

EQUAL OPPORTUNITIES COMMITTEE

Tuesday 19 September 2006

Session 2

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EQUAL OPPORTUNITIES COMMITTEE

† 17th Meeting 2006, Session 2

CONVENER

*Cathy Peattie (Falkirk East) (Lab)

DEPUTY CONVENER

*Nora Radcliffe (Gordon) (LD)

COMMITTEE MEMBERS

*Marlyn Glen (North East Scotland) (Lab)

*Carolyn Leckie (Central Scotland) (SSP)

*Marilyn Livingstone (Kirkcaldy) (Lab)

*Mr Jamie McGrigor (Highlands and Islands) (Con)

*Elaine Smith (Coatbridge and Chryston) (Lab)

*John Swinburne (Central Scotland) (SSCUP)

*Ms Sandra White (Glasgow) (SNP)

COMMITTEE SUBSTITUTES

Jackie Baillie (Dumbarton) (Lab)

Linda Fabiani (Central Scotland) (SNP)

Patrick Harvie (Glasgow) (Green)

Mrs Nanette Milne (North East Scotland) (Con)

*attended

CLERK TO THE COMMITTEE

Steve Farrell

SENIOR ASSISTANT CLERK

Zoé Tough

ASSISTANT CLERK

Roy McMahon

LOCATION

Committee Room 1

† 15th and 16th Meetings 2006, Session 2—held in private

Scottish Parliament

Equal Opportunities Committee

Tuesday 19 September 2006

[THE CONVENER *opened the meeting at 10:03*]

Interests

The Convener (Cathy Peattie): Good morning and welcome to the Equal Opportunities Committee's 17th meeting in 2006. I remind all those who are present, including members, that all mobile phones and BlackBerrys should be turned off completely, as they interfere with the sound system. No apologies have been received, but I understand that Elaine Smith will be late because she is stuck in traffic.

I warmly welcome Carolyn Leckie to the committee. She has been a substitute member in the past. I hope that she enjoys being a member of the committee and I know that she will participate in the work that we do. Do you have any relevant interests to declare?

Carolyn Leckie (Central Scotland) (SSP): I am a member of Unison and an adviser to the Autism Treatment Trust. That is probably all that might be mildly relevant.

The Convener: The committee thanks Frances Curran for her contribution; she will be missed. She was a willing participant in the committee and was committed to the work that we have done.

Item in Private

10:04

The Convener: The second agenda item is consideration of whether to take in private the discussion of our approach to the budget process at item 7. Do members agree?

Members indicated agreement.

Petition

Pornography (PE752)

10:05

The Convener: Item 3 is petition PE752, which is by Catherine Harper on behalf of Scottish Women Against Pornography. Before members is a paper from our gender reporter, Elaine Smith. Good morning, Elaine—I said a few minutes ago that you would be late.

Elaine Smith (Coatbridge and Chryston) (Lab): I have arrived in the nick of time. I apologise for being late—there was an accident on the motorway.

Members will know that our deliberation on the petition has continued for some time. The paper provides some background on what the Executive has been doing and what has been happening elsewhere on violence against women and pornography. I hope that members find it informative.

In August, the expert committee on violence against women published the strategic framework on violence against women—a consultation document that I draw to members' attention. The expert committee talks about what its definition of violence against women encompasses; the definition is not limited to violence, but it includes pornography. That is of some interest to the committee.

I ask in the report whether the committee would like to bring the consultation to the petitioners' attention. When we hear oral evidence from the Scottish Executive on the consultation's outcomes, we might wish to ask questions about pornography.

The adult entertainment working group discussed the petition, which we passed to it. The group said that the petition fell outwith its remit because it relates to reserved matters, but it recommended that the Scottish Executive do more work on gender-based exploitation. That was a positive outcome.

On 30 August, the Home Office announced that it would introduce legislation in England and Wales to make possession of extreme pornography offline and online a criminal offence that would carry a maximum penalty of three years in prison. The Scottish Executive has not announced how it might develop that, so that is an on-going issue. Mrs Claire Curtis-Thomas MP has proposed a bill to establish an offence in relation to the sale and display of sexually explicit material, which is more to do with so-called lads' mags. Such developments continue. The report contains

more detail and I do not want to waste time going through it all.

I have had a couple of meetings with SWAP. At the most recent meeting, which was in June, SWAP agreed that an evidence session might provide a way to achieve some of the terms of its petition. SWAP agreed that the petition probably would not achieve what was hoped when it was lodged. An evidence session would have two main outcomes: it would give committee members the opportunity to consider a variety of evidence on the harmfulness of pornography, in line with the petitioners' objectives, and it would raise awareness of the issues in the debate about the harmfulness of pornography. That would benefit the committee in deciding on future work on the subject and in taking into account everything else that is going on—particularly the policy initiatives that are taking place in the Scottish Executive and further afield.

In some ways, the wider issues that the petition raises have been taken into account by the continuing policy initiatives. Given all that I have said, I recommend that we close the petition, although I do not want to close the issue. It is entirely up to the committee what it wants to do. There are five suggested action points on page 9 of paper EO/S2/06/17/1.

I do not think that an evidence session would be a token gesture, because it would help to inform the committee and it would leave a legacy for the next session. It would also help to address the issues that were raised by Scottish Women Against Pornography, which supported the idea of having an evidence session.

We will want to invite the petitioners to respond to the consultation on the strategic framework on violence against women and we should also question the Scottish Executive on the issues that are raised in the petition as part of the evidence session. I recommend that, in closing the petition, the committee ask me to work with the clerks to produce a further approach paper with options for an evidence session on the harmfulness of pornography. I am happy to listen to members' views.

Marlyn Glen (North East Scotland) (Lab): We should thank Elaine Smith for her work, because the information that we have been given is really useful. I agree, as do the petitioners, that we should close the petition, but not our consideration of the subject. I found all the information about the violence against women agenda—which picks up on the pornography debate—interesting.

I go along with Elaine Smith's suggestion that we continue working on the subject. We should not just have an evidence session: we should also link our work with all the policies that are going

ahead. I note that there are to be seminars on violence against women in November. It would be good if one of us could go to the forthcoming conference, as well.

The subject will be an important part of our legacy paper for next session. If we can fit in an evidence session with the petitioners, that would be a good starting point.

Ms Sandra White (Glasgow) (SNP): I thank Elaine Smith, the clerks and the petitioners for their work. I wondered about the validity of an evidence session, because I was concerned that it might be skewed. However, having heard Elaine Smith's summary, I agree that we should hold an evidence session and that the petition should be closed. Would we have only one evidence session? How long would it take? Would we hear from the petitioners, the Executive and other groups in one session?

The Convener: I understand that we are looking to have one meeting in which we would hear both sides of the argument. Some of us do not think that there are two sides to the argument, but others will disagree. Elaine Smith will work with the clerks to suggest from whom we should hear to cover the issues, which would link in with the Scottish Executive's strategy. I expect to include some of this in our legacy paper for our successor committee.

Nora Radcliffe (Gordon) (LD): We are quite right to close the petition, given that the petitioners have said that the petition has shot its bolt, as it were. I think they said that the petition might be counterproductive and that their real intention is to raise awareness of the harmfulness of pornography. I would find it useful to hear expert advice on the harmfulness of pornography, at a meeting in which we concentrated on the arguments for and against the proposition.

10:15

Carolyn Leckie: I am new to the committee, so I have not been involved in members' consideration of the petition. Is it intended to seek out research evidence before the proposed evidence session takes place? There are many research papers out there. I am a wee bit concerned that a verbal presentation of the arguments for and against the proposition would not give an indication of the breadth and depth of the research that has been done.

The Convener: We have a fair amount of information, but we can ask the people from whom we take evidence to provide written submissions before they attend the meeting.

Elaine Smith: Such matters will be considered in the approach paper that I will produce for the

committee. The committee will need to agree an approach to the evidence session. Perhaps that addresses Sandra White's point, too.

The debate is about the harmfulness of pornography and about raising awareness. I envisage a more academic approach, in which we would consider the evidence that Carolyn Leckie mentioned. I do not recall seeing any evidence that pornography is a good thing, but the question is whether it is harmful and contributes to the subjugation of women. We need to consider the matter in the context of the debate about violence against women, so at this stage we must take an academic approach.

If members agree to the two action points that I have recommended, they will have an opportunity to discuss the nature of the proposed evidence session when the clerks and I produce the approach paper. Perhaps we can ask Steve Farrell whether the clerks can help me with that.

The Convener: The recommendations in action points 2 and 4 on page 9 of your paper, which include bringing forward an approach paper, represent the best way forward.

Elaine Smith: The approach would help us to answer some of our questions.

Before the committee concludes its discussion, I want to thank the clerks—Steve Farrell and Zoé Tough in particular—for assisting me during the past couple of years.

Marlyn Glen: I want to underline Carolyn Leckie's comments. On page 3 of her paper, Elaine Smith quotes the consultation on the strategic framework on violence against women, which defines violence against women as encompassing a long list of things, including pornography. That should be our starting point.

The Convener: We can take that on board as part of the approach paper.

Mr Jamie McGrigor (Highlands and Islands) (Con): Will consideration be limited to the relationship between pornography and violence against women or will we also consider other matters, such as the effect of pornography on children?

The Convener: We need to work within the focus of the petition, which was on violence against women.

Mr McGrigor: I agree absolutely. We must narrow down our consideration, because the subject is enormous.

The Convener: Yes it is. Are members happy with Elaine Smith's proposal?

Members *indicated agreement.*

The Convener: I thank Elaine Smith and the clerks for the large amount of work that has been done. Elaine Smith has been working on the matter for some time. Our proceeding with her proposals will at least ensure that the issue is on our agenda and is considered in the context of the strategic framework on violence against women.

Age Taking Stock

10:19

The Convener: Item 4 is the committee's taking-stock exercise on age. I invite our reporter on age issues, Sandra White, to speak to the paper that she circulated.

Ms White: I thank Zoé Tough and the other clerks for collating the evidence and putting it into the paper. I also thank the people who participated in the exercise. I was a bit disappointed by the number of responses that we received to our call for evidence, given how many papers were sent out and how many people we spoke to. However, the responses that we received are excellent. I am more than happy to rubber-stamp the paper and I hope that members of our successor committee will take the work forward, perhaps by visiting various groups.

I draw members' attention to some of the issues that the participants raised, particularly on children and young people. The views that Kathleen Marshall and others expressed on physical punishment of three to 16-year-olds were interesting. On dispersal powers, respondents feel that children are not a valued part of society but are viewed as causing bother. It was interesting that those issues came up; they were obviously of concern among those who work with younger people.

Among older people, employment issues and poverty among women pensioners in particular were raised. Other issues that were mentioned in responses were the lack of day care provision and the rationing of health services based on age.

The paper is excellent and I am particularly pleased with the priorities that are recommended for the parliamentary session of 2007 to 2011, which are: to highlight and challenge ageism; to ensure that all legislation is age proofed; and to adopt a life-course perspective on policies for people, not age-category policies. I hope that the successor Equal Opportunities Committee will take those priorities on board. I thank the respondents and the clerks for putting the paper together.

I hope that the committee will agree to the recommendations that the responses and the summary of the issues that they raised be published on the committee's web pages, that all those who responded be sent a summary of the issues that were raised, that those issues be used in future Equal Opportunities Committee work and that the successor committee draw on them for its work in the next session.

I thank everyone once again. The paper is excellent and the responses are thought-provoking. There are too many to mention, but I wanted to highlight certain ones. I ask the committee to agree the recommendations. I would be happy to answer any questions that committee members might have.

The Convener: Thank you for that and for the work.

Mr McGrigor: Will you explain to me what a partner library is? It is mentioned in paragraph 4 of the paper.

The Convener: Each constituency has a partner library with the Parliament. They were identified at the very start.

Mr McGrigor: I do not understand the term.

The Convener: In each constituency, there is a partner library that has information about the Parliament. The *Business Bulletin*, the *Official Report* and other documents are available in local libraries that link up with the Parliament.

Ms White: In the Partick library, a room is set aside for any papers from the Parliament. Everything is there and library users can check it.

Mr McGrigor: I was not sure what it meant.

The Convener: Are members content to implement Sandra White's recommendations for action?

Members indicated agreement.

Prohibition of Female Genital Mutilation (Scotland) Act 2005

10:23

The Convener: Item 5 is consideration of a paper on correspondence from the Deputy Minister for Justice regarding the Prohibition of Female Genital Mutilation (Scotland) Act 2005. If members have no comments on the paper, do they agree the proposed action?

Members *indicated agreement.*

Work Programme

10:24

The Convener: Item 6 concerns the committee's work programme. Do members have any comments or questions on the paper? It will be a busy year and time will be tight. Elaine Smith's session and any other items of work that we pick up over time will be added to the programme.

Marilyn Livingstone (Kirkcaldy) (Lab): I have a question on the section about the national group to address violence against women. As we discussed at a previous meeting, we will hear evidence on the matter. Will you expand a bit on what that evidence-taking session will include?

The Convener: It will be an evidence-taking session with the minister to discuss the consultation on the strategic approach to violence against women. We will deal with pornography in that meeting, too.

Marilyn Livingstone: Will that be separate from the evidence taking?

The Convener: Yes.

Elaine Smith: Petition PE752 is now closed, which changes the work programme. Will we slot the evidence-taking session on pornography in its place?

The Convener: Yes.

We now move into private session to consider our approach to the budget process and our report on the disability inquiry.

10:25

Meeting continued in private until 11:48.

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