

EQUAL OPPORTUNITIES COMMITTEE

Tuesday 9 September 2008

Session 3

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EQUAL OPPORTUNITIES COMMITTEE

11th Meeting 2008, Session 3

CONVENER

*Margaret Mitchell (Central Scotland) (Con)

DEPUTY CONVENER

*Elaine Smith (Coatbridge and Chryston) (Lab)

COMMITTEE MEMBERS

*Richard Baker (North East Scotland) (Lab)

*Marlyn Glen (North East Scotland) (Lab)

Bill Kidd (Glasgow) (SNP)

*Hugh O'Donnell (Central Scotland) (LD)

*Sandra White (Glasgow) (SNP)

*Bill Wilson (West of Scotland) (SNP)

COMMITTEE SUBSTITUTES

Willie Coffey (Kilmarnock and Loudon) (SNP)

John Park (Mid Scotland and Fife) (Lab)

Mary Scanlon (Highlands and Islands) (Con)

Margaret Smith (Edinburgh West) (LD)

*attended

THE FOLLOWING GAVE EVIDENCE:

Superintendent Fiona Barker (Association of Scottish Police Superintendents)

Lee Cousins (sportsotland)

Kathleen Marshall (Scotland's Commissioner for Children and Young People)

Gina Nowak (YouthLink Scotland)

Raymond Thomson (Scottish Centre for Intergenerational Practice)

John Zimny (Voice of Chief Officers of Cultural, Community and Leisure Services in Scotland)

CLERK TO THE COMMITTEE

Terry Shevlin

ASSISTANT CLERK

Joanne Clinton

LOCATION

Committee Room 1

Scottish Parliament

Equal Opportunities Committee

Tuesday 9 September 2008

[THE CONVENER *opened the meeting at 10:01*]

Decision on Taking Business in Private

The Convener (Margaret Mitchell): Good morning, everyone, and welcome to the 11th meeting in 2008 of the Equal Opportunities Committee. I remind everyone that mobile phones and BlackBerrys should be switched off completely, as they interfere with the sound system even when they are switched to silent.

Under agenda item 1, we must decide whether to take items 3, 4 and 5 in private. Those items will involve discussions about witnesses who wish to give evidence to the committee—it would therefore be sensible for them to be taken in private. Do members agree?

Members *indicated agreement.*

Age

10:02

The Convener: Under agenda item 2, we will take evidence on age in a round-table discussion. We will focus on the providers of leisure services and discuss age-related issues, including whether improved leisure services can help to divert young people from antisocial behaviour.

I am Margaret Mitchell. I am a Central Scotland MSP and the convener of the committee. Our chief clerk, Terry Shevlin, is on my immediate left. I am pleased to say that we have been joined by our new clerk, Joanne Clinton—she has returned to the Parliament from a secondment at the National Assembly for Wales; I welcome her to the committee. I pay tribute to Roy McMahon, who was a clerk with the committee for seven years. Many of you know him. We are grateful for all his work, and I am sure that we will miss him. However, we wish him well in his new clerking experience working at the chamber desk.

I welcome all the participants and invite you to introduce yourselves briefly.

Superintendent Fiona Barker (Association of Scottish Police Superintendents): Good morning. I represent the Association of Scottish Police Superintendents.

Hugh O'Donnell (Central Scotland) (LD): I am an MSP for Central Scotland.

Raymond Thomson (Scottish Centre for Intergenerational Practice): I am from the centre for lifelong learning at the University of Strathclyde.

Marlyn Glen (North East Scotland) (Lab): I am an MSP for North East Scotland.

Kathleen Marshall (Scotland's Commissioner for Children and Young People): I am Scotland's Commissioner for Children and Young People.

Richard Baker (North East Scotland) (Lab): I am an MSP for North East Scotland.

Lee Cousins (sportscotland): I am from sportscotland.

Bill Wilson (West of Scotland) (SNP): I am an MSP for the West of Scotland.

John Zimny (Voice of Chief Officers of Cultural, Community and Leisure Services in Scotland): I am head of community services at Angus Council, but I am representing the Voice of Chief Officers of Cultural, Community and Leisure Services in Scotland.

Sandra White (Glasgow) (SNP): I am an MSP for Glasgow.

Gina Nowak (YouthLink Scotland): I am a senior policy officer for YouthLink Scotland.

Elaine Smith (Coatbridge and Chryston) (Lab): I am the MSP for Coatbridge and Chryston and deputy convener of the committee.

The Convener: I thank you all.

The witnesses have been informed of the topics that the committee has highlighted, but we are not restricted to discussing those topics. People may want to make other relevant points during the discussion. The committee may decide to undertake follow-up work on issues that are raised today. That being the case, it would be particularly useful if participants focused on practical issues and ideas that the Scottish Parliament has the power to deal with. That is important.

The discussion will be informal; the idea is that more points will be raised and we will have more opportunity to seek clarification from one another. For recording purposes and to ensure that we get everything down clearly, it would be helpful if you indicate to me when you want to speak.

Our first question is a general one. Do leisure services consider and respond to the differing needs of older and younger people?

John Zimny: Prior to the meeting, I spoke to some people in VOCAL and got their notes. I apologise for not having a written statement; that would have entailed going through the council process to get agreement from each council, and the timescale did not allow for that. However, I have notes, which I am happy to share.

You asked whether leisure services consider and respond to the different needs of older and younger people. The answer is clearly yes. Some of the written information from my authority and others shows that that is the case; that applies across all age ranges, from young children to older communities. For example, Culture and Sport Glasgow's silver deal programme seeks to get older people to be more active more often, and to provide structured coach-led physical activities. Other authorities do similar things, but Glasgow is unique in taking the programme out to sheltered housing complexes and so on, to work with people.

The coaches go out and get involved with people. However, the issues around the scheme are complex. The coaches have to be trained and able to deal with the specific physical problems of older people who lead a more sedentary life and to keep them active. Sometimes it is difficult for councils across Scotland to meet the requirement for resources.

Several councils have introduced a free swimming initiative for the under-18s, and, in some cases, for those who are over 60.

Another interesting aspect that was reported from Glasgow was accessibility to the swimming pool. The evidence is that the people who attend the pools and can access the free swimming are generally in the more well-off areas, because there are easier transport links. Evidence to date about pools in the more deprived areas is that take-up is not quite so good. That might be as a result of mobility issues or transport links, or there might be other issues. That might be an issue for further examination.

The City of Edinburgh Council has a joint plan for older people and vision called a city for all ages, which promotes intergenerational activity sessions to bring together younger and older people. That seems to have been quite successful. The Scottish Government recognises the plan as a model of good practice in the way the person, not the age campaign.

I do not want to hog the meeting, convener. I will just jump in and out with points, if that is all right.

The Convener: That was a useful opening contribution. You mentioned services being taken out to older people. How do you determine which services are taken out? Do you automatically send the library service or do you gauge what older people want?

John Zimny: I was trying to deal with the points that were raised in the committee's questions. My authority takes out library services to residential and nursing homes, and to individuals who want access to library books. We are not alone in that; a number of councils in Scotland do that.

The community planning partnerships that have been set up are starting to implement better joint working among the health departments, the police, and council services in local authorities. Instead of culture sitting alongside libraries and museums, sport sitting somewhere else and social work sitting somewhere else, there is much greater cohesion within councils and the benefits of joint working are being realised. That is certainly happening in Angus, and it is happening in a fair number of authorities—I would almost say that all authorities have taken it on board positively.

The Convener: Does the partnership allow you to identify individuals who are not in nursing homes? It is easy to identify people in such homes, whereas someone who is in their own home might be isolated.

John Zimny: Some councils are better placed than others to do that. My council is in the middle stages of such identification. There are issues about sharing databases and what we can and cannot do.

The library service cannot impose itself on someone who receives social services, benefits

and so on, but we can ask social workers and their staff to make their clients aware that we provide a range of services and through that introduction we can get them on board. If children are referred to social work or come to us through what was called LMART—the local multi-agency resource team, which involves sport, leisure, education and the police working together—we can give free passes for leisure facilities to children and families. They receive a leisure card and are treated in the same way as someone who has bought a card; the card is swiped at the leisure centre, so no discrimination arises over who has, or has not, paid. That has worked extremely well in providing diversionary activities for youngsters; the no-stigma aspect works well, too.

Sandra White: You have raised many issues around transport and accessibility. Is an effort made to take services out to sheltered housing complexes? I have visited many such complexes in my role as convener of the cross-party group in the Scottish Parliament on older people, age and ageing. The residents have to be asked what sort of services could be provided, and many of them have no services at all. How does the process work—does your group take a proactive approach, or do the sheltered housing complexes or nursing homes have to come to you and ask for help?

John Zimny: The answer is a bit of both, to be honest. It depends on the links and relationships between housing departments and housing associations in the area. It is a matter of education, communication and sharing ideas about what can be done. One issue is the need to highlight good practice in an authority and share it with others.

Sandra White: Would a nursing home, for example, that is provided with no facilities and no activities, contact the council? I am talking about council-run homes as well as privately run homes. How would the process work? It is a good idea, but it does not seem to happen in any of the homes that I have visited.

John Zimny: It can go both ways.

The Convener: Is there a standard practice? Once good practice has been identified, is it disseminated throughout Scotland? That is what we always hoped devolution would achieve.

John Zimny: I suggest that good practice should be shared through the community planning partnerships, most of which are vibrant. Local authorities take a lead on those partnerships, but I dare say that how best practice is recognised is down to each housing association and local authority. I am not aware of a generic approach throughout Scotland to highlight examples of good practice. Good practice may be shared through housing associations, housing departments, social

work departments and senior officers associations, but I am not aware of a model through which good practice is examined.

Richard Baker: Cost is obviously a crucial factor in ensuring equal access to leisure services for older and younger people. You said that some people get a free leisure card in your local authority area, but in Aberdeen, for example, there have been sharp increases in the cost of access to such facilities. It is a matter for each individual authority, but does the Convention of Scottish Local Authorities have a general approach to the issue and does it give advice to authorities? Does COSLA monitor the situation throughout Scotland?

10:15

John Zimny: VOCAL certainly considers charges in the round. Local authorities have a social responsibility to make sport accessible to all. However, that must be within reason, and cost and budgets must come into consideration. We have to balance the books in local government and charges are one way of doing that. We must also compete for customers against a fairly vibrant private sector, certainly in the cities. We need to take into account the issues of social accountability and accessibility as well as those of balancing the books and reducing subsidy. In the main, local government services are subsidised.

Bill Wilson: I have a quick question that follows on from Sandra White's point. I presume that local authorities have records of all the sheltered and care homes in their area. Do you have examples of authorities that, as a matter of course, send letters to sheltered and care homes to ask whether they wish leisure services to be provided?

John Zimny: I do not have such evidence with me, but that has been the case.

Bill Wilson: Is there any reason why that could not be done?

John Zimny: No, I do not think so.

Lee Cousins: I have a point on pricing, which is probably the one issue on which practice is shared—I do not know whether I want to call it good practice. Every year, sportscotland surveys all local authorities on the pricing of their sport and leisure services. We then issue a report every year, so that people can see clearly how local authorities price their services compared with other authorities. The number of authorities that give discounts, whether for the young, the elderly or those with disabilities, can be seen clearly.

On the sharing of good practice, I cannot think of any centralised repository or website where good practice sharing across leisure services can take place automatically, although John Zimny may want to comment on that. People would have to

work fairly hard to share practice. There is good practice information on sportscotland's website and on other websites, but in response to the convener's point on whether devolution has been a panacea when it comes to good practice sharing, I must observe that we have not got there yet.

Hugh O'Donnell: I have a question about attempts to build a statistical base on barriers. At certain times of the day, personal safety may be an issue for people in engaging with non-sedentary leisure activities. Fiona Barker may like to comment on that. Does COSLA, or do individual authorities, monitor the situation to find out whether people feel that, if a bus service was a bit better, they might use facilities or that, if the streets were a wee bit safer, they might walk to the sports centre or library? Do we have information on that?

Lee Cousins: We have done research on that. Safety is an issue, but not a great one. In surveys, people do not report that they do not participate in sport because of worries about safety. However, transport is a difficulty, particularly for younger children. Many activities for them happen at the end of the school day. It is impossible for them to join in if they have to stay for an hour or so after school, because the school bus has already left, which makes getting home difficult. In rural areas, bus services tend to be based around people travelling to work, which means that elderly people cannot get to the sort of good schemes that John Zimny talked about, as they tend to be run during the day.

The Convener: You have hit on an issue with transport. Younger people continually say that the transport links are not there. Perhaps Gina Nowak will comment on that.

Gina Nowak: I will pick up the safety and transport points. Last year, Save the Children and the University of Glasgow published a research paper called "Serving Children?", which identified safety concerns as a main reason why children do not use leisure services. Whether they could walk to facilities was a key influence on whether they used them, so safety and transport are issues.

The point was made that provision is patchy nationally. John Zimny talked about excellent schemes that are available in some local authority areas. For instance, in Glasgow, under-18s can swim for free. Such programmes are not national, so access depends on where people live.

The Government provides a national entitlement card, which Young Scot manages, for 11 to 26-year-olds. Each local authority determines its discounts for that card, so discounts for young people are again determined by where they live.

Those discounts are often not transferable across council borders.

The Convener: There is a bit of a postcode lottery—some people win on swimming, whereas others lose, although they might be better off on other services.

Does the Young Scot national entitlement card offer travel discounts?

Gina Nowak: The card gives people from 16 to 19 one third off the cost of bus travel.

The Convener: Has the card been advertised widely enough? Is it being used?

Gina Nowak: More than 300,000 entitlement cards are being used throughout the country, so the uptake is high. However, the discounts vary enormously.

Bill Wilson: I return to safety, on which I have slightly anecdotal evidence. Some young people are not keen on using centres because they dislike entering a different area—they are frightened of being bullied or threatened. Some young people might not go to a centre because they cannot walk there, but others might not want to walk. Will you comment on that?

Superintendent Barker: I cannot give the committee specific figures, but the anecdotal evidence is that young people experience territorial issues. The same considerations as apply to older people apply to younger people. Young people fear crime as much as older people do. In fact, young people are more likely than older people to be the victims of crimes. Whether or not the threat is real, the fear is. I agree that, particularly in urban areas, young people have a genuine fear about making their way from their home or school to leisure facilities. The fear of crime is real for young people. I agree that we need to make them feel safe in accessing services.

Kathleen Marshall: The results of our consultation with young people confirm what has been said. We consulted 16,000 young people on what their top priorities were and the top three responses were things to do, bullying and safer streets. Those issues were interlinked with access to facilities and transport.

Access to leisure services is close to my heart, because young people told us that they wanted more things to do. Article 31 of the United Nations Convention on the Rights of the Child provides a right to play, leisure and recreation.

I will weave some points into the discussion. We are analysing the results of the detective kits that we issued to upper primary school children. A hole existed in the research; we had research for the 16-plus age group and 11 to 16-year-olds, but the

detective kits gathered views from 10 and 11-year-olds. It is interesting that, among the top five barriers to things to do, the third was age limits—more than one third of responses mentioned that. However, more work would be needed to tease that out, because some age limits might be appropriate. The question is what is discrimination and what is appropriate.

You can tell me whether I am widening the subject too much by mentioning the next point. We are talking about leisure services, but children and young people often want public open space to be available for them to use. When I responded to the Scottish Executive's consultation on planning, I noted that children and young people often use spaces for play and recreation that are not officially designated for that purpose. Sometimes, such areas are redeveloped because they seem to have no use. I suggested that we should map out where children and young people actually hang out, so that if a proposal is made to redevelop that area, we will know that we are going to displace what might be a good, healthy and appropriate activity and we will know where children and young people are going to move on to.

We have been doing work on the school building programme. A huge amount of money is going into school building. It is relevant for all age groups to ensure that there are facilities in schools that can be accessible to the community. We are just finalising a model of school procurement—we have been working with architects and designers—to try to build in proper consultation. Consultation often takes place at a very early stage and what people want is weeded out as the costs are trimmed. Alternatively, it takes place when it is too late for things to be changed.

On unstructured play for young people, I was in Possil a couple of weeks ago to meet parents who had submitted a petition to the Parliament about open space. Apparently, some of those issues are being taken account of in the early years strategy that will be coming out soon. There was a promise to give some thought to a play strategy. A play strategy is needed for not just early years but all groups.

What do young people want? Where are the hidden messages that young people are not welcome in certain places? I see that one of the committee's questions concerns Mosquito devices. We are also doing a project on the "No ball games" signs. There are all sorts of messages that exclude young people from unstructured activities. I would say that it is a two-pronged thing; it is about leisure services and about responding to young people's needs for green spaces to play in and public spaces just to get together in.

Elaine Smith: In Coatbridge, children have wanted a skatepark for a few years. I feel like I am banging my head against a brick wall in trying to take that forward. Could the police get involved in persuading the local authority to make such provision? Can there be more partnership working to show that the outcomes of making such provision are better for the whole community?

Superintendent Barker: I agree with what John Zimny said about community planning. Community planning should be striving to achieve service delivery that meets the demands of the community. The community can influence service delivery. We need all the partners to work together. Things are changing. To be fair, community planning is a fairly new concept. It has been in place for three or four years, which is a relatively short timescale for partnership working. I agree that we should do what we do in intelligence-led policing and make use of all the available information, analyse where the demand is and meet the demands of the community by delivering the necessary resources. Community planning, which is the structure that will deliver that, is improving.

The Convener: Is it enough to have dedicated green spaces or spaces in communities for leisure? Do you have to do more to take the community with you? I can think of an example in Coatbridge where there is a dedicated space, but people still complain about the children using it. It might be that they are using the space until 11 o'clock at night and are swearing and so on. Is it a question of being intergenerational and having a little bit of consideration for each other's needs?

Superintendent Barker: I agree. It is about not just partners and service providers, but the community. The community has to be involved in determining what is acceptable within the community, and what is acceptable in one area may not be acceptable in another. Communities have to stipulate what they see as acceptable behaviour and involve young people, too. Whether or not we provide open space or activities that young people can do, they will hang about anyway. They will hang about where they want, because that is what they like to do.

We need to get young people on board, however. They need to know what behaviour will be accepted if they are going to hang about, and they need to be given boundaries. Communities will set those boundaries, and everybody should know what is acceptable and what is not. That could make the difference. It is not just a question of service providers working together; it is for communities to determine what they find acceptable, so that everybody knows where they stand.

10:30

John Zimny: I refer back to Kathleen Marshall's comment about green spaces. Local authorities are required to produce green space strategies for their areas, in consultation with communities, and they pick up issues around play areas. I share Elaine Smith's thoughts about skateparks. I am working with young people to try to establish skateparks in Angus. Everybody in the community is all for skateparks, as long as they are not near them—finding a location can be extremely difficult. With perseverance, however, the idea works; we get there eventually.

I fully accept that young people hanging around the streets, in shop doorways or wherever, is an issue throughout Scotland. Some authorities are getting community education development workers and street workers out in the evenings to speak to the youngsters and ask them what they want to participate in, be it dance, music or football. The workers try to engage with the young people and then go back to the local authorities and service providers to suggest laying on various classes, for instance. That has worked in some parts of Angus, and I know that it has worked in some other areas. The resources are very limited, but such initiatives illustrate good practice. Speaking to and engaging with young people can bring out their views; it can also make it possible to impart how local residents feel about having 20 youngsters hanging around. A dialogue can take place.

The Convener: Will Raymond Thomson comment on the intergenerational aspect?

Raymond Thomson: The distinction between community and communality seems to be running through this part of the conversation. The notion of common obligation should be stressed. If something is done for a particular group, that cannot be to the disadvantage of another group. Fiona Barker gave the example of people playing in a skateboard park until 11 o'clock at night—that will not be part of the deal, because that does not show communality. The point was made earlier about young people—and older people—being afraid. Young people have communities. Even primary 6 is a community.

Lots of frail, vulnerable older people who might not be disabled or might not live in residential care—so they are not recorded as such—have no opportunity to overcome their fear. They have no community, and their fear can fester inside them, so they become housebound. It is difficult to decide how best to contact those people and to break down the perception of what is going on with younger people. Communality is a subset of citizenship, which is what we are trying to achieve—a Scotland of citizens.

Kathleen Marshall: It is important to remember that children and young people are residents and part of the community, too. Negotiation will of course be needed about the use of different spaces, but there is a danger that young people will be outvoted among our ageing population. I want to make sure that young people get a fair crack of the whip. Situations do not need to be sources of conflict.

Turning to the issue of accessing green or open space, I point out that parents want their children to be able to play somewhere safe and nearby. They do not want them to have to go to some remote corner miles away, where there is nobody around. There is a protective aspect to the community. Green spaces that are intended for children are usually the places that young people want to use in the evening, because the space is available.

There have been good, thought-provoking ideas in some areas. As I said, we are doing a project on the concept of "No ball games"—looking into the legality of such signs and asking young people what they think. The Highland Council has a play strategy—and one which shows the value of having a play strategy. Part of it says that, where there is sign saying "No ball games", there has to be another sign saying where the nearest place for ball games is. If the nearest place is 5 miles away or is across a railway track, that should give pause for thought.

The important thing is not to exclude children and young people. Most children and young people recognise the need to negotiate and to take other people's views and experiences into account.

Marlyn Glen: Lots of ideas have been expressed. I am interested in the idea about "No ball games" signs. It seems to me that we should make a distinction between young people using a heavy, full-size football and little kids playing about with a ball. It seems ridiculous to ban the little kids.

I have always been interested in the idea that the perception of crime can limit what people do. In Scotland and the United Kingdom as a whole, people believe that things are much worse than they really are.

I want to talk about the link between community planning and funding. Funding will always be an issue, but I am not sure whether some ideas are realistic. I was looking at the last paragraph of the submission from sportscotland, which says that little research has been done on determining the cost effectiveness of diversionary programmes. That is an interesting point. When we consider the cost of doing something, we should also consider the benefit to the community and the cost of not

doing it. If such issues were publicised more, the perception of crime would also go down.

Lee Cousins: The biggest investment into schemes dealing with antisocial behaviour by children is being made by the Government, through its cashback for communities programme. The committee might want to investigate that a bit more. The focus, which was determined by community safety partnerships, is very much on Friday and Saturday nights. I presume that there is integration and that those authorities are part of the community planning process. Millions of pounds are going into the schemes, and it will be interesting to see how their effectiveness is measured and monitored. A presumption is made that, as long as activities are offered at the target times, in order to get people off the streets, the outcome will be automatic. That presumption should be tested.

Marlyn Glen was right about research. To use a term that has been used, there has been no placebo research so that we can compare what happens if we do something with what happens if we do not do something. At a conference on sentencing that I attended yesterday, an American academic was adamant that, unless trials were done with a comparison group as well as with the group that was being focused on, the research was pointless.

Doing that sort of research and evaluation takes significant sums of money. No one in Scottish society has agreed to do it; we are so busy putting resources into schemes that we are not doing quality evaluation.

Gina Nowak: I would like to pick up on the comment made about cashback for communities. The cashback for communities element of the funding is being administered through YouthLink, and I know that there was a £12 million ask from what is a £3 million fund. There is a lot of demand to provide diversionary activities for young people. Evaluation would be helpful, so that we could know what impact those services have had on young people and their communities.

The Convener: That is a useful point for us to note.

Sandra White: Picking up on Lee Cousins's remarks, I know that sportscotland had input into the Audit Scotland report on sport, which highlighted the fact that, in Glasgow, a lot of money has been spent on leisure facilities that are not being used. Perhaps young people simply do not want to use such facilities. However, one of our briefing papers also refers to research on the splash extra programme in England and Wales, which suggests that the level of crime fell significantly when such programmes were introduced.

I want to ask John Zimny about leisure facilities. Everyone has talked about costs. With regard to community planning, new build and so on, I believe that councils can put a section 75 obligation on house builders or other builders to fund some form of leisure facilities. If research has been carried out on the leisure facilities that people in a particular area might want, can councils use that to tell any developer who might come along, "We'd like X, Y or Z because we have evidence that that is what the people want"? Can such an approach be used to secure extra resources?

John Zimny: Yes. In fact, the green space strategy picks up on that area of work to ensure that the community benefits from new developments.

The Convener: One wonders how effectively section 75 obligations are used to secure planning gains and resources. That is certainly a question for planners and local authorities.

Hugh O'Donnell has a question on a different issue.

Hugh O'Donnell: Before I ask that question, let me suggest—perhaps controversially—that we might be trying to micromanage our groups. Fiona Barker and Raymond Thomson have suggested that young people wherever they are will gather. Once upon a time, I was a young person—

Bill Wilson: Really?

Hugh O'Donnell: Do you see what being here does to you? [*Laughter.*]

Sometimes people just want to hang around with their peers, because it gives them a sense of communality. Notwithstanding the various antisocial behaviour issues and so on, surely there needs to be some recognition of the herd or pack instinct that we all have at certain ages. As a result, we should be seeking common ground with those who feel threatened or undermined instead of being obsessed with the desire to find some means of getting the young people out of the way.

On another topic, is anyone aware of any practices by local authorities, health facilities and so on that consciously or otherwise discriminate against people on the ground of age?

The Convener: The discrimination itself does not have to be overt. Simply because of their nature, certain practices might discriminate against younger or older people.

Kathleen Marshall: The question touches on two different areas: the use of public spaces and service provision. I do not know whether Fiona Barker attended the police superintendents conference a few years ago, at which young people gave fantastic, dramatic presentations

about being moved on by the police. In fact, I still remember the chorus that we all had to shout: "Move along there."

Many members of the community police have said that they try to combat some of the strong messages that they receive from the community. For example, when they get phone calls from people about young folk gathering or making a noise in the park, they might say, "Well, at least they're only in the park."

Aside from that issue, which relates to the public's attitude, we also need to deal with issues of risk aversion in access to services. From research that we have carried out and contact that we have had with people, we know that attempts to provide young people with access to stimulating services are crowded out by real or perceived health and safety and insurance issues that are more often based on myth than on truth. That kind of risk aversion and the fear of being blamed or sued if things go wrong are having negative impacts on young people's activities. People have told us that when they want to take young people on a half-hour visit to the park they have to carry out a three-hour risk assessment. As a result, they think, "What's the point?"

Of course, such measures are sometimes appropriate, but sometimes they are quite disproportionate. We need to take seriously this issue of the amount of real or perceived regulation and the number of barriers that exist when it comes to young people's activities. We need to listen to the adults who want to provide services for young people, but who feel, for various reasons, that they are not able to. That is a hidden kind of discrimination, as some of the young people tell us.

10:45

Gina Nowak: The cost of accessing services could be viewed as discriminatory. In some places, someone is an adult and pays full price at 16; in other places, the age is 18 or 21. There is no universal age at which people start to pay adult fees and stop paying child fees. That should be considered.

The Convener: Again, it is like a postcode lottery. Kathleen Marshall is right to mention insurance because high-profile cases dealing with lapses and accidents have made us a litigious society. My feeling—although I do not know whether it is right—is that we are beginning to get over that attitude and that more schools and people are prepared to take children out. However, they might be held back sometimes by the length of time that it takes Disclosure Scotland to approve volunteers. The hoops that people

have to go through sometimes take them away from volunteering, which is a huge issue.

Kathleen Marshall: The research on volunteering is fascinating. It seems to indicate that there has not been a reduction in volunteering and that volunteering has been fairly steady. However, when I speak to smaller groups and listen to grass-roots people in small agencies that seem isolated, the message is that the reduction in volunteering is a big issue for them.

I often cite as an example a small angling club that contacted us. The members said that they were all getting old and they decided unanimously that they wanted to share their sport with younger people. Then they looked into all the requirements for involving children, were frightened off and decided unanimously not to go ahead. It brought sadness to everybody. Some of their views were based on myths: they thought that if their names were on the Disclosure Scotland disclosure list, they would be the first people whom the police would check up on if something happened—they thought that there was some kind of list that was somehow associated with child abuse. Certainly, some of the Disclosure Scotland systems should be speeded up; one of people's biggest concerns is the repeat checks.

There is still huge uncertainty about who needs to get a disclosure check and who does not and how the results are interpreted. Ordinary people are afraid that their little peccadilloes from way in the past will become known and get spread throughout the community. There have been developments in the Criminal Records Bureau to try to be more proactive in helping people. We welcome that, but more needs to be done to help ordinary people who are just thinking about doing something with children or opening up their sport or activity to children to gain confidence and get information and to dispel the myths around the disclosure system.

We have been advocating having some kind of enabling unit to counterbalance the prospect of vetting and barring. People could phone up and perhaps be sent on to organisations such as sportscotland or the Scottish out of school care network that are already doing such enabling work for their own constituencies. However, people need to be linked into such help and those who just want to be one-off volunteers need somebody to say to them, "No, you don't need a disclosure check for that, but here's some sensible guidance on how to keep people safe."

A whole load of issues are swimming around and need to be addressed. The big phrases that come out of our research into adults' fears of contact with children are, "How sad it is," and, "How tragic it is," because the adults want contact with the children and the children want contact

with the adults. All the stuff that goes on prevents the contact from happening and it is a serious issue.

The Convener: There always has to be a balance, but an enabling unit is an excellent idea. Maybe there could be a helpline giving people who are thinking about volunteering information about what that involves. Very often we hear from people, "We just gave up, as we decided that it was too much hassle; it was only a one-off." That is a tremendous shame when we have such a resource that could otherwise be accessed in people who have retired early. It is also a barrier to getting young people to volunteer.

John Zimny: There is a general feeling that there might be unintentional discrimination because of the issue of charging, which was mentioned earlier. That is a real concern for us. Councils are now being asked to conduct equality impact assessments of their charging policies—indeed, on a host of policies—but there is still no national or generic Scottish discount scheme for young people or older people. Everything is done on a local basis.

The Convener: I wonder whether that has a bearing on discrimination and the charging policy for hall lets. It used to be possible to hire a hall for virtually nothing but, time and again, people tell us that it is just too expensive to do that now. The badminton club that might have practised there is now off, so the younger people are not coming through and the older people are not getting to play. Could that issue be looked into?

John Zimny: Hall charges are generally different from sports centre charges. Sports centres generally open between 8 am and 11 pm, whereas a hall usually has to be opened up for each group that comes in. Councils rightly try to recover the costs of getting a hall keeper in, heating the hall and so on. When folk just want to have a game of badminton, rather than a village show, the cost can be prohibitive in some cases.

Lee Cousins: I want to speak to the same subject as Kathleen Marshall. Although anecdotal evidence suggests that child protection measures appear to be a problem, the research shows that they are not. The number of volunteers has not gone down—we have the same number of volunteers as we had previously. The bureaucracy annoys people. For instance, I cannot understand why I need five disclosure certificates, which is what I have. It was annoying when I went to select last week and I took the wrong one with me although, fortunately, I was allowed to participate.

Generally, the people to whom we speak understand the need for the disclosure checks and get over the bureaucracy. However, Kathleen Marshall is right in saying that there are occasions

when people—usually as a group rather than as individuals—think, "It is not for us." There have been instances of junior sections of clubs not being formed because of such feelings in the club as a whole. There is a bit of a myth around the disclosure process, and we need an education process to demystify it. We also need a simplification of the bureaucracy, which, I hope, is on its way.

Sandra White: It would be worth while for one of the committees—not necessarily this one—to look into the issue of disclosure checks. Constituents phone me to say that they have, for example, received a fixed-penalty notice and want to know whether that will go on their record because they want to volunteer but worry that that will hinder the disclosure process. It is an issue that needs to be addressed, and I am quite concerned about it.

Hugh O'Donnell: To what extent does the school building programme—whether through private finance initiatives or through any other combination of letters that is lurking about these days—affect discrimination in terms of access? I have been approached by community groups across a range of activities that have effectively been denied access to school premises—or, in some instances, community premises—simply on the basis of the contract that was designed for the building of the premises. Surely it would be legitimate to include within the planning framework a criterion of open access.

Lee Cousins: Yes, it should be. John Zimny might want to comment on that. The problem in Scotland is that, although councils have very open policies about access to schools, the delivery mechanisms sometimes do not match the policy. I can think of one local authority—it would be unfair to mention which one—that put its school facilities into a trust. Its facilities were open only from 5 pm till 10 pm, Monday to Friday, during the school term. When it considered widening those hours under its policy, which was to have open access to schools all the time, it found that its contract with the trust meant that it could not afford it.

There have been a number of cases in which the public-private partnership contract has virtually killed community access. It is probably invidious to say it, but the city in which we are sitting, which has a policy of access to schools, has four different delivery mechanisms. First, there is what used to be called a joint-use school, where the design, management and organisation of the school—and the extra resources received by the school—mean that it is pretty well open. Secondly, there are what are labelled community high schools; the council gave extra money to schools some time ago, and it is still within the remit of those schools to offer open access. Thirdly, there

are schools that have none of those extra resources but which are asked to deliver the same thing. Finally, there are schools that are under PPP contracts. Generally, under a PPP contract, community access has virtually died because of the cost aspect.

That is a local authority that has a wide and positive statement about open use of schools, but it has four delivery mechanisms that deliver completely different results. Therein lies our problem. It starts with the design—sometimes the design does not allow community access. The management can be the next barrier, followed by the price. You can start with a policy on open access and a desire for such access that is first class, but as you filter down through those three issues, and the mechanisms for delivery, the policy is eaten away until the practicalities for the organisation on the ground can be very difficult.

Elaine Smith: Kathleen Marshall talked about informal use of space. I do not know whether it is just in my area, but local children used to use primary schools informally in the evening for the ball games that were not allowed in other parts of built-up areas. However, recently I have noticed massive fences being put around all those primary schools, which means that children can no longer do that. Perhaps it is to keep balls and so on in, and to make children safer during the school day, but the result is that children are being excluded from spaces that they were previously able to use informally. It is great that there are PPP schools that have facilities such as pitches, which can be used during the day, but if there are charges for those facilities at night, it excludes children and young people.

The other issue is that of danger. When I was at the opening of a school, we looked round and saw that the children had managed to climb over the massive fence and get in. Obviously, the fence posed a danger for the children involved.

Kathleen Marshall: I have been doing quite a lot of work on the school building programme with architects, designers, open space people and people who have been involved in the contracts from the beginning. There has certainly been a learning curve with PPP. The later rounds have learned lessons from the first rounds, when the contracts were tight and difficult. Even so, as soon as we put schools into the private financing context, all sorts of hidden subsidies come to light. That has caused problems for groups that were getting free access, which has been difficult to justify in the context of the financial climate. People have lost out.

Further, in such contracts, facilities management can be remote and cumbersome. It can be miles away and may not know the school or the people. Even when the school is being planned, we should

ensure that local authorities and other agencies get together. It should not just be education; there should be a contribution from sports, culture and so on, and consultation with the local community.

We are finalising the model. We presented it to civil servants the other week and we will try it out on some PPP managers. We want people to think about matters at the right time. We want them to think about the implications of choosing a particular model and the arrangements for management, and about who they want to have access. We want them to try to factor that in and be realistic about it.

It is a difficult issue, though, and we are aware that some groups are now excluded, despite all the public policy intentions. Some groups find that access is too expensive or that the hours are not available. Such issues must be addressed.

11:00

Gina Nowak: Kathleen Marshall and Lee Cousins have articulated my point, and I strongly support what Hugh O'Donnell said. The feedback to YouthLink is that access to community facilities is hugely restricted for many groups. They cannot access PPP schools at all.

The Convener: That goes back to Marilyn Glen's original point. If we are considering preventive measures and costs further down the line because of obesity and other problems, it is short sighted not to consider access to leisure facilities as a way of addressing the problems.

We move on to another little sphere, on which Sandra White has a point.

Sandra White: I have touched on the issues of transport, access and costs. Are specific groups of younger or older people, not excluding the ones that we have mentioned, less likely to access leisure services?

The Convener: Does anyone want to comment on that? Perhaps this is the place to bring in consideration of the WRVS submission, which states that the WRVS is keen on demand-responsive community transport. Does anyone have views on that or any experience of it?

John Zimny: Obviously, transport for accessing leisure facilities is a huge issue in rural areas. For example, a bus might not run at a certain time. Generally, bus services in rural areas are not frequent. That is certainly the case where I stay. They do not match our opening hours. Kids generally get picked up by bus after school, at 4 o'clock or half past 4, and are driven 10 or 20 miles away at times. That is it; there is no other bus service for them.

Some groups are excluded, but I would not say that they were discriminated against. There is a particular issue with teenage girls dropping out of sport and leisure activities. Local authorities have identified that as an issue. I do not criticise how education has dealt with sport, in terms of gym classes and so on. However, we must find out what young women are interested in participating in—for example, aerobics and dancing. Local authorities have organised classes for such activities to encourage teenage girls to keep active. We have been concerned for a number of years about how to address that issue.

The Convener: We went a little bit further with the issue of getting access right with our budget adviser. We asked what caused teenage girls to drop out of sport and whether it could be something as simple as hairdryers not being provided in changing rooms. They might not bother with sport because of something as stupid as that. It could be ascertained how much assessment has been done on the issue and where resources have been put in to try to address the problems.

John Zimny: It not just about the youngsters who do not participate in sport. Even among those teenage girls who do participate in sport, there is a large fall-off when they get to a particular age. I do not know whether that is the case with girls who play hockey, though. However, there is a marked drop in numbers generally. The issue is not just those who do not participate in sport.

The Convener: The issue is also those who start a sport but subsequently fall off.

John Zimny: Yes. There is a fall-off across the board. Some of it is to do with body image and how they feel about themselves at a particular time in their life. Swimming seems to be particularly hit in that respect, for some reason. When we go out and ask the youngsters what we could do, they say that activities such as dance and aerobics should be made available, and that time should be set aside exclusively for groups of young females. Ethnic groups, particularly some Asian groups, are clear about that aspect, too. It has been regarded as appropriate to set aside time exclusively for them. However, setting aside time exclusively for particular groups introduces a limiting factor that perhaps discriminates against other groups. Generally, sports centres are busy in the evenings. Our experience is that it is always possible to fill sports centres in the evenings. Arranging dance classes for teenage girls might mean taking away opportunities for five-a-side football that have existed for years. We may need to look at that issue.

Elaine Smith: The issue is how we take into account the views of both older and younger people when we plan services and facilities. That

takes us back to Fiona Barker's comments on the community planning process. Do people just get in a room to decide what is best or carry out the odd survey to find out what people want? How can we involve groups in the design of services? I return to the skatepark issue. Older people are probably a bit scunnered by all the skateboards around the town centre in Coatbridge. Young people are a bit scunnered by having to use their skateboards there, because there is nowhere else for them to go. The police are probably fed up with being called out to move them on. The solution is to find somewhere for a skatepark that is good for everyone. It could be fenced in and shut at 10 o'clock at night or some other time—that might suit the young people, as it would keep the area safer.

It is really important to get people's views on such issues. How can we do that? Should we include younger and older people from the community in community planning partnerships? Should we go to places where young people are, such as schools, to get their views? There are eco-committees in primary schools. If we invite people to meetings, they may not come, so we should go to where they are to get their views and include them in a formal way. Kathleen Marshall has carried out surveys and so on, but how can we ensure that we bring people on board and get their views when we plan services?

Marlyn Glen: I want to underline the point that was made about discrimination. Sometimes we must call a spade a spade. Discrimination against women in sport is legendary and has gone on for decades. It is a while since I was in secondary school, but modern dance was introduced before that. We have pretended to struggle with the issue for a long time but have not put our money where our mouths are. The problem extends even to Olympic cycling—women cyclists have fewer opportunities to win medals because there are fewer races in which they can take part. All sport and leisure activities are affected. If we brush over that, we are not taking the problem seriously enough, because it is massive. The whole of society seems to depend on health in families and health in young women, but we discriminate right across the board. We must not be mealy-mouthed about that.

Sandra White: Well said.

Raymond Thomson: I will amplify the point that Elaine Smith made about trying to overcome stratification. I will give the committee two statistics from an educational research project that was done in Austria; it is interesting to compare them with the member's biography. The study demonstrated that over-60s regularly meet and have social contact with fewer than 10 people aged less than 35, excluding members of their family. Stratification also works in the other

direction—16-year-olds regularly meet and socialise with fewer than 10 people aged over 30. That is the stratification that exists in Austria; I do not imagine that Scotland is any different. It would be terrific to break down such stratification and to have greater inclusiveness.

Sandra White: I want to pursue the issue that Elaine Smith raised of how we interact with people. I agree absolutely with Marlyn Glen's point, so there is no need for me to repeat what she said. My experience of community planning and community health partnerships is that only certain groups and people go to meetings to give their views. I would like the process to be widened, as the whole community does not have the opportunity to attend CHP meetings. We do not get the views of all older and younger people in the community. I am not saying that the process is limited to a select bunch of people, but we tend to hear only from members of community councils, focus groups and so on, who are not typical. Community planning and CHPs must include more folk, as that is where the big problem lies.

It seems that the health board keeps the budget and the smaller groups cannot get access to the professionals. I am pleased to be able to have it recorded that there is a big problem, because I argue constantly about it with the health board in Glasgow and Glasgow City Council.

The problem is that the people who really matter—people who live in the communities—are not being consulted. The CHPs need to widen the remit a wee bit.

Hugh O'Donnell: It can be argued that we are consulted to death, be it by the Government, previous Administrations or local authorities.

Elaine Smith made an interesting point about the formal representation of interested bodies. As Sandra White said, many of the people who make representations are to some extent self-elected and self-appointed or have a narrow agenda. I suspect that people would be more encouraged to involve themselves in the process if they saw any of their contributions having an impact on the outcome of consultations. People often give up because it seems to them that nobody is listening.

A point was made earlier about the needs of particular groups. The provision of inclusive facilities is not helped when the bean counters have the last word. I give Garnethill swimming pool in Glasgow as an example. It had an ethnic facility in terms of female swimming, but it was not economically viable for the council and it was closed down. Okay, it managed to rescue the situation, but there is always a need to balance what the community wants and the limited resources of local authorities.

I would appreciate any helpful comments on the first part of what I said.

Sandra White: For the benefit of the official report, it is Govanhill swimming pool.

Hugh O'Donnell: Thank you. My apologies.

John Zimny: As a representative of the bean counters in local government, I hear what Hugh O'Donnell says. I am up against it constantly; considering how to provide services with reducing budgets is part of life and part of my day-to-day work, unfortunately. It is a matter of making a judgment about how best to do that.

On the point about how we engage with communities, we heard earlier that community planning is still in its early days. I note the comment about non-elected, well-meaning people. It is often the same people who turn up at meetings. How do we reach the people who do not turn up and do not express an interest until something happens? When a closure is proposed, people come out and are vibrant about it.

Community planning partners are asked to work to the national standards for community engagement, and we are doing that. The aim is to reach people who are not the usual suspects. I have had valuable dialogue with youth work teams, youth forums and the Scottish Youth Parliament about getting views expressed to local government and community planning partners. Travelling here today, I spoke to the chair of Tayside Health Board, for whom I used to work when he was a chief executive. Having seen what local government does, he is keen to take things to the next level and get health boards much more involved. That is starting to work, but we have a long way to go.

I wish that I knew how we could reach the people who do not usually speak to us. We have been trying to do that for a number of years. People have given me examples of work that has been done, including a survey of 5,000 young people in Edinburgh and have your say forums at facilities in Dumfries and Galloway, where ideas are assessed through a "you said and we did" system. People are trying to be proactive about going to communities and saying, "This is what we did." I do not know the details of that project, but it might be worth while for the committee to explore it as an example of the good practice that we talked about at the beginning. Projects in Highland include Highland youth voice and the Highland senior citizens network, but again, I do not know the details of those.

There are also the usual suspects, dare I say it, such as community councillors, and so on. I do not intend any disrespect to them whatsoever; they do a valuable job, in general, but what they do is not getting to everyone in the community.

Unfortunately, it is not until something is threatened with closure or downsizing—or whatever word we want to use—that the community becomes vocal and lets us know its views.

11:15

Kathleen Marshall: I will say something about the excluded groups first. When I was talking to young people in rural areas, I was struck that it is not just people in the Highlands who talk about difficulties with transport in villages; it is also people in central Lanarkshire, where they said that the buses stop at 6 o'clock.

A particular issue came to light when I was in one of the island communities. Obviously they have difficulties because they are even more remote. On one of the islands, the school hostels used to be open at weekends but are now closed. That sort of thing is done for a particular reason, but it puts a real dampener on young people's ability to socialise with their peers.

I have already mentioned looked-after children who, because they are more subject than other children to regulation, fear and risk aversion, have restricted opportunities.

We have not talked about disabled young people, and some of this might apply to the older population as well. Playback did some research on disabled young people's access to leisure facilities, and that research was used as the springboard for a bigger peer research project, which was interesting. The issues for the providers were funding and the cost of making everything really accessible and not just ticking the box marked "accessible". Changing rooms were a particular issue, as were the buildings and training for staff.

For disabled young people, part of their lack of access was due to self-exclusion. They felt that, even when the local authorities had tried to make the facilities mainstream, they were not for them but for other people. There was a gap between the information that the local authorities and providers thought that they were putting out, and what the young people received or took notice of. There was also self-exclusion due to bullying, fear of bullying or how the disabled young people thought they were perceived. Although there is a huge mainstreaming agenda, and I go along with that as far as I can, the research also shows that disabled young people said that they wanted some provision specific to them, where they could be with people with whom they have shared interests and issues. So disabled young people want both types of provision. Another barrier was friendship. Disabled young people feel restricted by the fact that they always have to have adult carers with

them. There was a huge call for befrienders of their own age, who could go to places with them so that they do not always have to be with adults. The peer research worked really well, and a conference was held to present the results.

On consultation in schools, we found out that it was often done very early, and that was it. The issues that tended to get stripped out were all the things that staff and young people said that they wanted.

We have tried to engage with some excluded young people's groups, and we have concluded that it is best to do that by going where the young people are and working through the people with whom they already have a trusting relationship. Some of the young people with whom we have tried to work have problems that are so big and personal that they have difficulty getting beyond them. However, if they have been with an organisation such as Who Cares? Scotland, for example, which is for young people in care, or if they have detached or other youth workers, they can reach the stage where they go beyond their immediate crisis and give their views.

A couple of years ago I went to a great younger children's group called Children Decide. Sadly, it folded through lack of funding. It was in Edinburgh and it had photographs of the area with slogans like "Litter: this is disgusting" or "Vandalism", and there was the point about being half listened to. A young boy of about nine said that they wanted a half pipe for skateboarding, and he showed me what they had been given; it was the wrong shape. He said, "How are we supposed to skateboard on this?" There are many creative ways in which to engage children in saying what they want. They are willing to give their views, but we must get back to them and then safeguard the facilities.

The Convener: So we return to the need to get views and evaluate them.

Kathleen Marshall: We also need to protect facilities. When things get vandalised or stolen, children get upset. We have to value the resources, too.

The Convener: I am conscious that time is moving on, so I ask Bill Wilson to pose the final question, to round up the debate.

Bill Wilson: We have touched on Mosquito devices, but I am interested in hearing what people think of them and whether other methods of ensuring that young people do not impact on the older generation are not discriminatory. I suppose that phrasing it in that way gives a hint as to my views on Mosquito devices, but that was not my intention.

The Convener: Aside from the issue of discrimination in relation to Mosquito devices, I

sometimes find that there is a postcode lottery in the provision of facilities. Some deprived areas fall under social inclusion partnerships, whereas so-called affluent areas, such as Bothwell and Uddingston, where I lived for years, are crying out for a leisure facility—anything—but that is never considered. That should be taken into account in the evaluation because, within those so-called affluent areas, there are pockets of deprivation that are totally ignored.

Does anyone have any views?

Kathleen Marshall: You can probably guess what I am going to say. I cannot believe that people think that the Mosquito devices are in any way legitimate. To cleanse public spaces of young people in such a discriminatory manner is almost beyond belief. I got hold of the promotional DVD for the devices and thought that I was watching a satirical comedy about a future world—I could not believe that it was real. We think that, on the basis of people's age, we can assault them—it is an assault. I believe that in the Republic of Ireland the police regard the use of the devices as assault.

The use of the devices shows the disrespect that we have for young people. When I was speaking to a group of young people about various issues and mentioned Mosquito devices, they told me that one had been put up at a supermarket nearby—I did not know that it was there. When I asked why they went to the supermarket, they told me that it was light and there was a hot air vent and the community facility that they used to go to had been closed down. There is a link to the issue of having things to do. Simply on the basis of sheer principle, the devices, which are in fact a dispersal order through force with no regulation whatever—any private individual can buy one—should be completely unacceptable in a civilised society.

Superintendent Barker: I agree with what has been said. My personal opinion—I am not speaking on behalf of the Scottish police service on the issue—is that there are far better policing methods that we should use to deal with young people. We should not use electronic equipment for that, or we might be out with a prod next, to move them on. A review of antisocial behaviour measures is on-going and the focus now is on prevention and intervention. We cannot discount the need for enforcement, but it must be done appropriately, proportionately and in a timely manner, and it cannot be done in isolation. We need a much more joined-up approach to dealing with antisocial behaviour. The same applies to dispersal orders. They do what they say on the tin—disperse people—but where to? We need a planned and focused approach to achieve the long-term aims. Enforcement delivers a short-term solution, which in some cases is vital and gives

people respite, but we must look forward and ensure that we deliver long-term solutions.

The Convener: So there is no simple fix.

Superintendent Barker: There is not a simple fix. Mosquito devices are not the solution, because they do not solve the problem at all.

Gina Nowak: We support the children's commissioner entirely on that issue. The use of Mosquito devices is age discrimination, because people are affected only if they are a certain age.

Sandra White: I agree with Kathleen Marshall and everyone else—the Mosquito devices are abhorrent. The suggestion is that older people are not guilty of antisocial behaviour, but some older people are guilty of antisocial behaviour.

I think that I know the answer to this question, but do you think that having more leisure facilities would help prevention and would mean that there was no need for dispersal orders or the abhorrent Mosquito device?

Superintendent Barker: That is the difficulty. We will all have to make brave decisions on how to deal with antisocial behaviour. We want to find a long-term solution that has long-term results. It is extremely difficult to achieve tangible outcomes from prevention and intervention measures. If we want to tackle antisocial behaviour and improve the long-term health of young people, providing access to leisure facilities—we are not talking exclusively about sports facilities—will help us to achieve a healthier and happier society, but that will take a lot of work and a lot of time. We must make those decisions together if we are to achieve the outcomes that we seek.

The Convener: We hope to finish at half past 11. After Hugh O'Donnell has spoken, I will go round the table and ask for one practical solution for the committee to consider that you think would make a difference.

Hugh O'Donnell: Professor Marshall is absolutely right—the Mosquito devices are an assault. Do the witnesses think that we need legislation to remove them from the legal purchases list that we have in this country?

Do we need to give a whole-society definition of what constitutes antisocial behaviour, rather than categorise it as a form of behaviour by a particular generation that gets up the back of another generation? Such behaviour might be dithering while someone footers for their bus pass to get on the bus, or it might be gathering in a group of more than four outside the local chippy. Are those examples of antisocial behaviour or are they just—I cannot remember the term that Raymond Thomson used—community differences? We know what behaviour is illegal, but much of the time we are talking about behaviour that other

groups find unacceptable rather than behaviour that society as a whole finds unacceptable. Do we need to be less discriminatory in attaching the label of antisocial behaviour to certain activities?

The Convener: That is probably a given; we will see.

Hugh O'Donnell: We do not do it.

The Convener: Absolutely. That comes back to our discussion at the beginning about the need for older and younger people to work together in communities. It is horses for courses.

In time-honoured fashion, I will invite closing comments in reverse order, starting with Gina Nowak. I ask everyone to make one or two practical suggestions on what would make a difference that you would like the committee to consider.

Gina Nowak: I am glad that you asked for two suggestions, because I was worried about which one to pick. The first is the need for national rather than local discounted access to services—in other words, universal provision rather than a postcode lottery. Such access is all well and good, but if young people cannot get to those services, they will not be able to use them, so my second suggestion is that we need a better transport system.

The Convener: Thank you for the brevity of your comments.

Sandra White: I will not choose legislation—that is something for the Parliament to tackle at a later date. We all need to learn tolerance. I have great hopes for the intergenerational project. I hope that everything that has been said today will be taken on board and that there will be discussions between older and younger people. That goes to the heart of the issue, along with tolerance.

John Zimny: We have made substantial progress with school sports co-ordinators and their links with clubs. We must try to keep young people involved in sport, which should be an enjoyable activity throughout their lives. However, as has been said, we should not focus exclusively on sport. We need to give proper consideration to the arts—music and dance, for example—as they have an important role to play with young people. Community activities such as discos are sometimes viewed negatively, but that is what young people want to do and we should encourage them down that road. Leisure is not just sport; it includes all the arts. We can also make use of the opportunities for enjoyment of outdoor sport and leisure activities, such as hillwalking, that are available in Scotland.

11:30

Bill Wilson: Besides banning Mosquito devices, we should look at the experience of São Paulo, which managed to massively reduce problems of social disorder and crime simply by opening schools at the weekends. It is important to give young people alternatives. Opening schools at the weekends is not the only possibility. As John Zimny suggested, we should get young people into the mountains where they can go hillwalking, make other facilities available to them and give them things to do. We must understand young people's needs.

Lee Cousins: The committee's first question referred to the differing needs of older and younger people. I wonder whether their needs are really different. As long as we concentrate on making activities fun and enjoyable, people will participate. If we made activities a lot of fun, rather than taking a regimented and service-orientated approach, people from all generations would turn up.

The Convener: That would need planning by the community.

Richard Baker: This morning's discussion on ensuring equal access to facilities has raised practical issues relating to pricing and the number and location of and transport to facilities. Those are the points that I have taken from the discussion.

Kathleen Marshall: I will make two points. First, I touched on the issue of a play strategy. We need a strategic approach to play and leisure for young people up to the age of at least 18 that takes into account the planning, school provision, cross-cutting and disability issues that have been raised. Such an approach would help the whole community. Article 31 of the UN convention establishes a right to play, leisure and recreation.

Secondly, the issue of dormant bank accounts is still under consideration. In England, money from such accounts is being used to fund youth services; in Scotland, we are looking to spend it more widely. I can understand that—we do not want to be too greedy—but if we spread the money too thinly, it will not make a huge impact. If we decide to use the money for youth services, as we agree that that will have a big impact on agendas such as health, antisocial behaviour and cohesive communities, we may succeed in achieving something.

Marlyn Glen: The promotion of equality impact assessments across the board, in all our programmes, is essential to ensuring that we use money wisely. That leads on to our next item.

Raymond Thomson: I would like social connectedness to be encouraged at national level.

That could take the form of simplifying the Disclosure Scotland system, so that people were more willing to volunteer. Volunteering can work in both directions—younger people can volunteer to help older people, as well as vice versa. In that way, social involvement can be increased.

Hugh O'Donnell: Based on what I have heard today, I would like to make the consultation in which we engage—to an excessive extent, I think—meaningful in its outcomes for those who take the time and effort to contribute.

Superintendent Barker: I emphasise the point that everyone else has made this morning—if we want to deliver for communities, there needs to be greater focus politically, strategically and operationally on prevention and intervention.

The Convener: The discussion has been really worth while for committee members. Many issues that we had not even begun to think about previously have been raised. I thank each of you for your attendance and input. I hope that you also found the discussion worth while.

11:34

Meeting continued in private until 12:36.

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