcrowding at Cornton Vale prison. This is a long-running issue. I hope that the minister will be unique in managing to make a difference. He has made a step change in policy.

We have made a good start. By resetting policy on women offenders, we do a good thing not just for offenders but for Scotland as a whole, because if we reset policy and focus on piloting new ways of rehabilitating people and addressing mental health issues, through dialogue with all parties, as the Government's amendment says, we will be in a good place. I congratulate Labour on bringing the motion to the Parliament.

16:18

Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP): A famous female offender said:

“Who were the women who, day by day, trod the very stones on which my feet now stood ... ? How and why had they broken the law, in what way were they enemies of Society? ... Child-burdened women who were left without money, without the means or opportunity or physical power to earn it, who had stolen in order to save their lives and that of their children ... Women who from their childhood had been trained to physical shame”.

She went on to ask:

“If amongst such women there are many who are ... sodden by drink, undermined by drug taking ... what hope is there of cure by imprisonment?”

Those are the words of Emmeline Pankhurst in 1908, when she was imprisoned for her valiant campaign to gain votes for women. More than 100 years on, many of the testimonies that we have heard this afternoon show that, for women, the situation has not changed.

For me, the cabinet secretary’s very welcome decision is not just about bricks and mortar; it is about a fundamental shift in penal policy. Justice is, of course, a wider issue than prisons and prisoners. It encompasses gender justice, which many of my colleagues have spoken about today—men and women being treated by the courts in a consistent way. How our courts and our Prison Service deal with women offenders cannot ignore gender. The management of women who are given custodial sentences will be different from the management of men. The Scottish Government has already committed substantial funds to building a better prison system for all, and the £1.5 million announced by the cabinet secretary is testament to that continued commitment.

The carefully thought-out decision not to proceed with a new women’s prison at Inverclyde is welcome news, and I am glad that Michael Matheson took enough time to fully consider the information available to him. He has only been in post since 21 November, so the matter was clearly a great priority for him. During a visit to the 218 centre, he said that the plans did not fit with his vision for the future, and he reiterated that point today.

Many groups and individuals, including the Howard League, Soroptimist International, in its “Transforming Lives” report, Elaine Smith MSP, Margaret Mitchell MSP, Alison McInnes MSP and myself, when I was on the Equal Opportunities Committee, have been working on the issue for years, so it is truly one on which we can all stand together. That is integrity, and integrity and the right policy are what these women need.

The Scottish Government and the Scottish Prison Service will now undertake a period of extensive engagement with key partners—I say to the cabinet secretary that those key partners have already been phoning and emailing me to ask how they can get involved, and I am sure that they will be doing the same with him—with a view to investing in smaller regional and community-based custodial facilities across the country, which is something that we all strive for. That engagement will also involve looking at international models of best practice, and I am sure that the cabinet secretary has his eyes firmly fixed on Finland in that regard.

As Dame Elish Angiolini QC made clear in her report, women commit different types of crime for distinctively different reasons. Their motives are coloured by drug abuse, a dysfunctional or deprived family background, mental illness, being victims of violence themselves and sometimes confused desperation. She points out that

“While the proportions of the male and female populations in prison for violent offences are similar ... proportionally more women are in prison for ‘other’ crimes such as drugs-related crimes and crimes against public justice (29 per cent compared to 21 per cent) and dishonesty (19 per cent compared to 12 per cent).”

The consequences for women who go to prison also differ. We heard great testimony from Mary Fee on that today. Women are more likely to lose custody of their children and to end up leaving prison homeless.

All of that indicates how right Dame Elish’s recommendations are. We definitely need one-stop shops that are based on the 218 service and support organisations such as Circle, which is a great organisation in Hamilton that does fantastic work. We need a suite of services that meet the needs of women and which take geography into account. Such services work; small facilities for about 12 people allow those people to access a consistent range of services so that they reduce their reoffending and change their behaviour.

I do not have time to go through all the recommendations. I believe that my colleagues across the chamber have touched on many of them that we can all strive to achieve. The crucial thing is that we look at them.

I close with some information from the Howard League, which has informed us all in all the debates on this topic over many years. The Howard League has strongly welcomed the decision, with John Scott QC, its convener, describing it as “bold”. That is a bit like civil service speak, but we will accept it—the decision is bold and brave, perhaps.

In underlining the importance of Dame Elish’s report, Mr Scott pointed out:

“Most women in prison in Scotland today have complex needs that relate to their social circumstances, previous histories of abuse and mental health and addiction problems. The report stated unequivocally that most women who have offended do not need to be in prison”.

I believe that I have previously used the phrase in Parliament that some women who are in prison need a hospital bed rather than a prison cell.

Mr Scott went on to say:

“the impact of imprisonment on women and their families is often catastrophic. It was for this reason that the report recommended that Cornton Vale was closed and replaced”

with a smaller specialist unit.

It is clear that the Government wants to move forward with innovative responses and that the cabinet secretary is determined to seek more effective and meaningful ways forward than exist in the current system. That is good government with integrity. If we can all work together over the next few months, just as we have expressed our support for the Government’s decision, I am sure that we can realise the change that is really needed.

16:25

Jayne Baxter (Mid Scotland and Fife) (Lab): When the Angiolini report was published, the then justice secretary, Kenny MacAskill, called it a

“compelling vision for the future.”

The centrepiece of the report was that Cornton Vale should not be replaced by a like-for-like facility but that a new approach should be taken—one that moved away from retribution and imprisonment and towards a focus on female-specific needs and rehabilitation. In practice, that new approach was to manifest itself in the creation of a new, smaller, specialist prison for long-term prisoners and those who present a significant risk to the public. The change was to be rooted in a focus on what is right and what works, and in an understanding of the comparatively low risks that women offenders pose to society and of what drives women’s offending and reoffending.

There is an abundance of evidence that imprisoning women achieves little. In this country, three quarters of the custodial sentences that are imposed on women are for six months or less, but short prison sentences demonstrably do not reduce reoffending by women.

Christina McKelvie: Like me, the member will know that three quarters of the women who are sent to jail receive sentences of six months or less. In 2008, the McLeish commission suggested that there should be a presumption against such sentences. Does she support that?

Jayne Baxter: Yes, to put it briefly.

Statistics show that 70 per cent of women offenders who receive a prison sentence of three months or less are reconvicted of an offence within two years. That is because the scope for rehabilitation with such short sentences is highly limited. According to the Prison Reform Trust, “virtually all” women in prison in Scotland have a history of problematic use of drugs or alcohol, or both. The trust reports that more than 70 per cent of women in prison have reported using drugs in the past year, that one in three are currently on methadone and that around half say that they were under the influence of alcohol when they committed the offence for which they were imprisoned, which is a higher figure than that for male offenders. Similarly, seven out of 10 female prisoners disclosed a history of abuse or trauma. Prison is a hugely counter-productive environment for many of those women.

As I said, women tend to commit fewer serious offences than men. The most common crime that resulted in a custodial sentence for women in 2013-14 was shoplifting, with one in four custodial sentences being given for that crime. Only 5 per cent of women who received custodial sentences were convicted of serious crimes such as homicide, attempted murder, serious assault or robbery, and only a handful of women a year are imprisoned for long sentences of more than four years. We should also keep it in mind that, as colleagues have said during the debate, the proportion of the female prison population on remand is higher than that of the male population, and 70 per cent of female remand prisoners do not go on to receive a custodial sentence.

It is also important to acknowledge the increased effectiveness of women-specific interventions, whether custodial or non-custodial. According to the Howard League for Penal Reform in Scotland, 83 per cent of women who used the services of the 218 service in Glasgow reported significant decreases in drug and/or alcohol use, and 67 per cent indicated improvements in their overall health and wellbeing. That is one of the many examples of successful, women-specific, tailored interventions. I have not visited the 218 service but I would certainly like to visit it in the near future.

Another example of such a service is Fife Council’s criminal justice social work service, which has adopted a multidisciplinary approach to women offenders, with input from the national health service, Scottish Women’s Aid, the Scottish Prison Service and many other agencies. I really welcome the commitment that has been given this afternoon to additional funding for such services, which can only be good news.

It is troubling to me that we now send twice as many women to prison as we did in 2000, even

though the female crime rate has dropped significantly since then. We can see the effects at a local level in Fife. In February 2009, 27 women from Fife were in custody and 330 were on community-based supervision—that is, 8 per cent were in custody and 92 per cent were in the community. By July 2013, 49 women from Fife were in custody and 456 were subject to community-based supervision. As the Scottish Prisons Commission said:

“Increased use of prisons is the result of using it for those who are troubled and troubling rather than dangerous.”

I therefore have no problem in agreeing with the Government’s amendment and its acknowledgement of the Angiolini report and its proposals for dealing with women offenders.

As I have outlined, it is clear that prison does not work for most women or families. Nearly two thirds of women in prison have children. When a father goes to prison in Scotland, 95 per cent of the children continue to live with their mother, but when a mother goes to jail, fewer than one in five children stays with their father—the others are sent to live with other family members or find themselves placed in care. A large number end up having no contact with their mother.

The Angiolini report demonstrated that women prisoners who have regular contact with their children are less likely to reoffend. We also know that the children of women in prison are more likely to suffer trauma. One in three children with a parent in prison develops serious mental health issues—almost 450 children in this country are affected at any given time.

I very much welcome the Scottish Government’s decision not to build the proposed women’s prison at Inverclyde. I know that that position has widespread support from Barnardo’s, the Howard League for Penal Reform, Circle Scotland, the Scottish Quakers community justice network, women for independence, Professor Andrew Coyle, King’s College London, the international centre for prison studies, Baroness Jean Corston and the thousands of people, including me, who signed an online petition that Edinburgh women for independence set up.

Scottish Labour’s plan to cancel the building of the new facility and reinvest the costs associated with it in far more successful and humane community-based sentences and family justice centres that are tailored to women would cut crime and reoffending. It costs almost £32,000 a year to keep someone in prison, but the human cost is incalculable.

The Deputy Presiding Officer (John Scott): You should draw to a close, please.

Jayne Baxter: On a related topic, the Scottish sentencing council is an important development. It will provide an opportunity for a wider range of voices to be heard in the sentencing process.

I will end as I began by emphasising that we must do what works. I hope that the Scottish Government will proceed on that basis.

16:31

Gil Paterson (Clydebank and Milngavie) (SNP): I am pleased to speak in this debate on women offenders and how we can best deal with that problem. This is my first speech as a member of the Justice Committee, but I have been involved with and have paid close attention to the issue for a good number of years.

My starting point is that prison is sometimes the only place where an offender should be, and that includes women. However, prison is sometimes the wrong place for an offender to be, and that is particularly the case for too many women.

We know that those who have committed low-level offences and have been given short prison sentences are more than likely to reoffend on release. There is little or no time for the Scottish Prison Service to work with short-term offenders to rehabilitate them and ensure that they are less likely to reoffend on release—and so the cycle goes on.

The opinion of some members of the public is that offenders should be punished and that is the end of it. They think, “Just punish them and be done with it.” However, in general, the public look to the long term and take the view that we will cut the risk of reoffending in the future by engaging with offenders and ensuring that we rehabilitate them, whether by using prison or by using other methods. They know full well that increased crime equals more misery for the community and greater public spending to deal with it. It would be far better to spend taxpayers’ money on ways of stopping reoffending and assisting those who are caught in the cycle of crime to get out of it.

The figures show that women offenders are more likely to commit low-level crime and be sentenced to prison time. That has negative consequences not only for them but for their family, and must be addressed. In my view, women in prison have a greater burden, with the impact of their sentence hitting the children hard through the loss of their mother. Sometimes, the children are taken into the care of social services. That burden will have only a negative impact on the mental wellbeing of those women.

While they are in prison, women are less likely to be morally or financially supported by their partners, and that includes partners, husbands,

boyfriends and fathers looking after the children. Addictions are heightened, and illness and long-lasting depression increase. Women suffer disproportionately from depression, which could be tied to their natural maternal instincts being challenged because they have lost touch with their family unit and, in particular, with their children.

With that in mind, I am pleased with the Scottish Government and, in particular, with the new Cabinet Secretary for Justice, Michael Matheson, who has had the courage—and it is courage—to review the proposed new women's prison in Greenock in the first place and to implement a change of direction. That was a bold and courageous move.

Sometimes people consider that changing our minds is wrong, but too often Governments do not change their minds. I very much welcome the cabinet secretary's emphasis on the change, which will bring more focus on smaller, locally based units. That will have a number of benefits. Offenders will be closer to their family and children, which I believe will make a huge difference. I suggest going even further and working towards making prison for low-level crimes the exception rather than the rule.

I am a great believer in preventative spending—we have spent a lot of time on the subject in the Health and Sport Committee. However, I get a bit annoyed when statistics are used to score political points rather than to help tackle the issue. Simply put, if we are diverting resources to preventative spending, it stands to reason that, in the long term, we will not spend the same level as is spent on existing services. Particularly during times of economic hardship, as is the case now, and of restricted budgets, if we invest in preventative spend, we cannot spend the money twice.

I believe in cutting the number of women who are sent to prison and in using the savings from that to support programmes for offenders that are based in the community. That is preventative spend at its best, and the dividends will be of great benefit to the public, who will be pleased to see a reduction in persistent, low-level crime.

For me, the goal of seeing fewer women in prison—women who should not be there—means that the lives of women and their children and wider families will be improved or even transformed. That would be a great achievement from which we could all get satisfaction. We therefore need a political truce among all parties in the chamber and to agree to focus our energies on positive action, so that we can take joint ownership of a strategy for the long term. Otherwise, political expediency will once again be the victor.

I am very pleased to support the amendment in the name of Michael Matheson, which I commend to the Parliament.

16:38

Dr Richard Simpson (Mid Scotland and Fife) (Lab): I begin as I do in almost all the speeches that I make in the chamber by praising the Government for the things that it is doing right, in particular the courageous decision by the new Cabinet Secretary for Justice to cancel the proposed prison. I was faced with exactly the same situation when I became a minister. The SPS was proposing three or four new private prisons, and I had to say to the First Minister, Jack McConnell, that I could not accept that. We changed it to one new private prison, Addiewell, and one public sector delivery, which eventually transpired under Kenny MacAskill at Low Moss.

The Scandinavian model, which we often talk about in the chamber, is one of very much smaller prisons generally. The average size of our 15 prisons in Scotland is 495 prisoners. That is far too large. I have worked in a prison, and I know what the situation is. I will come back to that.

I praise the Government for the Angiolini commission, whose work has been excellent and has been referred to by many members in the debate, and for attempting, through the McLeish commission, to address the issue of sentencing. We need to return to that with the Scottish sentencing council.

I also praise the tone of the new cabinet secretary's approach to his portfolio, in particular his express desire to work with all parties to achieve the right approach. Gil Paterson is right to say that we need a truce on this issue and a commonality in our approach.

We need to find a way forward for women offenders. The issue is not new and I will deal with some of the history, particularly since the mid-1980s, and then I will speak about the new approach.

I had the privilege of working in a deputising medical capacity in Cornton Vale prison from the day it opened in 1976 until I was elected to Parliament. During those 23 years, I witnessed a number of significant changes, but they were insufficiently radical to address the underlying issue. As a country, as every speaker has said, we imprison far too many women who are not violent or a threat to the public or themselves, and who have health and social problems.

The SPS responded positively to many of the challenges that it was faced with. It dealt with suicides in Cornton Vale by introducing the Samaritans and then the listener services along

with a new protocol called act to care. Members should note that that reduced the number of suicides in Scottish prisons generally to well below the level in England.

The big change that took place between 1987 and when I became a minister in 2001 was in the number of those who presented with a history of drug use. That figure was 10 people in 1987. By 2001, it had reached well over 80 per cent of the prison population. In the early days of the Parliament, Labour also recognised that there was a significant and growing problem with alcohol in the general population and we brought in the Licensing (Scotland) Act 2005.

Iain Gray established the MacLean commission and I was the minister who took it over. That produced some radical proposals, one of which was that women offenders whose offence was related to drugs should not receive short-term sentences. Instead, they should be sent to what the commission called the time-out centre, which many members have referred to as the 218 Bath Street centre. That centre diverts 500 women a year from short-term custody—a not insignificant number of receptions—but it does not have a big effect on the daily prison population.

The time-out centre had a slightly rocky start and it took until 2006 to prove its worth. However, it is my regret that neither the Labour Government in our last year nor the present Government replicated the project in the following years. Too often we conduct good pilots for demonstrably effective projects but we do not follow them up; we go for more pilots. The project should be replicated now in Edinburgh, Dundee and Aberdeen and there should be a similar pilot for male offenders.

Moreover, such centres should be not just for those offenders who have a drug problem but for those who have an alcohol problem. Alcohol has again become an even more significant factor, although for a while it was much less. The figures from the 2013 prisoners survey are stark. They show that 55 per cent of prisoners reported committing an offence while they were using drugs, and 50 per cent said that they were intoxicated at the time of the offence. That was up from 42 per cent in the 2011 survey.

Does prison help? If it does, let us continue using it. However, 9 per cent of women offenders started to use drugs when they were in prison, 42 per cent used drugs while they were in prison and only 12 per cent reduced their drug use. The system is ineffective and a waste of our money. It has to change.

On alcohol, the SPS uses the World Health Organization recommended screening tool, the alcohol use disorders identification test—AUDIT—

but only 30 per cent of women offenders reported having been assessed, and only 20 per cent said that they had received any form of treatment. That is wholly inadequate.

Labour evaluated and rolled out drug treatment and testing orders. We opened pilot drug courts in Glasgow and Fife. We piloted tagging on remand, which should now be revisited more strongly. We worked with SACRO to increase bail supervision and that has subsequently been reduced. We introduced restorative justice, which has not been followed through. We ensured that women would keep their infants in prison with them, which is very important for early attachment. We ensured that Open Secret worked in Cornton Vale with the significant numbers of survivors of sexual abuse that Dobash and Dobash reported; almost 70 per cent might have been either abused through their childhood or subjected to domestic abuse.

We worked hard to reduce further the number of women who were sentenced for fine default and that has been successful. There were around 600 such women when I was the minister and the figure fell to 84 by 2008. Again, that does not affect the daily population, but it does affect receptions.

The problem is that receptions show the biggest churn. They have doubled. Sheriffs are sending women to prison because they feel that they have no alternative. We have to do better and we have to do it now.

16:44

Stuart McMillan (West Scotland) (SNP): After listening to all the speeches it is clear to me that there is political consensus across the chamber on the best way to treat women offenders. I do not intend to retread many of the arguments that have been made. I will focus my attention and initial remarks on the amendment that was lodged by the cabinet secretary, which refers to the decision

“not to proceed with the plans for HMP Inverclyde as a prison for women”.

I will then turn to the treatment of women offenders.

I met the Cabinet Secretary for Justice yesterday to discuss a number of justice-related matters. HMP Inverclyde was just one of them. The meeting was organised a few weeks ago and, following Monday’s announcement, it proved to be timely.

It has been widely accepted that, if we are to treat women offenders differently and have less reoffending, a different approach is required. The cabinet secretary set out that position clearly on Monday and has done so continually since.

However, the decision on the prison leaves a gap in employment opportunities in the Inverclyde area. Already, £7.8 million has been spent on preparing the site, and the total project would have been worth £75 million. That would have been a welcome boost to the Inverclyde economy, as I am on record as saying since 2008, when the initial proposals were advanced.

It concerned me that the decision not to proceed would leave the Scottish Government open to cries that it had wasted money and had no future plans for the site. We have already heard some of that, and those are just some of the points that we discussed yesterday during our meeting. I am pleased that the cabinet secretary informed me that the site will revert back to its original purpose: a new-build prison to replace the existing HMP Greenock. The timescale for that replacement is longer than I would have anticipated—I am sure that that goes for the cabinet secretary as well—but it will present itself for future development.

Now that the SPS owns the site and will soon have prepared it, it should be easier to facilitate any future construction process for a prison. However, if the replacement for the men's prison takes a few years to progress—as I imagine it will do, due to the cuts to the capital budget that the Government has received and is receiving—what will happen to the site in the meantime? The Inverclyde local plan indicates that the site is for a replacement prison and that it already has planning permission. If a developer or employer came forward and indicated that they would like to take the land for future use, would there be challenges on the ground that the proposal went against the local plan and would the SPS consider selling the land to allow it to happen?

I make no apology for focusing my initial remarks on the situation that faces Inverclyde and its economy. The cabinet secretary is correct about how best we treat women offenders, and many have welcomed his change in direction. However, my colleague Bruce Crawford was acting in the best interests of his constituents when he asked a question yesterday and I am doing the same in raising this issue today.

A £75 million construction project would have had huge economic benefits for the Inverclyde economy. There would also have been the running costs once the prison was created. That investment will now not happen for a period.

I listened to the cabinet secretary on the radio yesterday. He was asked whether one of the smaller regional units would be built on the Greenock site and he indicated that that would probably not happen. We discussed that issue yesterday at our meeting.

The SPS owns the site and my concern is that, after the preparation works are concluded at the end of March, it will lie dormant for a while. I would like to see a firmer timeline for when the site will be used. I appreciate that, with the huge change in direction for the SPS, that timeline will not be produced overnight, but I am keen for it to happen.

However, I am content that the works that have taken place will assist the SPS with its future plans for how to deal with male and female prisoners. I am sure that many lessons will have been learned that the SPS will be able to put to good use in treating offenders throughout the country and in future investment decisions.

I will now deal with the treatment of women offenders. Yesterday, I received an email from Positive Prison? Positive Futures highlighting its welcome for the cabinet secretary's decision. It indicated that one of its volunteers, Kim, was involved in television programmes indicating how beneficial non-custodial sentencing had been for her. She had received a community order, but it was the most difficult thing that she had ever done. She said:

"If it was not for that order I would either be in prison or dead."

I was given permission to highlight her example of how a different approach can help with prevention and keeping people alive.

Non-custodial sentences sometimes give the impression of being a soft option, but they have a huge part to play. As the cabinet secretary said earlier, the new approach will be bolder, radical and more ambitious to enable us to tackle such an important issue.

Dame Elish Angiolini's commission on women offenders produced a set of challenging recommendations for the Scottish Government, which have gained cross-party support. Actions on those recommendations have started, but there is certainly more to do, as members have said. The cabinet secretary will, in his new approach, deliver on those recommendations further, and I welcome the £1.5 million extra funding that he mentioned. Ultimately, we should aim for a reduction in reoffending, better outcomes for former offenders and a more collaborative approach between mainstream service providers.

16:50

Mike MacKenzie (Highlands and Islands) (SNP): I knew that, if I waited long enough, I would eventually see a Labour motion that welcomed a decision made by the Scottish Government, so I place on record my welcome for Labour's welcome.

Patience often pays off, as it has done for penal reformers throughout Scotland, who rightly view the HMP Inverclyde decision as signalling a new and more enlightened approach to penal policy. It is hard to disagree with Labour's motion, but I note its slightly grudging tone and turn of phrase.

In considering penal reform, I am reminded of Philip Larkin's great poem, in which he says:

"Man hands on misery to man.
It deepens like a coastal shelf."

I am not as pessimistic as Mr Larkin was, but he neglected to say that we hand on misery to women too, perhaps more so than to men, and, worse than that, we hand it on to children.

The signs that we have been getting penal policy wrong for women have been there for far too long, highlighted by increasing rates of offending and reoffending. It is not just that current policy has been ineffective; that penal sentences carry a high financial cost; or that the effect is to pass the misery on down through the generations. It is that, if we merely keep on doing things in the same old way, we tend to get the same old inadequate results.

The Tory amendment is wedded to the status quo, and it seems to betray a lack of understanding of all that the decision signals.

Margaret Mitchell: I wonder how Mike MacKenzie reaches that conclusion, given that the amendment refers specifically to the constructive recommendations in Dame Elish Angiolini's report.

The Deputy Presiding Officer: I ask members to make interventions through the microphone, please.

Mike MacKenzie: I noted that at the end of the amendment. However, the bulk of the amendment seems to be overly critical of the Government's decision. It is not just about getting a prison built somewhere else but about taking a whole new approach that takes on board almost everything that Dame Elish Angiolini's report recommends.

The Tories are concerned about the timescale of the decision. Surely it is wiser to delay a decision for a bit and take the right decision than it is to rush to take a wrong one. The Tories are concerned too about the financial implications. The paramount financial consideration is not the immediate cost of the decision and the enlightened reforming road that the decision represents but the high cost of maintaining and remaining with the status quo.

We know that the average cost of a community payback order is approximately £2,400, which is approximately half the cost of a three-month prison sentence. We know that the economic and social cost of reoffending over a 10-year period is

more than £75,000 per female offender. We know that those costs are increasing as offending and reoffending rates for women increase. What we are not so sure about is the link between increasing female offences and the recession. We suspect that there is such a link, but we do not have precise information. We are not so sure about the link between this and welfare cuts—

Dr Simpson: Actually, the number of women who are charged has not increased, according to the Crown Office and Procurator Fiscal Service, so the member is wrong about that.

Mike MacKenzie: I cannot help but wonder about the link between that and the increase in shoplifting offences.

We are also not sure about the full ramifications of the Westminster policies of austerity, beyond the knowledge that they are all deeply damaging and they will present us with a significant financial legacy.

We must stop handing down misery and passing it down through the generations. It is necessary to break the link, and it is no surprise that there are lessons in how to do that from some of the Nordic countries. I look forward to seeing the cabinet secretary putting those reforms into practice. I suspect that there will be lessons in how we deal with men as well as with women.

Dame Elish Angiolini's report was a breath of fresh air. That is why I was so pleased to see the cabinet secretary pay such close attention to it, why I am so pleased that he has taken the time to take the right decision and why I am so pleased that he has had the courage to make a wise decision.

The Deputy Presiding Officer: We move on to the closing speeches. Before I invite Alison McInnes to close on behalf of the Liberal party, I invite all members who spoke in the debate but are not in the chamber to join us for the closing speeches.

16:56

Alison McInnes: I am pleased that the debate has been largely consensual. That reflects a growing realisation of the immense benefits of a holistic, multi-agency approach to offending. As we all know, the commission on women offenders provided a framework for transforming alternatives to prosecution and remand. It justified an overhaul in sentencing practices and it demanded better throughcare services that transcend prison walls, continue to support women when they are released and are focused on successful reintegration.

The debate has made it clear that there is cross-party support for implementing that package of

reforms. I therefore emphasise that a half-hearted or pick-and-mix approach to implementing the commission's recommendations is simply not coherent. It is not justified by the evidence of what works.

HMP Inverclyde risked entrenching failure. Spending £75 million on a new prison would have perpetuated many of the shortcomings that we have heard about from members. That spend dwarfs the £3 million that the Scottish Government has invested in community projects for women in the past three years. Kezia Dugdale rightly called for them to receive sustainable funding. We must ensure that they are part of a permanent network of credible, trusted alternatives to custody. We are talking about safe, structured environments, such as the 218 service, that focus on the issues that underpin offending—mental and physical ill health, addiction and sexual and physical abuse.

Early intervention has contributed to a transformation in how the justice system deals with young offenders, but I fear that we have barely scratched the surface when it comes to women offenders. Once again, sadly, Cornton Vale offers the most distressing evidence. There, some 80 per cent of inmates have mental health problems, and they are 10 times more likely than male prisoners are to self-harm. Problems are not being identified, addressed or accounted for early enough, and I return to the prolonged use of isolation and the challenging and complex behaviour that Prison Service staff must cope with as a result.

Answers to my parliamentary questions have revealed that, in 2013-14, women were held in solitary confinement for extended periods on 144 occasions. In the worst case that I am aware of, a woman was isolated for a total of 387 days during a 17-month period. Long-term solitary confinement does little to support rehabilitation or address underlying trauma; rather, it risks compounding the serious mental health conditions that often underpin offending behaviour. We should be ashamed that it is being relied on as a management tool for borderline personality disorder and post-traumatic stress disorder. It is completely out of step with a 21st century criminal justice system.

I welcome the review by the chief inspector of prisons of the use of segregation and separation. However, I am dismayed to learn of a delay in that work. I had believed that it would be presented to us in February, but I understand that that might now happen in the summer.

The orders for extended segregation are signed on ministers' behalf. The previous justice secretary claimed that that was an operational matter, and he could not tell me who signed off the orders or even whether any had ever been declined or

revoked. They can be renewed indefinitely with no system of external review. That is dreadful.

The justice secretary is responsible for ensuring that Scotland has a humane prison regime. He must provide clear leadership on the issue. I urge him to look at that and to amend the prison rules so that an independent panel can consider whether back-to-back isolation orders are appropriate in all cases. I also ask him to instruct a review of the provision and resourcing of services for the vulnerable women involved. The commission on women offenders recommended that almost three years ago. Those steps are essential if basic human rights are to be protected.

We know that the Scottish Prison Service has a responsibility to accommodate the women whom it is sent by the courts. However, as we have heard, prison is often simply not the right place for them. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment urged the Scottish Government to ensure the swift transfer of such vulnerable prisoners to appropriate psychiatric facilities. I know that in one recent case that took almost nine months.

The national health service must take more responsibility for such women's care. The Mental Welfare Commission for Scotland tells us that women in custody are asking for more professional support from psychiatrists or psychologists. It confirmed that the care that they receive in prison is nothing in comparison with that in other settings, such as hospitals.

More in-depth assessments and reporting could help judges to make the right choice during sentencing and custody hearings. The fact that 70 per cent of women who are remanded in custody do not go on to receive a custodial sentence demonstrates that something is going badly wrong.

I am determined that halting the building of HMP Inverclyde should not result in a vacuum, because Scotland's justice system cannot continue to fail such women any longer. It cannot continue to fail them every step of the way, from prosecution to rehabilitation.

I am reminded of comments from the Lord Justice Clerk, Lord Carloway. He suggested that future generations may reflect on our placing so many people behind walls and barbed wire as barbaric.

It is worth noting that all members rightly commended the justice secretary for his change of tack. However, let us not kid ourselves that the way forward is now easy. Richard Simpson and Gil Paterson spoke of a political truce, and Christine Grahame said that Parliament must show leadership. I urge everyone to work together

to redraw the landscape for women in the justice system. We had better prepare for a marathon, not a sprint, but let us stay the course, because the prize is great.

17:02

Annabel Goldie (West Scotland) (Con): This has been an important and timely debate. I thank the Labour Party for using the parliamentary timetable so effectively to bring the issues of a new women's prison and how we deal with women offenders before us.

Let us be clear that there is another timetable—one that is uncomfortable for the Scottish Government. I recall clearly speaking at a justice debate in this chamber on 26 April 2012 in consequence of the Elish Angiolini report, which was universally welcomed.

I will quote from the report. Point 1:

"The female prison population in Scotland has doubled in the past 10 years."

Point 2:

"Many women in the criminal justice system are frequent reoffenders with complex needs that relate to their social circumstances, previous histories of abuse and mental health and addiction problems."

Point 3:

"It has been widely recognised that there is an urgent need for action to reduce the number of women reoffending and going to prison. This report attempts to address these issues and provide pragmatic recommendations."

Point 4:

"There are women who should be in prison to protect the public and to mark the seriousness of their crimes."

Point 5:

"Even for these women, opportunities for rehabilitation should be available to reduce the likelihood they will reoffend and help reintegrate them back into the community."

I give those quotes to remind people of where we were nearly three years ago, after extensive dialogue and consultation. I agreed with those points then and I agree with them now. The report was a model of brevity and clarity. It provided not only a clear signpost but a detailed road map for the journey that we were to make. The report proposed a new national prison for women offenders, but it expected that facility to be smaller than Cornton Vale.

Here we are, nearly three years on, with no new smaller prison and an abandoned plan for a large-capacity facility in Greenock. Like Kezia Dugdale, I applaud Mr Matheson's courage. It was tough for him, but he has made the correct decision. However, we are entitled to ask what the Scottish Government has been doing for the past three

years, because this is ineptitude on stilts. What has been going on? What was Mr Matheson's predecessor playing at?

I will give examples of the questions that arise. We know that Cornton Vale is no longer fit for modern purpose. For how long can it function and will it close in 2018? The cabinet secretary referred to two new national facilities. That is welcome, but what is the timescale for them and what is the budget? Will it cost £70 million to £100 million for both, or will that be the figure for each of them?

The cabinet secretary referred to dialogue. I have a great deal of sympathy for what Margaret Mitchell said on that. When we take into account not just the Angiolini commission's work but the work that the Parliament's Equal Opportunities Committee did, talk has been going on for seven years. How long will the further dialogue last?

Are there locations for the proposed new facilities? I sympathise with Mr McMillan's personal interest in the Inverclyde area, but the rest of us want to know what the grand plan is. Will the facilities definitely fit into some kind of hub-and-spoke configuration?

We are told that the cost of abandoning the proposal for Inverclyde amounts to £7.8 million.

Mike MacKenzie: Will the member take an intervention?

Annabel Goldie: If the member will forgive me, I want to make a further point.

Is that £7.8 million the final cost, or are there more costs to be encountered?

Without answers to those questions, I have to say that, although there is no doubt that the amendment in Mr Matheson's name contains a worthy aspiration, it is not a plan, because it is too vague. There is no reference to the new facilities that he mentioned.

Dame Elish Angiolini's report expressed concerns about women in prison. Some members, notably Jayne Baxter, referred eloquently to those concerns. One is about the number of women who have children and who end up in prison. Another is the number of women prisoners who witnessed violence between their parents or carers when they were children. Another is the drug and alcohol addictions that plague many women in prison. Mental health issues apparently affect 80 per cent of women in Cornton Vale. Women are more likely than men to lose their housing while in custody and then to be homeless on release. It was found that just 39 per cent of women in prison who had access to services to help them to prepare for release sought advice on employment and only 22 per cent sought advice on training.

I say all that not to impugn the cabinet secretary's courage, which I admire—he has done the right thing. However, nearly three years ago, we expected that we would by now have moved on to implementing the Angiolini proposals. Instead, we seem to be in a vacuum and a state of stasis. We are still talking. I realise that the cabinet secretary has fallen heir to this mess and he has my sympathy, but he must now answer the questions that have been raised, because the buck stops with him and victims, women offenders and, importantly, the public interest will now demand answers.

17:08

The Minister for Community Safety and Legal Affairs (Paul Wheelhouse): I welcome the opportunity to be part of such an important, thoughtful and almost entirely consensual debate. It is clear that members across the chamber have a keen interest in getting better outcomes for women in the criminal justice system. I hope that Alison McInnes and Christine Grahame are right that the debate heralds an opportunity for us to move forward together as a Parliament, with the decision having been made. The subject is hugely important and the Government has shone a light on it since we established the commission on women offenders in 2011, which the former Lord Advocate Dame Elish Angiolini chaired, as we have heard.

I thank Richard Simpson for his kind words on the decision and on the approach that the cabinet secretary has taken in his new post. Rod Campbell is right that the decision was not taken overnight. On Monday, the cabinet secretary announced his decision that the Scottish Prison Service's plans for a women's prison in Inverclyde should not go ahead because the prison did not fit with his vision of how a modern and progressive country should address female offending.

I will come back to the points that Annabel Goldie and Stuart McMillan made, but the decision is about much more than just bricks and mortar, as the cabinet secretary alluded to in his comments to the Justice Committee in December last year. The Government believes that we need to be bolder and take a more radical and ambitious approach. On the justice system, we must be smarter in the choices that we make, be more sophisticated in how we deal with female offenders and take a preventative approach, as Gil Paterson said.

As the cabinet secretary said, we want to take an evidence-based approach that is much more effective in tackling the number of female offenders. Mike MacKenzie, Gil Paterson and Jayne Baxter are absolutely right to highlight the cost of incarceration. As many members said, for

two decades there have been calls to reduce our female prison population, while over those two decades that population has almost doubled.

If we want to fundamentally shift our approach to tackling those issues, we need to radically change our penal policy. To do that, we need to tackle the underlying causes of offending in the first place, as Kezia Dugdale and many other members have acknowledged today. We need to help women to access services and support that help them to tackle their issues with mental health, trauma, abuse, drug and alcohol use and all the other issues that can result in someone getting involved in a cycle of reoffending.

As I said, in December the cabinet secretary signalled that he and his officials have entered into a period of dialogue with stakeholders and parliamentary colleagues. We will welcome constructive contributions, whichever part of the chamber they come from.

Alison McInnes: I thank the minister very much for taking an intervention, as the cabinet secretary was not able to address my amendment. Does the minister agree that dialogue with the judiciary and greater judicial diversity are also important?

Paul Wheelhouse: We agree that dialogue with the judiciary is important and we are happy to support the amendment. That addresses Alison McInnes's question.

The issue was as live during the Labour-Lib Dem Administration as it is today and I welcome Kezia Dugdale's acknowledgement of that. We all have an interest in tackling the issue, as Christine Grahame and Christina McKelvie said.

Today the cabinet secretary announced £1.5 million in 2015-16 to support community-based provision. That is consistent with the Government's vision of how we will deal with women who offend, and I expect everyone across the chamber to welcome that. Our vision is of a women's prison estate that has appropriate and separate custodial accommodation for high-risk women and separate accommodation for young women. Where possible, there should be smaller regional and community-based custodial facilities across the country for the majority of women who are sent to jail.

Stuart McMillan was right to focus on his constituency interest. I welcome the fact that he has engaged in dialogue with the cabinet secretary, as the constituency issue is obviously important to his local population.

There are occasions when custodial sentences for women are necessary, as a number of members said, and Dame Elish reported on that. However, the evidence is clear that community sentences are more effective in reducing

reoffending and have the advantage of allowing women to remain in the community with their families while they take part in targeted work to address the issues that fuel their offending behaviour and to tackle their education needs—Stewart Stevenson was absolutely right to address literacy and numeracy and Richard Simpson gave useful evidence on that point in his intervention.

As the Cabinet Secretary for Justice made clear, the Government is determined not to accept the premise that female prisoner numbers must inevitably continue to rise. We are determined to reduce the female prisoner population and have more women doing the tough work that they need to do to turn their lives around in the community, which is a more desirable approach.

Stuart McMillan referred to a lady called Kim who was on the radio the other day. With your forbearance, Presiding Officer, I will read out what she said. On whether she had considered a custodial sentence and what she thought about it, she said:

“I was over the moon. I wanted to go to jail. Jail was an easier option to me than the troubled life I had outside prison, so I was all up for jail. You can just go in, keep your head down—that is that. You just forget about the other side, whereas outside I had to go back and face my past and stuff, and then that was really hard. Supervision is the hardest thing I've ever done in my life. That is a major burden, so I don't know if I'd be here. I don't know.”

That refers to the point that Stuart McMillan made.

That is as powerful a testimony as we need to show why it is important to look at alternatives to incarceration. We must provide high-quality community services for women that will give sentencers confidence in alternatives to custody and, most important, provide the women with the support that they need.

To address Richard Simpson's point, things have moved on. The Government has already invested significantly in community-based services for women—it has provided £3 million over two years for the 16 projects that Kezia Dugdale and others mentioned, as well as £18 million for the reducing reoffending change fund, which offers mentoring support for prolific young male offenders and women offenders of any age across Scotland.

As part of our wider work to reduce reoffending, the planned redesign of community justice emphasises collective responsibility through a partnership approach at a local level, which brings together a range of justice and non-justice partners and organisations, including local authorities, NHS boards, Police Scotland, the third sector and communities, to plan for and deliver improved outcomes.

As was set out in the Scottish Government's programme for government, we plan—subject to parliamentary business—to introduce the community justice bill in Parliament in spring 2015. That bill will enable a new model for community justice services to be put in place. It will incorporate local planning and delivery of community justice services through community planning partnerships, and duties will be placed on bodies such as NHS boards, local authorities and Police Scotland to engage in local strategic planning and delivery of services.

That will be supplemented by the creation of a new public body—community justice Scotland—that will provide leadership; promote innovation, learning and development; provide assurance to ministers on the delivery of outcomes; and drive improvement where it is required. That will ensure that community justice is given the profile and priority that are required to improve outcomes for all offenders across Scotland.

The closer alignment of planning for services for all members of a community should help local partners to see clearly what their role is in sustaining the delivery of the enhanced services for women that the Government has supported over the past two years.

Mike MacKenzie was right—we need to avoid handing on the misery to the children of offenders. Although the focus of the report of the commission on women offenders was on women who offend, it said that the evidence was overwhelming that intervening in the early years of life has significantly more impact on offending rates than intervening later in life does.

It is just as important that we address the intergenerational aspect of our offending population—male and female—which often arises in the most deprived communities across Scotland. Elaine Murray, Mary Fee and Mike MacKenzie remarked on that. The Angiolini commission strongly supported evidence-based parenting programmes and intensive family support.

I thank Kezia Dugdale for raising the hugely important social justice issue of women offenders. I look forward to the Government receiving the cross-party support that members have indicated that they will provide as we continue to work to deliver the recommendations of Elish Angiolini's commission.

17:18

Hugh Henry (Renfrewshire South) (Lab): One thing that frustrates me greatly about debates in the Parliament is the number of times we all troop in here, grind our gums, say how much we agree with one another, how wonderful the debate is,

how what we are talking about is fantastic and how it will make a great difference to the people whom we represent, and then all troop out, satisfied that we have done the right thing, only for absolutely nothing to happen. We go through the motions, we pay lip service and nothing changes.

I hope that, as Christine Grahame said, today is the day that we grasp the thistle. I hope that today is the day that we take the opportunity that Labour's debate has presented to say that we will do something that makes a difference. I do not underestimate the difficulty that Michael Matheson faced in making his decision. Some people have said that he has taken his time to come to a decision. I have been in government and I know just how slowly the wheels of government move, so given that Michael Matheson made his decision in less than two months, it is a remarkably swift decision. In some senses, it is unprecedented, and for that I pay tribute to him.

I think that the decision is courageous—and right. It cannot have been easy for Michael Matheson to make, not just because of some of its financial implications but because it will not have been easy to completely reverse and overturn a decision that was made by his colleague and predecessor, particularly given that under the doctrine of Cabinet responsibility, the present First Minister will have sat through discussions on and signed off the previous decision that Michael Matheson has now overturned. For that, he deserves credit. It took courage; it was the right thing to do; and it is right for the Parliament to associate itself with his decision and to give credit where it is due. I will come back to that and touch on various related points during the debate.

In her speech, Kezia Dugdale talked about the length of time that the women's prison at Greenock had been live, how long it had been under consideration and, indeed, the money that had been spent on it.

Mike MacKenzie: We have heard this afternoon that some of the preparatory work—site clearance and so on—has been done. Obviously, there is a cost attached to that work. Does the member accept that that is not money wasted?

Hugh Henry: I do not know yet whether that money has been wasted; I do not know, for example, whether it will all translate into delivering the replacement of HMP Greenock. If none of that money is wasted, then fair play. However, we have been told that £8 million has been spent; we do not know whether it will translate into anything else, and it makes the £1.5 million that has been promised pale into insignificance. Had that £8 million been spent on alternatives, many of the community-based projects would be significantly better off.

Kezia Dugdale talked about the time that this has taken. My colleagues have been exhorting me to engage with Twitter; I have just discovered what texting is about, so Twitter is a bit of mystery to me. Nevertheless, I look at it and I was pleased to see that Kenny MacAskill had not lost his well-known sense of humour since leaving office. He has tweeted that he fully supports Michael Matheson's decision. Sometimes I wonder about things that happen in this chamber. When one party moves out of government, it is fair enough for the party that comes in to diss the previous lot and kid on that nothing good happened under them, but for Kenny MacAskill to say that he supports Michael Matheson's decision when, up until this month, his own decision was still extant is somewhat bizarre and, indeed, a bit humorous. Actually, I thought that it was a spoof tweet, but seemingly it is not.

We have also heard about the coalition of support that is out there, but one of the things that I find disappointing about the Government's amendment is that it is not willing to put on record its welcome for the coalition of support that has made it possible for the cabinet secretary to reverse his decision. Sometimes I think that we should give credit where it is due, not just to the cabinet secretary but to all the groups out there that made this decision possible. I find it slightly disappointing and think it curmudgeonly that that has not happened in this case.

Stewart Stevenson: Will the member give way?

Hugh Henry: No, thanks—not just now.

We have moved some way, but with regard to giving credit where credit is due—and taking at face value Michael Matheson and Paul Wheelhouse's comments that they want to work with outside stakeholders and across party lines—I want to make a suggestion that I made in a number of debates last year and the year before. The much-mentioned Strathclyde Regional Council, which has come in for a lot of criticism over the years, had officer/member working groups that produced reports. They brought in experts and politicians of all parties to work together. Women offenders is one such issue on which we could all come together and share our collective wisdom. If we are to do that, the one person whom we need to involve is Richard Simpson.

I do not want to be particularly nit-picking but, in a few years, Richard Simpson put in place a number of policies that have stood the test of time. He listed some of them—DTTOs, tagging on remand, restorative justice, the issue of the children of female offenders, abuse victims at Cornton Vale and fine default initiatives. He did all that in a short time. I was able to take credit for

some of that through, for example, the time-out centre. He was the man who made the difference. I contrast that with Kenny MacAskill's tenure in office. If Michael Matheson wants to make a difference, he must not only engage all the parties but try to involve Richard Simpson.

We need smaller facilities across Scotland. Jayne Baxter talked about Fife, where we have nothing that keeps not only female but male offenders closer to their communities. We need to look at such issues. However, our biggest problem by far for female and male offenders is the issue of remand. Too many people are on remand who do not go on to serve a sentence. That is costing us a fortune; the money would be better spent elsewhere. If we can all work together to solve the problem, let us do that—let us make a difference.

As many outside stakeholders have said, it not just a question of alternatives to imprisonment—Kezia Dugdale said that some people do not like to use the word “alternatives”—but a question of working with offenders while they are in prison and helping them to change their ways so that when they come back out they do not reoffend.

The question of rehabilitation needs to be addressed. We also need to look at support services outside prison. The pressures that social work and criminal justice authorities are under are making it difficult for that to happen. We all need to face up to that, not just the Scottish Government.

We have an opportunity with this debate and the decision that was taken by Michael Matheson to change how we work as a Parliament. It would be wrong of us to turn away from that. The public, the experts, those who are interested in the issues and the prisoners will not thank us if we do not rise to the challenge. I hope that, in a few years' time, we will be able to look back and say that initiatives such as the 218 time-out centre that Richard Simpson was involved in starting up are working effectively across the country. I hope that we will be able to say, “Look at these figures” and they will show that fewer women are going to prison than ever before. By all means, let Michael Matheson and the SNP Government take the credit, but we will also be there saying that we helped to deliver that, too, because we are all in this together.

What is happening with women offenders is a scandal. Member after member has pointed out the number of women who go to prison for relatively trivial offences, with mental health problems, who have been the victims of sexual and physical abuse and with alcohol and drug addiction problems. We know what the issues are; so far, we have not come up with an effective solution although, up until 2007, a number of initiatives were tried and they have stood the test of time.

This is the opportunity for the cabinet secretary to build on the praise that he has rightly received today for his decision. This is the opportunity for him to show courage yet again in taking the next decisive step, to involve all the parties and to challenge us to face up to what he has done and co-operate. Let us build bridges with those outside who know the issues inside out; let us work together finally to make a difference.

Business Motions

17:30

The Presiding Officer (Tricia Marwick): The next item of business is consideration of business motion S4M-12165, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees the following programme of business—

Tuesday 3 February 2015

2.00 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Topical Questions (if selected)
followed by Stage 1 Debate: Community Empowerment (Scotland) Bill
followed by Financial Resolution: Community Empowerment (Scotland) Bill
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Wednesday 4 February 2015

2.00 pm Parliamentary Bureau Motions
 2.00 pm Portfolio Questions
 Social Justice, Communities and Pensioners' Rights;
 Fair Work, Skills and Training
followed by Stage 3 Proceedings: Budget (Scotland) (No. 4) Bill
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 5 February 2015

11.40 am Parliamentary Bureau Motions
 11.40 am General Questions
 12.00 pm First Minister's Questions
followed by Members' Business
 2.30 pm Parliamentary Bureau Motions
followed by Scottish Government Debate: Local Government Finance (Scotland) Order 2015-16 [draft]
followed by Scottish Government Debate: Working in Partnership to End the Practice of Female Genital Mutilation
followed by Business Motions
followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 17 February 2015

2.00 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Topical Questions (if selected)
followed by Scottish Government Business
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Wednesday 18 February 2015

2.00 pm Parliamentary Bureau Motions
 2.00 pm Portfolio Questions
 Finance, Constitution and Economy
followed by Scottish Government Business
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time
followed by Members' Business

Thursday 19 February 2015

11.40 am Parliamentary Bureau Motions
 11.40 am General Questions
 12.00 pm First Minister's Questions
followed by Members' Business
 2.30 pm Parliamentary Bureau Motions
followed by Stage 3 Proceedings: Community Charge Debt (Scotland) Bill
followed by Business Motions
followed by Parliamentary Bureau Motions
 5.00 pm Decision Time—[Joe FitzPatrick].

Motion agreed to.

The Presiding Officer: The next item of business is consideration of business motion S4M-12166, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a stage 2 timetable for the Welfare Funds (Scotland) Bill.

Motion moved,

That the Parliament agrees that consideration of the Welfare Funds (Scotland) Bill at stage 2 be completed by 30 January 2015.—[Joe FitzPatrick].

Motion agreed to.

Parliamentary Bureau Motions

17:31

The Presiding Officer (Tricia Marwick): The next item of business is consideration of two Parliamentary Bureau motions. I ask Joe FitzPatrick to move motions S4M-12168, on the draft Local Government Finance (Scotland) Order 2015, and S4M-12183, on a suspension of standing orders.

Motions moved,

That the Parliament agrees that the Local Government Finance (Scotland) Order 2015 [draft] be considered by the Parliament.

That the Parliament agrees that, for the purpose of consideration of the Community Charge Debt (Scotland) Bill:

(a) Rule 9.5.3A and Rule 9.5.3B of Standing Orders be suspended; and

(b) in Rule 9.10.2, the words “except on a final lodging-day, when amendments may be lodged only until 12:00” be suspended.—[*Joe FitzPatrick*].

The Presiding Officer: The questions on the motions will be put at decision time.

Decision Time

17:31

The Presiding Officer (Tricia Marwick): There are six questions to be put as a result of today's business. I remind members that, in relation to the debate on women offenders, if the amendment in the name of Michael Matheson is agreed to, the amendment in the name of Alison McInnes falls.

The first question is, that amendment S4M-12160.2, in the name of Michael Matheson, which seeks to amend motion S4M-12160, in the name of Kezia Dugdale, on women offenders, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

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

(SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

Abstentions

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Rutherglen) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDougall, Margaret (West Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahan, Michael (Uddingston and Bellshill) (Lab)
 McMahan, Siobhan (Central Scotland) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)

Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

The Presiding Officer: The result of the division is: For 62, Against 0, Abstentions 54.

Amendment agreed to.

The Presiding Officer: The amendment in the name of Alison McInnes falls.

The next question is, that amendment S4M-12160.3, in the name of Margaret Mitchell, which seeks to amend motion S4M-12160, in the name of Kezia Dugdale, on women offenders, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

Members voted.

The Presiding Officer: Before I read out the result of the vote, there seems to be a bit of consternation on the benches. As far as I can understand it, members are saying that the wrong amendment has been called. I have now checked and the right amendment has been called. Michael Matheson's amendment—

Michael McMahon (Uddingston and Bellshill) (Lab) rose—

The Presiding Officer: I am speaking—please sit down.

Michael Matheson's amendment is amendment S4M-12160.2, which has been agreed to. That means that Alison McInnes's amendment, which was amendment S4M-12160.1, has fallen. The vote that I have just called is for amendment S4M-12160.3, in the name of Margaret Mitchell, and that is the result that I am about to give.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Davidson, Ruth (Glasgow) (Con)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Hilton, Cara (Dunfermline) (Lab)
 Johnstone, Alex (North East Scotland) (Con)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macintosh, Ken (Eastwood) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McMahan, Siobhan (Central Scotland) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)

Scott, John (Ayr) (Con)
 Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMillan, Stuart (West Scotland) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

Abstentions

Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hume, Jim (South Scotland) (LD)
 Kelly, James (Rutherglen) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McInnes, Alison (North East Scotland) (LD)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)

The Presiding Officer: The result of the division is: For 28, Against 62, Abstentions 17.

Amendment disagreed to.

The Presiding Officer: The next question is that motion S4M-12160, in the name of Kezia Dugdale, on women offenders, as amended, be agreed to. [*Interruption.*] Silence, please. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dugdale, Kezia (Lothian) (Lab)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)

Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Renfrewshire South) (Lab)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Kelly, James (Rutherglen) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Macdonald, Lewis (North East Scotland) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McDougall, Margaret (West Scotland) (Lab)
 McInnes, Alison (North East Scotland) (LD)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 McMahan, Michael (Uddingston and Bellshill) (Lab)
 McMahan, Siobhan (Central Scotland) (Lab)
 McMillan, Stuart (West Scotland) (SNP)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Rowley, Alex (Cowdenbeath) (Lab)
 Russell, Michael (Argyll and Bute) (SNP)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, David (Highlands and Islands) (Lab)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (Ind)
 Yousaf, Humza (Glasgow) (SNP)

Abstentions

Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)

Carlaw, Jackson (West Scotland) (Con)
 Davidson, Ruth (Glasgow) (Con)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Johnstone, Alex (North East Scotland) (Con)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 McGrigor, Jamie (Highlands and Islands) (Con)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)

The Presiding Officer: The result of the division is: For 101, Against 0, Abstentions 15.

Motion, as amended, agreed to,

That the Parliament welcomes the decision of the Scottish Government not to proceed with the plans for HMP Inverclyde as a prison for women; agrees that Scotland needs to take a more radical, ambitious and sophisticated approach in the way in which it deals with female offenders; welcomes the Scottish Government's commitment to enter into dialogue with all interested parties to develop a modern and progressive response to women who offend in Scotland, and agrees with the view of the Commission on Women Offenders that it is imperative that mainstream service providers, such as health, education and housing work, recognise their responsibilities and work collaboratively with each other and with criminal justice partners to facilitate the provision of all necessary services to women offenders.

The Presiding Officer: The next question is, that motion S4M-12168, in the name of Joe FitzPatrick, on the draft Local Government Finance (Scotland) Order 2015, be agreed to.

Motion agreed to,

That the Parliament agrees that the Local Government Finance (Scotland) Order 2015 [draft] be considered by the Parliament.

The Presiding Officer: The next question is, that motion S4M-12183, in the name of Joe FitzPatrick, on the suspension of standing orders, be agreed to.

That the Parliament agrees that, for the purpose of consideration of the Community Charge Debt (Scotland) Bill:

(a) Rule 9.5.3A and Rule 9.5.3B of Standing Orders be suspended; and

(b) in Rule 9.10.2, the words "except on a final lodging-day, when amendments may be lodged only until 12:00" be suspended.

Motion agreed to.

Hepatitis C

The Deputy Presiding Officer (Elaine Smith):

The final item of business is a members' business debate on motion S4M-11190, in the name of Kevin Stewart, on hepatitis C. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes that the blood-borne virus, hepatitis C, is a major cause of liver disease; understands that, in Scotland, an estimated 39,000 people, many unknowingly, are infected with the hepatitis C virus (HCV), including many in Aberdeen; considers that the current Scottish administration and its predecessors have done much to highlight and prevent HCV infection and improve treatment by implementing the aims of the Hepatitis C Action Plan and the Sexual Health and Blood Borne Virus Framework; commends organisations such as the Hepatitis C Trust and Hepatitis Scotland on their efforts in advocating for people with HCV and lobbying on their behalf; believes that new treatments may offer opportunities, and welcomes what it sees as the Scottish Government, the NHS, the third sector and pharmaceutical companies continuing to cooperate in the fight to eradicate hepatitis C.

17:39

Kevin Stewart (Aberdeen Central) (SNP): I am pleased that Parliament has the opportunity to debate hepatitis C and I thank all the members who signed the motion to make the debate possible. I also thank the Hepatitis C Trust, Hepatitis Scotland, HIV Scotland and AbbVie for providing briefings for the debate.

Scotland has been hailed as a world leader in tackling hepatitis C; we have been really successful in tackling the virus and we must recognise the work of successive Scottish Governments of various political hues for their handling of the issue. However, we know that nearly 40,000 people in Scotland are infected with the hepatitis C virus, a blood-borne virus that can cause fatal liver damage and cancer if it is left untreated. We know that about 45 per cent of folk with hep C in Scotland remain undiagnosed and that only about 3 per cent of those with the virus receive treatment each year. We know that hepatitis C affects people from our poor communities much more than those from richer airts and pairts, with some 75 per cent of sufferers coming from the lowest two socioeconomic quintiles.

A recent Hepatitis Scotland and HIV Scotland report found that welfare changes had resulted in 58 per cent of people surveyed with hepatitis C and HIV experiencing poorer mental health, 48 per cent suffering poorer physical health, 45 per cent struggling to pay fuel bills and 39 per cent struggling to buy food. However, enough of statistics—I want to talk about real people.

I am grateful to the Hepatitis C Trust for providing me with some folk's stories. Nigel's story is that when he was a cameraman in Afghanistan 13 years ago he had a blood transfusion that saved his life, but during the transfusion Nigel contracted hepatitis C. He says:

"Before I was diagnosed I had no idea of the stigma which surrounds hepatitis C, but it leaves you feeling alone and fearful. I got a mixed reception from people when I told them. Some were calm and cool about it, while others were quite put out to say the least. One of the best things that happened to me was meeting someone else who told me he had it too. Suddenly I knew someone else in the same position as me and that helped.

The treatment was gruelling, although I know it affects people differently. For me it took a lot out of me both mentally and physically. I had severe depression and had terrible skin rashes, nausea and aching. I did feel quite ill at certain points, but I believe it was all worth it because I feel so much better now."

Petra says:

"I was diagnosed with hepatitis C in 1991. I believe that I contracted it in my 20s, when taking drugs, through the sharing of needles. When I was diagnosed, not much was known about the virus and so I didn't seek any treatment. It wasn't until 2003 that I began experiencing problems, including a lack of concentration and an inability to learn new tasks at work.

I was diagnosed with chronic hepatitis C infection in 2004 and, although my liver was not yet severely damaged, I was keen to rid my body of the virus and prevent myself from constantly worrying about infecting others. I began 24 weeks of treatment which unfortunately was not successful; something which left me shattered and depressed. I underwent a 48 week course of treatment in 2011 and, thankfully, successfully cleared the virus.

Since being cured of hepatitis C, I have dedicated myself to helping people in Scotland with the virus, through working with the Hepatitis C Trust and various patient organisations such as the National Patients Forum. I still, though, suffer the after-effects of two courses of interferon-based treatment. My hope is that, with the new treatments now becoming available, we can move away from interferon-based therapies, diagnose and treat all those in Scotland with the virus, and ensure that Scotland is the first country in the world to eliminate hepatitis C."

Mark says:

"I find it hard to live with hepatitis C for lots of reasons ... know that my risk of getting cirrhosis, liver cancer and a list of other life-threatening conditions goes up every day - the clock is ticking. I also live with reduced energy and sometimes hit a wall where I just plain run out of gas. The brain fog is another difficult symptom of hepatitis C, with a loss of concentration, focus and memory, and a tendency towards depression and low moods. I feel a reduced ability to cope with stress, and I live with the knowledge that I could infect someone else. I'm a reservoir for a fast-mutating virus and I could hurt someone".

Those are some people's stories.

I said at the beginning that we have a fairly good international reputation in Scotland for dealing with hep C. In order to maintain our international reputation, the revised sexual health and blood-borne virus framework, which will be published this

summer, must be as ambitious as possible, ensure access to new treatments, and explicitly commit to the elimination of the virus as a serious public health concern. To do that, we must educate and make the public aware of hepatitis C in order to reduce and eliminate newly acquired infections. We must ensure that we diagnose all those who are living with hep C and that they are treated promptly.

I believe that the World Hepatitis Alliance summit will be held in Glasgow this September. That summit offers the Scottish Government the perfect opportunity to highlight its world-leading efforts and showcase its highly ambitious plans for addressing hepatitis C that will, I hope, be contained in the revised sexual health and blood-borne virus framework.

Hepatitis C is preventable, treatable and curable. Let us ensure that we do all that we can to eradicate the virus from Scotland and export our good practice globally. I hope that we will soon see a hepatitis C-free world.

17:46

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): I congratulate Kevin Stewart on lodging an important motion. He was quite right to praise the current Government for the work that it has done on hepatitis C, but he also generously referred to the previous Administration, as well.

There has been a lot of continuity. At the start of the Scottish Parliament, we had the Scottish needs assessment programme—SNAP—report in 2000, which led to two action plans and to “The Sexual Health and Blood Borne Virus Framework 2011-2015”, of which there will be another iteration very soon. There has been continuity.

I note that the first sentence of the hepatitis C section of the framework quoted me. It is not often that I get a chance to quote myself, but I said in 2004 that

“hepatitis C is one of the most serious and significant public health risks of our generation”.

That is still true, but there has been a lot of progress since then.

One of the issues has, of course, been the development of new drugs, to which Kevin Stewart referred. I am sure that we have all, over the years, spoken to people who were having treatment and who complained about the side effects and aftereffects of interferon-based therapy. Therefore, we have to welcome the new treatments. However, there is an issue: they are extremely expensive. I know that that is an issue for Lothian NHS. Its acute medicines budget has increased by 15 per cent in the past year. I do not know what percentage of that is to do with hepatitis C, but it has significant costs. I am

certainly not arguing for those drugs to be discontinued, but there may be a case for the cost of acute medicines to be taken into account more in the distribution formula for health board budgets.

Kevin Stewart: Does Malcolm Chisholm agree that in health economics we do not always take fully into account the difference that a treatment will make, in that it can enable a person to go back to work and be less reliant on benefits? We should take a joined-up approach. I hope that the United Kingdom Government can help in taking a joined-up approach to dealing with serious illnesses. The cost of treatment may be minuscule compared with the economic cost of not treating people.

The Deputy Presiding Officer: I will give Malcolm Chisholm his time back.

Malcolm Chisholm: Kevin Stewart has made an important point. He also gave us statistics that are still alarming. It is not just the overall number of nearly 40,000 people with chronic hepatitis C that is a matter of concern; the fact that half of those who have it are undiagnosed is also obviously a matter of concern. We are also told that 75 per cent of those who have been diagnosed are not in specialist care.

Therefore, there are still big challenges, but as Kevin Stewart and I have emphasised, there has been great progress in prevention and diagnosis— notwithstanding the challenges around developing optimal treatments and around care and support. Those were the themes of the action plans.

There is a good emphasis in the framework on the strong health inequalities dimension and on stigma, which are two very important and relatively new priorities. With Elaine Murray sitting beside me, I am reminded of the excellent work that is being done on health inequalities in Dumfries prison through the nursing at the edge initiative, which focuses on diagnosis and treatment of people in prison who have hepatitis C.

Many people with hepatitis C contracted it through injecting drugs, which is why a lot of the prevention activity is around that, but we cannot forget the several hundred people who have contracted it from blood products. That issue was of great concern in the early years of the Parliament, and it led to ex gratia payments being made, which was started by the Scottish Parliament then copied by the UK Parliament.

We all know that the Penrose inquiry will report in March, and we must be mindful of the issues around that very complex situation. We all look forward to reading the conclusions of that report, and I believe that it will lead to demands for further payments. Constituents of mine are still contacting me about that. We must not forget that there are still a large number of people who contracted hepatitis C in that way, and we must do all that we

can to meet their specific needs and circumstances.

17:51

Colin Keir (Edinburgh Western) (SNP): I add my congratulations to my colleague Kevin Stewart on lodging the motion, and I certainly support the principles in it.

Hepatitis C has presented a major challenge to our health services over many years. There is no doubt that it remains a major challenge, but there is light at the end of the tunnel in terms of possible treatment.

When doing a bit of research for this evening's debate, I was going through the endless statistics and reports and wondering where to go with this speech. Kevin Stewart gave some excellent personal examples of the problems that are faced by sufferers. As it happened, I met an acquaintance on Monday evening who I had not seen since my school days. I had not known that he is not living in Scotland any more—he lives down in England. As we carried on with our general pleasantries and talked about what we have been doing—he was quite surprised to find that I had found myself in Parliament—I happened to mention that I was taking part in this debate. He went a bit quiet on me and said that he had been diagnosed with the condition a wee bit of time ago.

We carried on the conversation, as members can imagine. He felt a bit uneasy about it, and he did not explain how or where he had contracted the virus. However, he was clearly excited by the advances in the drugs that may help in the coming years. After a time, when we were speaking in very general terms, he started to open up, explaining how difficult it had been to explain to his family how he had been infected. It was absolutely clear that there were stresses within the family when it happened. The long-term fears about how it would affect him were hitting him. What would be the effect on developing relationships in the future? Those things affect not just people who suffer from hepatitis C—they affect people who suffer from other afflictions.

My friend went through a period when his concern was replaced by anger, interspersed with periods of depression. Many sufferers seem to go through states of anxiety, and more. He joined a support group in the midlands in England, through which he eventually managed to get himself in some degree of order. I am thankful that he is now in a stronger state of mind than he was not long ago.

If we assume that most people who have been diagnosed go through that, we can see why groups such as Waverley Care, here in Edinburgh, are so important within our communities. Outreach

work—getting out into communities, dealing with groups who are at higher risk of infection, getting people to talk and, for those who have been diagnosed, ensuring that help is available—has been vital.

Of course, that description is oversimplistic. Some people lead chaotic lifestyles and are perhaps not clear whether, or do not know that, they are suffering from hepatitis C. There is also the problem of dealing with people in the prison system and people who continue to be hooked on drugs, which brings additional pressures regarding practical difficulties with treatment.

I pay tribute to the current and previous Scottish Governments, including Malcolm Chisholm, for the work that they have done. I was delighted to hear Malcolm Chisholm's contribution, which was as helpful as ever.

Since 2011, the Scottish Government has provided something in the region of £28.7 million each year in funding for the sexual health and blood-borne virus strategy. I believe that came out in an answer to a question from Jackson Carlaw. About £14.5 million is allocated annually to support activities on viral hepatitis.

Of course, the real shining light is a cure. The old regime of interferon-based treatment is certainly not perfect. New drugs that are now available and have been passed for use present a real possibility of ending the scourge of hepatitis C. Time will tell.

The Scottish Government's commitment through the new drugs fund will undoubtedly make a difference in providing the drugs that are required. Kevin Stewart has raised a number of excellent points in his motion and I commend him once again for a motion that is based on a positive end for something that has caused misery to many. I support the motion.

17:55

Anne McTaggart (Glasgow) (Lab): I am pleased to have the opportunity this evening to contribute to the debate because hepatitis C is an on-going concern to many of my constituents in Glasgow. I therefore thank Kevin Stewart for securing time in the chamber to discuss it.

This year is just as important as the time 20 years ago when I first studied the implications of hepatitis C when I was working in addiction. This year will see the publication of a revised sexual health and blood-borne virus framework, the staging of the World Hepatitis Alliance summit in Glasgow in September, and the anticipated availability of a host of new treatments that promise cure rates of up to 95 per cent. This year is hugely important.

Although Scotland has made progress with the hepatitis C action plan and the inclusion of the hepatitis C virus in “The Sexual Health and Blood Borne Virus Framework 2011-2015”, which is internationally acclaimed, there is still more to be done. Recent treatment targets have not been met and further action is required. If such action is not taken, hepatitis C will remain a significant public health concern and will result in higher rates of liver disease and cancer at great cost to individuals and the health service.

As Kevin Stewart said, it is estimated that 45 per cent of Scottish chronic hepatitis C infections go undiagnosed. The risk of transmission is therefore high and will remain so without concerted action to test for and treat infection.

Glasgow has the highest rate of hepatitis C in Scotland, with 40 per cent of all diagnosed cases occurring in the Glasgow and greater Clyde area. I have recently been contacted by two constituents who have haemophilia and have contracted hepatitis C as a result of their having been given contaminated blood products by the national health service. The hepatitis C has left them with cirrhosis of the liver. My constituents are concerned that treatments that are currently available on the NHS are less successful than some that are available abroad, and they believe that all haemophiliacs in this country should be entitled to the most effective drugs and treatments, regardless of cost and the country in which they are administered. The Scottish Government should seek negotiations with the pharmaceutical companies on the cost of those drugs.

My constituents also state that sufferers of haemophilia are unable to secure life insurance because of their medical condition and expected shortened lifespan. They believe that the Scottish Government should take responsibility for payment of life insurance policies that would after their deaths offer stability and security to their families. I have written a letter to the Cabinet Secretary for Health, Wellbeing and Sport about each of the cases that I am dealing with and I am still awaiting her reply.

Hepatitis C is preventable, treatable and curable for the majority of patients. With new and more effective drug treatments soon to be available, hepatitis C can be eliminated from Scotland provided that there is a Scottish Government commitment to doing so and to prolonging lives, including those of my constituents.

18:00

Nanette Milne (North East Scotland) (Con):

This debate about hepatitis C is well timed, as it comes just a few months before the planned new Scottish sexual health and blood-borne virus

framework. I, too, congratulate Kevin Stewart on bringing it for debate. The issue is of such importance that it merits a full parliamentary debate, so I hope that the Scottish Government will consider that as it develops its new framework in the next few months.

Hepatitis C blights the health of a significant number of people in Scotland. Many of them live in deprived communities and a high proportion of them have used, or currently use, injected drugs, are homeless or come from countries where the virus is endemic—for example, parts of Asia and eastern Europe.

It is of concern not only that nearly 40,000 people in Scotland are known to be infected by the virus, but that that is little more than half the population of people who are thought to carry it. Many have no idea that they are infected until they develop the signs and symptoms of serious liver disease.

The statistics are alarming. Only 28 per cent of chronically infected HCV patients attended a specialist treatment centre in 2013, there has been an almost 240 per cent increase in liver-related deaths in the past 15 years among people who have been diagnosed with the virus, and 21 per cent of the 98 liver transplants that were carried out in Scotland in 2013—at an average cost of £40,000 each—were due to hep C related liver damage.

It is worrying that less than 40 per cent of people who are confirmed as having the virus have had their genotype tested, which is crucial if they are to be given the most appropriate therapy for their condition, and that just 3 per cent of Scotland’s nearly 5,000 general practitioners have completed level 1 or 2 of the Royal College of General Practitioners certificate in detection, diagnosis and management of hepatitis B and C in primary care.

However, there is good news, too. Scotland is recognised as a world leader in the battle against hep C through its hep C action plan and the integration of hep C into the framework of 2011-2015, accompanied by the investment that is essential to achieving the framework’s goals. Since the hep C action plan was published in 2006, the number of annual diagnoses has increased by a quarter, more than 6,000 people have been started on treatment and 45 million pieces of clean injection equipment have been distributed.

Despite that significant progress, recent treatment targets have not been met and further action is needed. Otherwise, hep C will remain a significant public health concern, resulting in higher rates of liver disease and cancer at great cost to the NHS in Scotland.

In last week's debate on the 2020 vision for the NHS, the Cabinet Secretary for Health, Wellbeing and Sport said that she hopes to plan for the NHS well beyond 2020 and would welcome positive suggestions. I propose for consideration the target that the Hepatitis C Trust suggested of eliminating hep C from Scotland by 2030. It is a reasonable target, given the increasing availability of new drug treatments that have been approved by the Scottish Medicines Consortium and which are highly effective in eliminating the virus, particularly when used in combination.

My plea to the Government is for it to consider committing to a strategy for elimination of hep C that aims to reduce to zero the incidence of new cases, to raise public awareness of the virus—with particular, but not exclusive, focus on injecting drug users—to diagnose everyone who lives with hep C and to ensure that everyone who is diagnosed as being infected has prompt access to the treatments that are most appropriate for them and to full support throughout their treatment.

The SMC has already approved a number of new drugs for treatment of hep C and more are in the pipeline. I would be interested to hear from the Minister for Public Health in her response to the debate whether those new treatments will qualify for the new medicines fund that is currently in place and which I hope will be extended beyond 2016, depending on available funding and political will.

If the excellent work of recent years is built on and, as suggested in the motion, co-operation between the Scottish Government, the NHS, the third sector and pharmaceutical companies continues, I have no doubt that the elimination of hepatitis C as a serious public health concern in Scotland can be achieved in the foreseeable future.

I commend Kevin Stewart for securing time for this important debate.

18:04

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): As the motion refers to "pharmaceutical companies", I declare at the outset that my niece Jo works for such a company. She lives in Sweden, but the industry is international.

The statistics are interesting. We are told that there may be up to, or approaching, 40,000 people in Scotland with chronic hep C infection. Statistically, that means that one member of Parliament will have hep C. I recognise that there is an element of social discrimination, and that we are perhaps not the most likely cohort of people to suffer from the virus. However, that statistic provides a context for, and perspective on, the spread of the disease.

We can be exposed to the disease not simply as a result of sharing needles when using drugs, but through use of blood products. Some 30-plus years ago, I was injected with gamma globulin because I was travelling to areas where there was a wide range of infections that might attack my immune system, and it was thought proper to boost it before I went. That meant that my blood-donating years came to an end about 15 years ago, and for many years I could give my blood only for plasma. So far, so good: there are no particular signs that I have that infection. However, one of the difficulties with the virus is diagnosis; it can sit dormant and undiagnosed for a very long time.

The liver is one of the more difficult organs of the human body to treat. About 30 or 40 years ago, serious conditions of the liver essentially could not be treated, and palliative care would be given. Liver rupture was often the third cause of death in car accidents, as people bled to death—the liver could be packed, but that did not do much good because it would not heal itself very effectively.

Today, we are in a different position. There is the possibility of liver transplant, and a relatively wide range of pharmacological interventions are deployed with varying degrees of success. It is a tribute to the pharmacological companies and the support that the NHS has given to people with hep C that people now recover and have the virus eliminated from their system, and are restored to good health. I hope that we see much more of that in the future.

The pancreas and the liver are two organs of the body that can cause great difficulties. We are increasingly learning how to deal with viruses; one hopes that we will go on to deal with prions, which are the cause of Creutzfeldt-Jakob disease. That is, of course, why I was stopped from being allowed to give blood.

I congratulate Kevin Stewart on bringing to the chamber this excellent debate, which is timely and informative. I will certainly go away having learned a great deal from the speeches of other members. I also congratulate the Hepatitis C Trust, which looks after and supports people who suffer from hep C. When people have conditions that are highly variable and relatively invisible over a long period of time, and which can also carry a degree of social stigma, they find such support to be immensely valuable. I hope that the Hepatitis C Trust continues to provide such support for many years to come, but I hope even more that we eliminate the disease and that the trust's efforts become entirely unnecessary.

18:09

Johann Lamont (Glasgow Pollok) (Lab): I congratulate Kevin Stewart on bringing this

important debate to the chamber. I think that we all recognise the importance of debating how we properly support people who are affected by hepatitis C.

I was struck by the stories that Kevin Stewart read out and the extent to which health is not just about drugs but about how people can share experiences with others who are facing the same challenges. I hope that we make sure, in any debate that we have, that the support that is provided goes beyond simply ensuring that people have the right drugs. We also need to allow people the space to address the challenges that they face as a result of their condition, whatever it is.

It is good to see progress and to see work from the past being built on and taken forward. I do not often say this in the Parliament, but in the debate I felt a sense of optimism, particularly in Kevin Stewart's speech, that people are pulling in the right direction and making a difference.

However, as Malcolm Chisholm and others reflected, it is inevitable that we also think about the impact of the use of contaminated blood and the consequences for those who then contracted hepatitis C and other conditions. We know how important it is to tackle the disease, but I trust that the Presiding Officer will permit me to add some thoughts specifically on contaminated blood.

One of the many helpful briefings that we received for the debate states:

"Anyone who looks dispassionately at the issue feels that the state has a moral duty to the infected."

As someone who was elected in 1999 and was here in the first session of Parliament, I know that the issue has been politically live since the Scottish Parliament opened. A lot of time and energy has been used in addressing the challenge, but too many of those who have been affected still feel that insufficient progress has been made. All members in the chamber will know those who are still actively campaigning on the issues. The reality is that many questions and significant issues remain unresolved.

At a recent presentation in the Parliament, which I think was hosted by Richard Lyle, we had a powerful presentation by those who are campaigning on the impact of contaminated blood on people's lives. We could be in no doubt about the degree to which anger and passion remain or about the determination to have the questions addressed.

Even more powerful was the direct meeting that I had with a constituent who wanted to talk about the impact on her and her family of losing a family member—a loved one—as a consequence of his contracting hepatitis C. He was a haemophiliac, and he was given contaminated blood as a child. I want to share my constituent's thoughts and give voice to the desire, which is held not just by her

but by others, to ensure that the really significant questions are answered.

My constituent outlined the reality of the stigma that was associated with being found to have hepatitis C, or HIV for that matter, in the 1980s and 1990s. I know that we have made huge progress, but more still has to be done. At that time, the consequence was that her loved one could not share the truth of his condition with the broader family or with friends. They could not speak to anybody else, and inevitably the pressure on them as a couple became immense. The person who was suffering was silenced and the immediate family could not share their anxieties or fears with anyone else.

It was therefore not just a physical condition, as emotional distress came with it, too, and that lived out for as long as the person lived. There was anger at not getting action but possibly also a sense of guilt about being a parent who had sanctioned the transfusion in the first place. Those are all immensely powerful consequences for people's lives.

There is now huge hope and expectation around the Penrose inquiry. The significance of the question of compensation has been highlighted. That is absolutely right and it is understandable, but what my constituent wants more than anything is answers. She wants to know how this could have happened at all and why, even when problems were recognised, the system continued to be reckless, with consequences for many people.

Specifically in relation to the Penrose inquiry reporting, I ask the minister the following questions. How will families be briefed on the findings? What will the Scottish Government do to ensure that they know quickly what the recommendations are? What will be the timescale for implementing the recommendations? How will the compensation issues be pursued? Centrally, I hope that the minister can give an assurance that the Government will address the anger. The state must have a responsibility to those who suffered so grievously. So many people continue to live with the condition or with the pain of having lost somebody in these circumstances.

I am sure that members throughout the chamber want to see massive progress on addressing hepatitis C and, in particular, hope that the findings of Penrose will come as a comfort to those who have been campaigning for so long.

18:14

The Minister for Public Health (Maureen Watt): I am grateful for the opportunity to provide closing remarks in this debate. It has been an interesting discussion and I am pleased that we all recognise the importance of the issue. Many

members gave case studies of people they have known who have suffered from hep C, which brought the issue to life. The personal stories bring to our attention the problems and the stark realities that are faced by people who suffer from hep C.

I will address Johann Lamont's questions. I am not going to get into the Penrose inquiry during this members' business debate; that is for another day. When the report is published, I am sure that it will be brought to the chamber and dealt with specifically.

This is a very significant time for hepatitis C, as many have mentioned. Nowhere else in the world can say that it is in a better position than Scotland to take advantage of recent developments. It might be useful to say a few words about what we have done in Scotland. Others have mentioned the work that was begun in the first and second sessions of Parliament and have recognised Malcolm Chisholm's work. A lot of what we do now is down to the hepatitis C phase 2 action plan, which was launched in 2008. As a result of the action plan, we have more than doubled the number of people who commence treatment every year and have significantly improved access to testing and care services. As some people have mentioned, it needs to be a very holistic approach.

Importantly, we have also continued to invest in prevention services, including the provision of injecting equipment. That is critically important, because treatment cannot stand alone. If we are to have the best public health impact, we need to invest in prevention. We did that and, because of the investment, we have seen a reduction in the number of new hepatitis C infections in injecting drug users. We have also seen a real change in the epidemic curve and a reduction in the number of people infected in Scotland.

Those results speak for themselves, and they have done so in international scientific literature and public policy discussions. Scotland is now rightly seen as a world leader in this area. Our action plan has been described by the World Hepatitis Alliance as a "model of good practice". Scottish leaders have presented on the action plan at the European Commission in Brussels, at the World Health Assembly in Geneva and at the White House in the United States. More recently, the Scottish Government has supported the World Health Organization in the development of its global hepatitis programme. Scotland is leading the world, and we should celebrate that.

The hepatitis C action plan came to end in 2011, but hepatitis continued to be a priority for the Government, and that was reflected in the "Sexual Health and Blood Borne Virus Framework 2011-2015". All Government investment in support of hepatitis C was maintained under the new policy. The framework has been a great opportunity to

bring together viral hepatitis, HIV and sexual health, and to develop a more holistic approach to prevention, treatment and care. It also maintains a strong focus on the needs of the patient—something that I will say more about—while recognising the importance of the relevant cross-cutting policies.

As others have mentioned, the framework comes to a conclusion this year. That gives us an excellent opportunity to build on the strengths of the policy over the past five years, while taking into account how the landscape has changed since 2011, how we have progressed towards delivering our outcomes and what current epidemiology tells us.

We will publish a refreshed framework later this year, and work has already commenced on that. Hepatitis C will continue to be a key priority. Indeed, I chaired a meeting of the national sexual health and blood-borne virus advisory committee just last week, at which there was a very good discussion about the future of hepatitis C policy. The discussion at that group related to the work of the treatment and therapies sub-group, which is an expert group that my predecessor established to provide advice to the Government on priorities in the light of the new therapies that are now becoming available. That group will report back to the national advisory committee in the coming months, and we will ensure that its advice is taken account of the new framework is drafted. We will take into account the fact that there are new and better drugs, and use that in where we go from here.

A key point is that the expert group includes representation from patient groups. If there is one thing that sets apart the Scottish Government's approach from strategies elsewhere in the world, it is that we engage proactively with our patient groups. We did that throughout the development of the action plan and framework, and we are doing it now as we think about the opportunities and challenges of the new treatments. We very much take the view that we work in partnership not only with the NHS and the third sector but with patients.

The Scottish Government continues to be ambitious for Scotland. We are world leaders in the area and we are keen to remain so. Although at times that may mean making difficult decisions, we will continue to work with patients and professionals. We want now to be using the language of elimination and eradication when we talk about hepatitis C in Scotland. A few years ago, that would have been an impossibility, but it is now a realistic ambition, and I am happy to drive it forward.

Meeting closed at 18:21.

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