

# **EQUAL OPPORTUNITIES COMMITTEE**

Tuesday 8 February 2000  
(*Afternoon*)

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## **EQUAL OPPORTUNITIES COMMITTEE** **3<sup>rd</sup> Meeting 2000, Session 1**

### **CONVENER**

\*Kate MacLean (Dundee West) (Lab)

### **DEPUTY CONVENER**

\*Shona Robison (North-East Scotland) (SNP)

### **COMMITTEE MEMBERS**

\*Malcolm Chisholm (Edinburgh North and Leith) (Lab)

\*Johann Lamont (Glasgow Pollok) (Lab)

Marilyn Livingstone (Kirkcaldy) (Lab)

Mr Jamie McGrigor (Highlands and Islands) (Con)

\*Irene McGugan (North-East Scotland) (SNP)

\*Mr Michael McMahon (Hamilton North and Bellshill) (Lab)

\*Tricia Marwick (Mid Scotland and Fife) (SNP)

\*Mr John Munro (Ross, Skye and Inverness West) (LD)

\*Nora Radcliffe (Gordon) (LD)

Tommy Sheridan (Glasgow) (SSP)

Elaine Smith (Coatbridge and Chryston) (Lab)

\*attended

### **THE FOLLOWING MEMBERS ALSO ATTENDED:**

Des McNulty (Clydebank and Milngavie) (Lab)

Mr Brian Monteith (Mid Scotland and Fife) (Con)

Mr Jim Wallace (Deputy First Minister and Minister for Justice)

### **WITNESSES**

John Randall (Registrar General)

David Orr (Census Branch, General Register Office)

### **CLERK TEAM LEADER**

Martin Verity

### **ASSISTANT CLERK**

Irene Fleming

### **LOCATION**

Committee Room 1



## Scottish Parliament

### Equal Opportunities Committee

*Tuesday 8 February 2000*

*(Afternoon)*

[THE CONVENER *opened the meeting at 13:31*]

### Census (Scotland) Order 2000

**The Convener (Kate MacLean):** Welcome to the Equal Opportunities Committee. We have only one item on the agenda today: discussion of the Census (Scotland) Order 2000.

I welcome Jim Wallace, the Deputy First Minister and Minister for Justice, John Randall, the registrar general, and David Orr, who is the head of the census branch of the General Register Office. I also welcome Des McNulty, who has asked to attend today's meeting and is welcome to participate, although he does not have a vote.

Jim Wallace will outline briefly the memorandum that we received last week. John Randall and David Orr can add to that statement. After that, committee members may ask questions.

**The Deputy First Minister and Minister for Justice (Mr Jim Wallace):** I am pleased to be able to explain to the committee the background to the Executive's proposals for the 2001 census. As you acknowledged, convener, we circulated a memorandum a week ago. I hope that members have had an opportunity to read it.

The census is all about priorities. Each time there is a census, there are demands from every quarter for many more questions than can be accommodated on a census form. Housing groups always want more information about housing. Those involved in education want extra questions on education. The health profession wants additional data on health. Academics want additional information to assist their research. All that is perfectly understandable, but we have to strike a balance between collecting ever more information and keeping the form's size manageable.

The issue is not to do with cost; it is to do with the time that it takes to complete the form and the effect that that has on response rates. Because of the need to narrow down the top priorities, the registrar general conducts extensive consultation with census users for several years before each census. Clear criteria are needed for deciding which topics should be given priority. We must find out what the priority needs of the main census

users are, whether workable questions on the priority topics can be devised and whether the census—as opposed to some other approach, such as a household survey—is the best way of collecting the information that is required by the users.

Consultation has to be a long-term and structured process. It is essential that the questions that we include in a census are thoroughly tested in advance. If not, the substantial cost of the census will not produce the best returns in terms of useful material for census users.

The committee might be interested to know that the consultations by the registrar general for the 2001 census started in 1995. Census tests of particular questions were carried out in 1997 and a full dress rehearsal was held in 1999.

All the main user groups have been involved in the consultations, particularly central Government, local authorities, health authorities and representatives of the business and academic communities. The views of the committee are being fed into that process, although, for obvious reasons, towards the end of the extensive consultation process. However, I want to assure the committee that all the points that members have raised in previous meetings have been considered during the consultation process.

The Executive's proposals, based on extensive consultation and tests carried out over several years, already include several additional topics to those included in 1991. Those topics reflect the priorities of the main census users in Scotland. The topics are: general health, which has been found to be a good predictor of demand for local health services; provision of unpaid care, which provides vital information about the number of carers and the time that they spend caring; year of previous employment, for analysing participation in the labour market; the size of work force at place of work, which is used in the new national statistics socio-economic classification that has replaced social class; place of study and journey to place of study, which is used in estimating daytime population and in transport planning. The questions on place of study and journey to place of study are proposed in Scotland, although not in other parts of the United Kingdom.

We have had to reject several topics that the main census users wanted to be included. The Convention of Scottish Local Authorities, for example, would have liked extra questions on income, sources of income, second and holiday homes, five-year migration patterns and the number of paid jobs held by individuals. COSLA accords all those topics higher priority than the issues raised by the Equal Opportunities Committee.

The alternative of lengthening still further the census form causes more problems. It is not just a matter of cost; lengthening the form affects the responses given by the form filler. The proposed census form already contains 32 topics, with three pages per person, and is considerably longer than the 1991 census.

That is the background to the proposals. I do not suggest that no use would be made of information on religion, more detail on ethnic group, on language in the home or on income, if such information were collected. However, in the case of all those topics—except income—the main census users do not see a major need for such information, compared with other topics. Members should bear in mind the fact that there are alternative methods of collecting some information.

If information is needed on a broad geographical scale—as is the case for several topics that the committee has raised—a census is not necessarily the best approach. Although the coverage of a household survey is lower, such a survey can be a more effective means of collecting information on a broad geographical scale. Moreover, because it is carried out by trained interviewers—in contrast to the self-completion of the census—a household survey can allow complex issues to be teased out through follow-up questions. A census has advantages in terms of providing reliable information at a small geographical level, but it is a rather blunt instrument when dealing with complex and sensitive issues. A household survey allows an interviewer to follow up an affirmative answer to a question on religion with one designed to tease out whether the respondent is a regular worshipper or simply a believer as a result of their upbringing.

The memorandum explains in more detail why the topics highlighted by the committee do not stand up well to the criteria used for selecting priorities. Sometimes that is a matter of relatively low priority assigned to small-scale geographical information on the topic by the main census users. Sometimes it is because workable questions cannot be devised, as demonstrated by the census tests that have been undertaken by the registrar general. Sometimes it is because other means of collecting information are more effective.

There was no strong demand from the main census users in Scotland for small geographical area data on religion. Religion is a complex and sensitive subject; we believe that there are satisfactory alternative ways of obtaining the information that is needed. Our proposal for collecting more information on the religion of ethnic minorities through a programme of research and surveys was announced earlier today by Jackie Baillie. Our proposals are based on the

priorities of census users in Scotland. Those priorities differ from those of census users south of the border, but that is what devolution is all about.

We have not come to our conclusions lightly; there has been extensive consultation over several years. I am satisfied that the priority topics identified in the order are those that meet the criteria for inclusion in the 2001 census. My colleagues John Randall and David Orr and I will obviously be happy to respond to the committee's questions.

**The Convener:** I will now open the discussion to questions.

**Mr Michael McMahon (Hamilton North and Bellshill) (Lab):** Minister, thank you for the information and the briefing that you gave us last week. I read the paper with some interest. I have tried to examine the reasoning behind it, but the only word that strikes me as I listen to you is "bizarre". I do not think that your arguments against having a question on religion in the census carry much weight. From the information that I have, every piece of research done in that area depends on census data as a starting point. For example, the household survey, which covers about 60,000 households, uses such data as a focal point. If people out there rely on information, and census data is the best place to get that information, how can you argue that other surveys can fill the gap in the census? Surely those surveys can only supplement census information, not replace it.

**Mr Wallace:** I will try to respond to that question, and then invite both Mr Randall and Mr Orr to say more from the informed, professional viewpoint of those who deal with statistics and data.

The main census users—those who depend heavily and critically on the information gathered by the census—have not identified the religious question as a priority. As I indicated, COSLA has identified a number of other areas where questions would be more important for future planning.

Instead of self-completion forms, household surveys use interviewers, who have the advantage of being able to tease out what someone understands by religion. A person might say that they are Church of Scotland, because that was the religion into which they were baptised and brought up, but they might not have seen a kirk door since their wedding or grandmother's funeral. That is a very different matter from someone who is a regular communicant member of the Church of Scotland. As a result, a simple answer on a self-completion form might not provide the kind of quality answer that could be obtained by an interviewer who could tease out important distinctions.

The census is a useful tool for small areas of localised data. However, from some of the letters, articles and points of view that I have read from people who are calling for a question on religion, I believe that the information that they require could be made available geographically from our proposed boosted household survey; that would serve their needs better than the census with the small localised data that it is very good at delivering. My colleagues, who are technically more familiar with these issues, might want to add to my response.

**John Randall (Registrar General):** I would like to make a couple of points. First, the census is a powerful tool which has tremendous advantages over other approaches, such as its comprehensive coverage of every household in the country. However, the census cannot cover every topic of interest. As the minister said, this is not just a matter of cost; a more important consideration is the effect on the users. Every household in the country is required to complete the census form. We have to have regard to the overall length of the census form, and how long it will take to fill in. Our proposed form is considerably longer than the 1991 census form and covers more topics.

In fact, in 1991, there were some problems with the census. There was significant under-enumeration. This time, we will examine the form carefully to try to get a better response rate. With each individual in each household having to complete three pages of questions, we are now at the limit. The form is already considerably longer than it was last time, and we know that there were problems of under-enumeration then, so we must have regard to priorities. Although the census is a powerful tool, that is negated if we do not get a satisfactory user response.

13:45

My second point concerns the advantages of the census in comparison with other methods of collecting data, given that the census cannot cover everything because of the effect on the user and the response rate. I have said that the census has a number of major advantages. Its overall coverage means that the census, uniquely, can give us reliable information at very small geographical scale. It is the only method of gathering such reliable information at such small scale.

However, as the minister has said, the census is a rather blunt instrument in terms of the amount of detail that one can go into in the questions on the form. It uses a self-completion method. We know from census tests that people have difficulty in responding to questions that go beyond a simple tick box or that go into definitions—of what religious adherence is, for example. One must

define terms carefully if one is to get a satisfactory response from a self-completion survey.

The upshot is that, because the census cannot cover everything, we must concentrate on the topics on which the users particularly require reliable data on a small geographical scale. If the need is not for the very small level, such as local authority wards, but for information at a Scotland-wide level or at a local authority level, it is possible to collect reliable information through other approaches. A household survey, if properly structured, can collect reliable information at that larger geographical scale. We have to weigh up the comparative advantages of the census against the fact that we cannot fit everything in. Other approaches, such as household surveys, can deliver reliable information at the broader geographical scale.

I am making two points. First, the census cannot cover all the topics of interest. That is simply impossible because of the need to take account of the effect on the user. We are already at the limit in terms of the size of the form and the time that it will take to complete. Secondly, although it has some unique advantages, the census is a blunt instrument when it comes to going into more detailed areas. Household surveys can deliver satisfactory results if users want information at a broader geographical scale. That is what is behind the balancing act that we must inevitably perform in deciding our priorities for the self-completion census form.

**Mr McMahon:** First, in terms of the reliability of the information, a question on religion would be fairly subjective. As the minister said, someone who has not been to church for 10 years could tick the box that says that he or she is a member of the Church of Scotland. Equally, someone who has not been to hospital in 10 years could tick a box saying that they are in poor health. That hardly substantiates your argument.

Secondly, will the inclusion of two or three more questions on ethnicity or religion make the form so much longer than the census forms in England or in Northern Ireland, which include that question?

Thirdly, a number of academic institutions in Scotland—foremost among them the universities of Glasgow and Stirling—spend enormous amounts of their resources carrying out surveys on religion to gather the sort of information that they could readily pick up from a census that will be carried out in any case. Including a question on religion would free up the resources of the academic institutions to carry out their work more effectively.

**John Randall:** Michael McMahon raises a number of questions. He refers to the health question. The users of the information are telling

us that the health question would provide them with useful information. We have tested the health question, general though it is, and we know that it is a usable question and produces results that the health authorities, for example, want. The situation is different with the question on religion. The main census users are not saying that they want the small-area information on religion. A major part of my job is to listen to what the users are saying. They are saying that the health question will deliver useful results and that they do not rank the religion question as a high priority.

The member also asked about the length of the census form and whether adding to it would mean that Scotland was out of line with England and Wales. The answer to that is yes. In Scotland, we have some questions that are not proposed in England and Wales, such as those on place of study and journey to place of study. They are balanced out by the religion question that is proposed for England and Wales. The England and Wales household form, as currently proposed, would be the same length as ours—three pages per household. We estimate that it will take about 10 minutes for each member of the household to complete it. We believe that that is at the limit of what is reasonable and acceptable from the point of view of user-friendliness and quality of response.

**Des McNulty (Clydebank and Milngavie) (Lab):** My focus is somewhat different, as I am particularly interested in the proposal not to include an income question. The census users whom I have consulted—who include local authorities and those academics who use the census systematically—have indicated that they regard an income question as a high priority. Whether an income question is included in the census may determine the extent to which some of the other questions that you want to ask are useful. For example, the correlation between health and income is so strong that a health question is justified by the inclusion of an income question. I am interested that you have not acceded to the request for an income question, given the emphasis that you say is placed on the utility of the census to users. I would like some clarification on how far you consulted and whether a high priority is, indeed, given to the utility of data. I do not think that length should be a factor.

The inclusion of an income question could be of particular use to the Executive and the Parliament. In the Parliament, we have now moved towards measuring the success of our social programmes against specific numerical targets or criteria. Surely the inclusion of an income question within a comprehensive data set such as the census would allow us better to target our interventions and to monitor progress against targets that we have set. The census could become a much more useful

tool if it incorporated an income question, almost as a management tool. It might allow us to dispel some myths. For example, there is the myth that poverty is narrowly concentrated into specific geographical areas, when anybody who operates in Scotland recognises that there are dimensions of poverty to be found everywhere—we need to know a lot more about that.

The argument seems to rest on the testing procedures that you have carried out. You say that the inclusion of such a question would reduce returns of the census by 3 per cent. I would like more information on the kinds of testing procedures that were employed. Were people simply refusing to respond? Was it made clear to them that this was a sample return and so did not have the same status as the census, which has to be returned? Did the response deficiency apply to the income question, or was it a refusal to respond to the census overall? How did you weigh up the possible reduction in the response rate against the value that would be added—which everyone agrees on—by the incorporation of an income question in the census?

**Mr Wallace:** I will respond first. John Randall and David Orr will deal with some of the detail of the surveys that led to the conclusion that there would be a fall-off in response.

In many respects, Mr McNulty has partly answered the question that he posed. I accept that there is a case for the inclusion of an income question. A strong case was made by census users for priority to be given to such a question, for many of the reasons that he eloquently expressed. I must confess that, at the end of the day, it was a fine question of judgment whether the question should be included. As Mr McNulty indicated, however, the determining factor was the concern about a possible drop-off in response.

Mr McNulty stated that there was a 3 per cent fall-off in the tests. That is an average of 3 per cent across Scotland—indeed, the figure was much higher in some parts of Scotland. Given what has been said about the importance of the census and of the ability to get information on a small-area basis, even a fall-off of 3 per cent is significant. If the fall-off is greater, we are losing valuable information.

There was a drop-off in response not just on the income question. In fact, there was a general drop-off across a number of the questions. The view was taken that we could not afford to take the risk of an income question undermining the valuable and necessary information that will be forthcoming on other topics.

A number of other points are relevant: there was some confusion between gross income and net income; dare one say that there was the deliberate



or inadvertent exclusion of some income; and there were difficulties in assessing the incomes of self-employed people. There were difficulties in the quality of the answers, but the main reason for not including a question on income was the drop-off in the response rate; the view was taken that we could not afford to run that risk in the census. Perhaps Mr Orr will give more background on the testing.

**David Orr (Census Branch, General Register Office):** The 1997 census test was structured in a particular way to find out a number of specific things, as well as general information about how the census form worked. For example, it was structured to find out whether a question on income made a difference. We also examined whether different styles of form design affected people's responses and compared enumerator collection of forms with postal return.

Several issues featured in the design of the 1997 test. We did comparative tests on all those questions. In some areas we had forms that had an income question and forms that did not, so that in a proper scientific way we could establish whether that question made a difference. The results showed scientifically that the inclusion of an income question affected the overall response to the forms, not just the response to the income question. We also conducted follow-up surveys of people who had not responded to the forms to ascertain whether that had been a factor. Those surveys supported the earlier findings.

Prior to the testing, some work was done on what kind of income question to ask. The prime need of users was for a question on total household income. However, the question was quite difficult to ask because of the difficulty of getting information from different members of the household and in the proper way. We decided, therefore, to test the question that had the best chance of success and that would offend the fewest people, which was a question on personal income. It did not ask for people's precise income, but asked them to tick one of seven boxes according to the income range into which they fall.

14:00

There is a problem delivering the information people want with the question that we have asked. If we try to aggregate the total household income from the information on individual incomes, which is given in bands, the figure for total household income can fall within quite a broad range. The question therefore fails, to some extent, to deliver the most important information required. As the minister said, there is also some doubt about whether the information we receive is true. Follow-up surveys show that people do not always include unearned income, savings, benefits or

various other sources of income.

**Des McNulty:** I am particularly interested in identifying patterns of poverty in Scotland. On one level, failure to declare unearned income and income above a certain level is of less interest in terms of setting priorities.

Whatever the costs or difficulties of asking the income question and aggregating the information, my real concern is that cutting it out makes it difficult to use the other information in the census as sensibly as one might want to. The question is whether cutting it out because of the difficulties encountered during the testing process weakens the utility of the census so much that the balance of judgment is going in the wrong direction.

That judgment would need to be absolutely clear that the effect on return rates—given demonstrably equivalent conditions to the census; in other words, with a legal requirement to return—was so severe that it was absolutely not worth asking the question. I do not think that you have responded adequately to that point.

**John Randall:** I have a lot of sympathy with what Mr McNulty says. Unlike the other topics that have been raised by the committee, there undoubtedly was and is strong user demand for small-area information on income. That is what sets the issue apart from others that the committee has examined. Central government, local government and other users have a strong need for information on income. I accept that a strong case was made for inclusion of such a question.

However, one should not underestimate the size of the problem. The tests that we carried out showed quite clearly that response rates dropped far more in response to the income question than in response to any other question. The drop in response rate, which was in the order of 3 per cent for the whole area surveyed, was much higher in certain areas, which is a major problem, because the whole point of having small-area data is to be able to compare one small geographical area with another. If we know, as we do, that response rates are differentially affected, the usefulness of the figures is severely dented.

It is true that the census test that we carried out was non-compulsory and that one can never know for certain how things will turn out for real. It certainly showed that income has a major effect on response rates, which was different in different areas. It affected not only the income question but all the other questions. Therefore, the judgment was made—reluctantly, I think—that the disadvantages were so severe that the inclusion of the question, although a strong user case had been made, was not warranted.

**Johann Lamont (Glasgow Pollok) (Lab):** The

significance of what has just been said is that, in certain circumstances, it is possible to contemplate taking a different position from the one that census users take—for example, on the religious question.

It is clear that nobody here is pitting the census against the household survey—it is possible to do both. It therefore does not matter that there are a million other ways of defining and refining the questions to find the information that is required on particular groups.

I look at the question of religion from an equal opportunities perspective, as does this committee. It is not a technical matter of simply deciding priorities and then moving on them. We have to ask who is deciding what the priorities are, and on what basis they are making those decisions. All our experience in equal opportunities—especially among the women—is that if you ask people to give a straightforward view on what they think are the priorities, without asking them to consider the implications for equal opportunities, they will not necessarily take a position that is sensitive to equal opportunities. Therefore, if you asked census users what their priorities are without asking them to bear carefully in mind the needs of the black and ethnic communities, it would not be surprising if they did not come up with questions that were sensitive to equal opportunities.

We have to listen to what the excluded groups have to say. I think you will agree that the black and ethnic minority communities in particular have been very keen to include a religious question. I wonder whether you understand that it is not a question of identifying belief—although it is significant and interesting if people have a religious belief—but a question of delivering service. If black and ethnic minority organisations are asking for something to be included because they believe that doing so would improve services, does that not weigh heavily with you? What if they say that religious belief is as significant an indicator as is ethnic origin?

I would like to hear your response to the question of the historical significance of the census. The census is not just some kind of technical document that is pulled together, with fine details that we can argue over later. It is a living document of historical significance. Do you not think that there is a case for putting questions in relation to the black and ethnic minority community at the heart of that document, instead of asking those questions in a household survey? There is a symbolism in having a document that reflects the wide diversity of our communities and the fact that there are other perspectives than just the mainstream, white, middle-class, male perspective. Excluding the religious question is not a neutral decision, because it reflects priorities that

are not necessarily those of the broader community. Do you not think that it would be useful to consider the religion question again, simply because it is symbolic of being inclusive of the broad diversity of the Scottish population. At the moment, I am afraid, the perspective is very narrow.

**Mr Jim Wallace:** I do not accept that excluding a religious question is a slight to any community in Scotland. As you are well aware, the Executive has a strong commitment to equal opportunities that embrace race, gender, sexual orientation and religion. We are proposing nothing here that is in any way intended to diminish that commitment.

There is a gulf between our perceptions. Ms Lamont thinks—the view is shared by a number of people—that there is a symbolism to the census. It happens only once every 10 years. The very fact that it requires a parliamentary order and is based on legislation appears to single it out as a very special event, but it has a practical purpose.

The emphasis that we have placed on the needs of service users reflects, in a questionnaire that is inevitably limited for reasons to do with getting a response that I and the registrar general have already described, that it is not possible to accommodate everyone's wishes—not even the census users' wishes—about what ought to be included.

Johann Lamont said that we ignore users' wishes about income, but that is for reasons that I have explained. It would be wrong to suggest that the questions we have included are not other priorities of the census users. The questions reflect the priorities of the census users in planning services strategically. I would also emphasise that there is no lack of commitment to find out the information just because those questions are not in the census if, as we believe, there are other, more effective ways to gather the information.

People who have studied what is effective in obtaining a higher quality of information have come to the conclusion that the census is a blunt instrument for some purposes. We share the purposes, but different people have identified different ways of achieving them. I welcome the opportunity to clarify that, in coming to these decisions, there is no question of discrimination, inadvertent or otherwise. It is a question of ensuring that, in the limited space available for a census, we ask the questions that most effectively gather the information that will be put to the most effective use. That is not to exclude other means, for example a boosted household survey, to get some of the other information we would have a common view on. That may also be very useful in promoting an equal opportunities agenda.

**John Randall:** Ms Lamont said that we have not accepted a topic on income, despite the user demand. That is absolutely true. It is because there is more than one criterion. One of the other criteria is that one should have acceptable and workable questions on the topics at issue.

The problem with the question on income is that the tests show that it is not an acceptable topic to a lot of people. Although user demand is a major consideration, it is not the only criterion. That is why the income question fell.

The point about the symbolic issue of religion is that we have had to give priority to the questions and data that information users will use for hard, practical purposes. If there were limited user demand, we could probably have devoted space and time to issues that are of symbolic importance, but we are not in that position. There is a very heavy demand from a lot of users to make practical use of the questions. Because of that, we have had to give priority to such uses rather than to largely symbolic questions.

**The Convener:** I have a long list of members who wish to ask questions and I understand that the minister can stay only until around half-past two, so I ask members to keep their questions short. With respect, minister, I would ask you to keep your answers reasonably short. too.

14:15

**Tricia Marwick (Mid Scotland and Fife) (SNP):** It is now quarter-past two and I am the fourth member to ask a question, so I will keep it short. I hope that the minister and his advisers will also keep their answers short, to allow us to ask as many questions as possible.

Michael McMahon said that your reasoning is bizarre, minister. I will be kinder and suggest that it is confused. You said that the census is a blunt tool and that it is particularly useful for small areas, but is not that the object of the census? For example, we know for a fact that a high proportion of people of ethnic origin is concentrated in a small number of postcode districts in the Glasgow area. Is not that precisely the sort of information that the census is designed to pull out? How can it be the blunt tool that you talked about when we need such local information?

**Mr Wallace:** There is no doubt that the census will have an ethnicity question and I am sure that the results will show up precisely what you describe, but our view is that the user case does not appear to have been made out for some of the additional ethnic questions, in terms of the small-area information the census is able to provide.

I do not want anyone to run away with the idea that there will not be a question on ethnicity. I

know that Tricia Marwick is not suggesting that, but some people outside the Parliament might. No doubt the results of that question will show where there is a focus of people from ethnic minority communities. The committee is suggesting that we gather more information on that area, but it is not clear why we would need that fine-tuned, detailed small-area information. That is why we do not think that the case has been made out. Indeed, those who plan services are not asking for that information.

**Tricia Marwick:** You said earlier that people from housing and education services want the census to include questions that you are unable to accommodate. Surely information on religion and ethnic minority communities has a direct relationship to the kind and quality of housing and education that is provided in small areas. That is precisely why we need that information.

**David Orr:** We collect ethnic information at the small-area level for precisely those reasons, and we will therefore be able to produce those results. As you say, the fact that a lot of ethnic minorities are concentrated in relatively small areas means that they lend themselves well to the sort of survey—a follow-up survey into ethnic minorities—that Jackie Baillie announced this morning. It will be possible to structure the sample in such a way as to target questions at the people from whom we want to get the answers. There will be plenty of opportunity to consult on the design of that survey.

**Tricia Marwick:** With respect, the important point that we are trying to make is that the survey is not the census. Surveys are surveys and, by their very nature, they do not go to every household. You talk about how to structure that survey, but you already have a structured census. We do not need more surveys—we need the census to ask the right questions. Do you not understand that point?

**David Orr:** But that approach would ask questions of 5 million people to obtain the information that you want from a small number of people. The survey is better designed to do that more efficiently.

**John Randall:** I wish to add that it depends on the use that one wants to make of the data. If such information is to be used as benchmark against discrimination in the employment and housing markets, I suggest that one would need to have more detailed information on ethnic group and, perhaps, religion on a broader geographic scale. The employment market is not confined to one particular local authority ward—people find work in different areas within a city—and the same applies to the housing market. If the data are to be used as a benchmark against discrimination, one does not need the small-scale geographical information, which the census uniquely can provide.

**Tricia Marwick:** With respect, Mr Randall, you are putting words into my mouth. I am not suggesting that this is about discrimination. My point is—

**The Convener:** Tricia, we cannot have a dialogue between witnesses and members in that way. I want to move on, as I have a list of members who want to ask questions. You can develop your argument next week, if the committee decides to keep in the motion to amend the census order, or you can contact Mr Randall and Mr Orr between now and then.

**Shona Robison (North-East Scotland) (SNP):** Throughout the discussion, all the witnesses have referred to the views of the main census users. Will those views be made public?

**Mr Wallace:** I am not sure what information you are asking to be made public.

**Shona Robison:** Can we see the responses to the consultation in more detail?

**Mr Wallace:** Those views have been gathered over four or five years, and in various forms. Mr Randall may know how they came in.

**John Randall:** I will respond to that point—I may ask David Orr to provide supplementary information.

Last August, we wrote to everyone who had expressed a view on including a question on religion and published a summary of the various views that had been received up to that point. The information was published in the form of a table, with arguments for and against.

**Shona Robison:** Because one of your key arguments is about the views of census users, the committee would like to see those views in more detail. You mentioned priorities—for example, that for some organisations information on health is more of a priority than information on religion. That is not to say that religion is not a concern, or that information on religion would not be useful—rather, for those organisations, health was more of a concern. It would be useful for us to see just how much of a concern religion was.

I get the feeling that it is quite difficult for organisations and service providers to rank priorities, but that does not mean that they do not think that information on religion would not be useful. As Johann Lamont pointed out, service providers do not know what they are missing if they have never had information on equality issues. Perhaps we should think beyond how things have been done traditionally and concentrate on the usefulness of new information.

The Commission for Racial Equality has suggested that, given that most census users are major service providers, some of the responses

may have been influenced by the consideration of the impact of improved data on services. That is not a criticism: it is a suggestion that sometimes a lot of detailed information can make one's work a little more difficult. I am able to accept that point as I worked in local government for a number of years, but that does not mean that the information should not be sought.

Finally, the question on religion in England and Wales is being used to collect more detailed information about minority ethnic groups. Is not there a danger that the omission of that question in Scotland will be seen as an implicit acceptance of the argument that the size of the ethnic minority population is a key influencing factor? We could end up being trapped in the numbers game, which none of us wants.

**John Randall:** I will ask David Orr to say more about the published views of those who responded to the consultation on the census.

**David Orr:** We consulted all the main users and asked them to supply what we call business cases for topics that they wanted to be included in the census. They were asked to suggest a topic, to list what they would use information on that topic for and to indicate whether they thought the topic was essential, desirable or not much use.

As one would expect, we received varying responses from the organisations we consulted, some of which went into a lot more detail than others. When we probed those responses, we were able to summarise them into a priority order for the questions, which we established by scoring the responses.

We did not make it clear to those whom we consulted that we would publish their responses unless they objected. As we have not asked them whether they object to that, I do not want to publish their responses without their permission.

**Shona Robison:** Perhaps you could seek their permission. You are commenting on, and using in your arguments, information that we have not seen. All we can do is take your word for it.

I am not suggesting that I do not trust what you are saying, but information can always be interpreted in such a way as to back up your own argument, so it would be good to get that information first hand.

**David Orr:** Since the UK Government published the white paper about the 2001 census—before the Scottish Parliament was set up—the only question on which the major census users came back to us on was the one on income. They have not disagreed with the other proposals in the white paper.

**Mr Wallace:** There has been a suggestion that COSLA opposed the religion question, but in fact it

thought other questions had a higher priority. I received a letter from a senior COSLA official clarifying that position. I will inquire as to whether that person would be happy for the letter to be circulated to the committee. If so, I will pass on the letter to the convener. The letter set out how COSLA, as one of the key service users, perceives the census and the ranking of priorities.

**Shona Robison:** I would like to comment on the religion question not being included in the Scottish census. Perhaps service users are rather uncomfortable about getting particular information.

**John Randall:** I agree with your earlier comment: that most users were not saying that a religion question would be of no use, but that other topics were a higher priority. As I said before, one cannot possibly accommodate every topic in the limited space on the census form. Most people were not actively against a question on religion, but the main users—local authorities, health authorities and central Government—could not point to specific ways in which the information would help them in the delivery of services.

There was a view that for some of the purposes that one wants information on religion, one could make do with broader scale data. Other approaches, such as a household survey, could deliver that information. The planning of services at local level is a matter for local authorities and health authorities—they are the experts. One could argue that they are misreading the position because they do not have that small-area information, but they are responsible for delivering the services and they did not say that more detailed information on religion or ethnic group was anywhere near the top of their list of priorities.

**Mr Brian Monteith (Mid Scotland and Fife) (Con):** I will try to keep my questions as brief as possible.

The main reason for not going ahead with the question on income seemed to be a drop in response rate. That is not mentioned in the context of the question on religion. Can you tell me whether there might be a problem with response rate if we included a question on religion, forgoing for the moment the complexities of framing such a question? You have mentioned other priorities. Does the minister or the Scottish Executive have a view on priorities? Does the Executive believe that other questions should come before a question on religion?

Finally, will the question on health provide credible information that will be of use to the main user groups? At first sight, that question seems rather loosely framed.

14:30

**Mr Wallace:** Mr Monteith asks whether there is any evidence of a reduced response rate because of the inclusion of a question on religion.

Because religion is not part of the Census Act 1920 and would require specific primary legislation to allow it to be included, I suspect that the test has never been carried out as it was for the question on income.

**David Orr:** No comparative test on religion was undertaken.

**Mr Wallace:** As members will be aware, primary legislation is currently going through the Houses of Parliament to allow the religion question in England and Wales. The issue of people with objections to what they see as an invasion of their privacy has been referred to in debates south of the border.

The Executive has agreed the order, which clearly indicates our priorities. Most of the work was done before the creation of the Executive—the Scottish Office took a central Government perspective on the priorities. It would be wrong for me to say that the Cabinet had a collective decision on a fallback list of priorities. However, as I have explained, the Cabinet took the view that religion should not be included in the order, even if we had primary legislation.

I understand Brian Monteith's point about the health question. The question has been tested and the answers that were provided in the sample tests were found to be very useful to health boards. That information allows them to plan future health services.

**Mr Monteith:** Maybe that says something about our health boards.

**Malcolm Chisholm (Edinburgh North and Leith) (Lab):** You said that your work is based on extensive consultation. Can you reassure us that there was extensive consultation with the black and ethnic minority community? Can you tell us who was in favour of the religion question? If not, can you quantify how many organisations were for and against the question? You have said that some people did not make the question a priority, but you have not said that anyone was against it.

Given the importance the Executive attaches to mainstreaming equal opportunities, was the equalities unit of the Scottish Executive consulted on the priorities? Would it not be right to pay particular attention to the views of the black and ethnic minority community in view of the priority to mainstream equal opportunities? Were the consultees also asked to pay particular attention to equalities issues?

Finally, given the fact that you have not

persuaded us—a group of open minded and reasonable people—

**The Convener:** We have not decided that yet, Malcolm.

**Malcolm Chisholm:** Given the fact that you have not persuaded the black and ethnic minority community, and that the kind of arguments that you have used have not persuaded anyone in the rest of the United Kingdom, is there some hidden agenda? Is there another argument that is not being put that provides the real reason for the rejection of the religion question?

**Mr Wallace:** There is no hidden agenda. As I have tried to explain several times, it is not about who is for or against the question on religion; it is more a question of making judgments on priorities and, as far as the question on income is concerned, on the reliability and usefulness of the census. Ours is a pragmatic approach that is intended to ensure that this event, which happens once every 10 years, at considerable cost, delivers value for money and that the information it produces can be used practically.

When there are other means of collecting information as effectively, we should use them. It is not a question of our avoiding the issue of religion; it is a question of how priorities are ranked. I am aware that there was consultation with the Commission for Racial Equality, but Mr Randall can provide more detail on that.

**John Randall:** I assure the committee that there was extensive consultation with the CRE and with Church groups such as Action for Churches Together in Scotland. The Muslim community made a number of representations to us. Those groups have been consulted and their views have been taken into account. It is correct to say that the Churches are broadly in favour of including a question on religion. However, their views contrast with those of the local authority sector, central Government and health authorities.

**Malcolm Chisholm:** Are they against having a question on religion, or do they merely not make it a priority?

**John Randall:** As I said before, it ranks very low down on their list of priorities.

**Malcolm Chisholm:** That is not saying that they are against it.

**John Randall:** I am not trying to say that they are against it. I am saying that it is a low priority.

**Malcolm Chisholm:** Was any organisation against it?

**John Randall:** Some individuals, certainly, were against it. The decision was made not on the basis of whether some people were against including a question on religion, but on the basis that we have

to choose priorities. There is not enough space to fit everything in. Religion was not anywhere near the top priority.

There was a distinction between the views of the Churches, broadly speaking, and the service deliverers. That is an important point, because the service deliverers are the people who have to decide whether they need this information at the small area level. They said clearly that this was not of great importance to them. They were not against including a question on religion, but there were many other things on which they would rather have questions. The Churches, I suspect, are more interested in the global totals—the number of adherents—and they were in favour. However, as I have said before, one does not need a census to get information of that type.

**Mr Wallace:** It also depends on whether there was agreement. By no means could it be said that there was unanimous agreement among those who were in favour of a religious question on what that question should be, whether it should be on the proposed English model, which would not subdivide Christianity, or on the Northern Ireland model, which does. That was another factor, although not necessarily a determining one.

**Irene McGugan (North-East Scotland) (SNP):** Leaving aside the difficulty of phrasing the question and the outcome of the pilots that were carried out, which is open to different interpretations, with a new Scottish Parliament and a devolved census, is this not an appropriate moment to provide a level of equality for Scotland's indigenous languages and include a question on the Scots language?

**Mr Wallace:** I know that Irene McGugan takes this issue very seriously, and I assure her and other members of the committee that we, as the Executive, take the issue of the Scots language very seriously. Rhona Brankin's department is pursuing a number of initiatives in support of the Scots language.

The fact that we chose not to include a question on the Scots language in the census is no reflection on its use. However, as I indicated in my oral parliamentary answer to Irene McGugan—and we cannot just dismiss the tests that have been done, as they are important—the answer to such a question would be almost meaningless. What people understand by the Scots language varies enormously. Some may think that the criterion for understanding Scots is being able to read a work of Robert Burns. Others may think that it something far less demanding than that.

The overwhelming view was that, because this is a self-completed form, the information that such a question provided would not be meaningful. Service users would not be able to learn much

from it or to apply it in a worthwhile way. It would not even do what Irene McGugan wants and help promote the Scots language.

**Irene McGugan:** Definition may be difficult, but I do not think that it is impossible. There is a precedent, as in 1881, when the Gaelic question was first included in the census, the answer was not very accurate. However, at least it served as a baseline from which to move forward. If we make a start, we can go on to accumulate evidence and information.

**Mr Wallace:** Gaelic is different, because it is a different language. We are getting into linguistic difficulties here, but as I understand it, Scots is a continuum of English—

**Irene McGugan:** No.

**Mr Wallace:** I knew that that would get a reaction. However, therein lies the problem. The decision not to include some other questions, such as the income question, was a matter of fine judgment. However, the clear view was that a question on the Scots language would not produce anything worth while or help achieve the aims of those who support the Scots language.

**Nora Radcliffe (Gordon) (LD):** Many of your decisions on priorities have been based on what census users feel is useful. They are looking at the census pragmatically, in terms of the information that they need to deliver services. How used are they to thinking in terms of equality testing when it comes to providing services? We are expecting people to think in a new way, and I wonder if enough weight has been given to that in determining priorities.

My second question relates to the length of the census. Are four pages significantly worse for people than three?

**Mr Wallace:** I will leave the second question to those who have been dealing with this matter.

The primary service users are central Government, the Scottish Executive and local authorities. I can speak on behalf of the Scottish Executive, but I think that the overwhelming majority, if not all, of Scotland's local authorities see equal opportunities as of fundamental importance. I am sure that it is—and ought to be—a consideration in service delivery.

The judgment made was that the kind of information that the census produces would not add much in terms of effective delivery of services, but that other means of collecting information could. If people want to do benchmarking, they do not need information at the scale of a particular ward or of a parliamentary constituency in a particular city. The information yielded by a household survey would be every bit as effective—probably more effective. People do not

need to get that information via the census when there are competing priorities for that census.

That is the judgment of those who use these figures and have to make judgments on service delivery on the basis of them. I am aware of the background to Nora Radcliffe's question, but those who use the census do not believe that there is added value in asking these additional questions. The question on ethnicity is included, and no one is suggesting that adding to it or fine-tuning it would add significantly—

**Mr McMahon:** But they are.

**Mr Wallace:** I was talking about the service users.

**Johann Lamont:** People are saying that the question on ethnicity is not sufficient for services to be delivered to them. Should the service users not be listening to what they are saying? If the service users take one view, but the people to whom the service is being delivered say that the question is inadequate and needs further fine tuning, should the service users not be told that? We should will the means for the practical delivery of services to those who are saying that such fine tuning would help.

**Mr Wallace:** It may well be that questions, other than those that service users wanted, which are not included in the census—for example, the number of paid jobs held by individuals, or second homes—would be useful as well, in addressing the needs and concerns of ethnic communities. Pragmatic judgments must be made based on the evidence of those who make practical use of the information.

14:45

**The Convener:** But this is the Equal Opportunities Committee, so you would expect us to raise issues about equal opportunities rather than social inclusion.

**Mr Wallace:** That is a pertinent point. I suspect that if I was appearing before the Social Inclusion, Housing and Voluntary Sector Committee, its members might say that a question on second homes and holiday homes would be vitally important. If I were appearing before the Enterprise and Lifelong Learning Committee, its members might say that the number of paid jobs held by individuals and employment patterns are important.

No one is denying the importance of those issues, but a judgment must be made as to what goes in because there is limited space available. I have presented the reasons why we believe that the Census (Scotland) Order 2000 identifies the questions that best fit the criteria and priorities and will ensure that the census delivers meaningful

results.

**The Convener:** Will Mr Randall now answer Nora Radcliffe's question about the length of the form?

**John Randall:** My department and the other census offices have a lot of experience of undertaking major surveys, as the census has been in operation for 150 years. I accept that professional judgments are involved, but my view is that to go beyond three pages for each individual in a household in a compulsory census form is risking damage to the response rates. In 1991, there were problems with the response rates. Three pages, around 10 minutes per individual, is a critical threshold. There are risks in moving beyond that.

**The Convener:** We will leave it there, because the committee must still discuss whether we want to change the motion that has been lodged. I thank the minister, Mr Randall and Mr Orr for giving evidence to the committee.

The motion, which I lodged last week, should have included a specific question on the Scots language. We will discuss the amendment to the order, assuming that that change will be made. We must decide whether the committee is still going to lodge a motion. I get the feeling that committee members still want to make an amendment to the order, so we must decide what form it will take.

**Tricia Marwick:** Malcolm Chisholm said that the minister was not convincing at this committee. I do not think that he has taken his case forward one iota. The decision that we made last week to put forward an amendment to the order was the correct one then and, having heard the minister, it is the correct one now.

**Johann Lamont:** This issue is about an understanding of mainstreaming equality. The Equal Opportunities Committee will have failed in our duty if we are unable to influence what happens in the mainstream. Service providers are saying that these are the priority questions, while excluded groups that are receiving those services say that the services do not match their needs. We must bring those two together.

The Social Inclusion, Housing and Voluntary Sector Committee should ask questions about how housing policy impacts on the black and ethnic minority community and whether there are particular issues for women in relation to housing. If that is not happening, the whole perspective that we have on equal opportunities will have failed. It shows a fundamental misunderstanding to argue that the main users were not asking these questions. We must ask why they were not asking those questions.

There is a difficulty about how we pose the amendment, but we must move forward on this issue. The black and ethnic minority community, in particular, has made it clear that for some of their community the inclusion of a question on religion is as significant as a question on ethnic origin in terms of service delivery.

**Mr McMahon:** The only point on which I agreed with Jim Wallace was his statement that this is a matter of judgment; he has made a serious error of judgment about what is important in relation to religion and ethnic minorities in the census.

If we make any change to the committee's amendment, it should be to tighten up the form that we would like the questions on religion and ethnic minorities to take, for example, whether the question on religion should be as it is in England or Northern Ireland.

I would like the order to be amended to ensure that the question on religion is similar to that in Northern Ireland. I would like the question on ethnic minorities to be expanded in the way that it has been in England.

We must propose an amendment to the order that deals with the mainstreaming of equal opportunities, which is what this committee is here to do. It would be a misjudgment if the committee did not specify exactly what we want.

**The Convener:** We want Christianity broken down in the religious question, but it is important that we specify what we want; otherwise, the draft order might not be changed in the way that we want. The motion that we lodged last week was a holding motion, so we must now decide exactly what we want to say.

**Malcolm Chisholm:** I was disappointed that Jim Wallace did not address the issue of equalities and mainstreaming in his answer to my question, although I realise that that is a danger when one asks three questions together.

In relation to what Michael McMahon said, I said before that the specific categories proposed by the CRE are satisfactory. I ask members to examine those. They may offer a way forward as they are more specific about the questions.

As the equalities dimension was ignored in the answers that we received, it is the duty of the committee to press for an amendment to the order. This is one of the first occasions, on a matter of legislation, when a committee is doing its job. We must hold to our position. I certainly will and I am sure that my colleagues will as well.

**Mr Monteith:** Although I am not a member of the committee, I want to comment on one point that was made. If you seek to break down the Christian aspect of the religious question, it might be best that we follow the question as asked in



Northern Ireland, so that it will give comparative information between Scotland and Northern Ireland.

**The Convener:** The other point is that if the amendment were successful next week, the Executive would have to bring forward a bill to amend the Census Act 1920 and a draft order. That will require consultation and it would come back to the committee at that stage, so we could take more evidence on what we wanted to be included. That might be a truncated process, because of the time scale.

Des McNulty came to this meeting as he had a particular interest in a question on income. We discussed it briefly at the previous Equal Opportunities Committee but did not include it in our amendment to the order. There may be some benefit in having only one committee amendment.

**Des McNulty:** Possibly. The Minister for Justice and the officials were arguing one way on the religion question and then arguing in a different direction on the income question. All the census users want the income question. There is a very strong case for it. The objections are about the difficulty of framing the question and the implications for the level of response.

I would like to take their answers to some of the people I have been speaking to about the income question to see whether they are satisfied with the responses that we have been given today. If an amendment on the income question is still wanted, it would make sense to include it in a general amendment. I would like to discuss that further with you, convener, after I have spoken to other people.

**The Convener:** We have a meeting next Tuesday. We can agree an amendment in principle.

**Johann Lamont:** It is quite clear what our position would be on the amendment we have discussed, but would we be able to take a view on any amendment that came from Des McNulty after he has taken further soundings? It could stand separately but the Equal Opportunities Committee would then be able to give some kind of backing to it at a later stage, without its necessarily being the amendment it is actively promoting.

**The Convener:** I would like to get our amendment in as soon as possible so other members have the opportunity to sign up to it.

**Mr Monteith:** Is there a particular reason for having only one amendment? I understand that the committee might feel that if there are a group of amendments it wants to see passed, putting them together is a good idea. My fear is that taking that approach, although flagging up the committee's concerns, may mean that all are lost

when one or two might have got through. Have the clerks advised on the practicality of putting in one or a number of amendments?

**The Convener:** The committee felt that the amendment to the order I lodged last week covered all the equal opportunities concerns. It felt there was merit in having a single, inclusive position rather than prioritising in the way that the Executive has done, and that if people were prepared to be tolerant of other people's priorities being included, there was a good chance of the amendment succeeding. For example, although someone's priority might not be to have a question on the Scots language, if they want a religious question that is broken down as in Northern Ireland they will support it. It is the first census that the Scottish Parliament is dealing with. We should do it in a cross-party way, taking on board what others feel is important.

**Tricia Marwick:** That is right. As an Equal Opportunities Committee we have taken a view on the issues that are important and have encapsulated them in the one amendment. Johann Lamont's suggestion that Des McNulty puts in a further amendment on income, with the committee's backing, is something I support.

**Johann Lamont:** We are talking a lot today about judgment and the committee must make a judgment on the danger that we could maximise opposition to our position because people are opposed to parts of it. There is a lot to be said politically for the committee being inclusive, for the reasons the convener gave, but my fear is that if we do not win the argument on one aspect, all of it is lost.

**Shona Robison:** I am in favour of an amendment that encapsulates everybody's view rather than breaking it down—that is an equality amendment. If we agree that we need to be more specific about the wording, for example, on the religious question, will we have time to look at it next Tuesday before submission?

**The Convener:** I am not sure what the time scale is for submitting amendments.

**Martin Verity (Clerk Team Leader):** I do not know. I think it is the day before but I am not certain. I will find that out today and let the convener know.

**Johann Lamont:** If it has to be done before we meet again, the convener should take that decision. We can always change it if she has understood the meeting wrongly.

**The Convener:** If anyone is unhappy with what I do, they can contact me. Is it agreed that I will lodge an amendment to the order similar to the one that has already been lodged but including, after the question on languages spoken at home,

a specific question on the Scots language? The amendment should also find a way of ensuring that the order breaks down the categories of religion, to be more specific, in line with the CRE's recommendations on ethnic background and religion. Is that agreed?

**Members** *indicated agreement.*

*Meeting closed at 15:01.*

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