

EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

Tuesday 3 February 2004
(*Afternoon*)

Session 2

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EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

3rd Meeting 2004, Session 2

CONVENER

*Richard Lochhead (North East Scotland) (SNP)

DEPUTY CONVENER

Irene Oldfather (Cunninghame South) (Lab)

COMMITTEE MEMBERS

*Dennis Canavan (Falkirk West)
*Mrs Margaret Ewing (Moray) (SNP)
*Phil Gallie (South of Scotland) (Con)
*Mr John Home Robertson (East Lothian) (Lab)
*Gordon Jackson (Glasgow Govan) (Lab)
*Mr Alasdair Morrison (Western Isles) (Lab)
*Mr Keith Raffan (Mid Scotland and Fife) (LD)

COMMITTEE SUBSTITUTES

Ms Wendy Alexander (Paisley North) (Lab)
Murdo Fraser (Mid Scotland and Fife) (Con)
Nora Radcliffe (Gordon) (LD)
Nicola Sturgeon (Glasgow) (SNP)

*attended

CLERK TO THE COMMITTEE

Stephen Imrie

ASSISTANT CLERKS

Nick Hawthorne
David Simpson

LOCATION

Committee Room 3

Scottish Parliament

European and External Relations Committee

Tuesday 3 February 2004

(Afternoon)

[THE CONVENER *opened the meeting at 14:03*]

Scottish Executive European Strategy

The Convener (Richard Lochhead): Good afternoon and welcome to the third meeting in 2004 of the European and External Relations Committee. Apologies have been received from Irene Oldfather, but not from any other members. I am unaware whether a substitute member is appearing for Irene; no doubt, we will find out in due course. We have a relatively light agenda today, as the clerks have been busy preparing the background for the inquiries that are under way. We will not take any evidence today.

The first item is the Scottish Executive's recently published European strategy document. I hope that all members have had a chance to read it. As members will be aware, Andy Kerr, the Minister for Finance and Public Services, is coming to the committee soon to discuss the ministerial priorities for the Irish presidency of the European Union. He has agreed also to address the new European strategy during that appearance. I hope that we will be able to ask specific questions about the strategy in a separate part of the meeting.

There are several issues around the strategy, which I am sure committee members will want to delve into. It is an important document, as it details the Executive's strategy for the next four years and one of our main priorities is to scrutinise the Government's activities in Europe.

Members can comment in two seconds, but I would like to say that I was slightly disappointed that the document was slipped out without a big event or announcement. I did not see any media coverage of the document, although I think that there were one or two small pieces.

I invite comments from members on the new strategy that the Government has announced.

Mrs Margaret Ewing (Moray) (SNP): I did not want to kick off the discussion, but as everybody is waiting to see who will kick it off, I will start.

The convener said that he was slightly disappointed, but I was very disappointed with the

document. I will not go through all of the details that I marked as I read the document because I am trying to be restrained, but the phrase that kept coming back to me was: where is the beef? There is a lack of a strategy for delivery. Should there not be an action plan attached to the document? The Executive should ensure that it has procedures to report back to the committee and the Parliament. We should raise the issue with Andy Kerr, who must provide details of the exact nature of the delivery plans, for example in relation to advance notice of the joint ministerial committee on Europe, the disclosure of the Executive's recommendations to the European Commission and the linkage with the National Assembly for Wales and the Northern Ireland Assembly, once it is up and running again.

The document makes a lot of worthy points, but there is no strong strategy for delivery back to the Scottish Parliament or the Scottish people. If we distributed the document to the people of Scotland, they would not find much of great interest in it. It is worthy, but we want to know about the delivery. As Andy Kerr wrote the foreword to the document, we should take up that point in our meeting with him, which I think is in a fortnight.

The Convener: The minister will appear before the committee on 24 February.

Mr Keith Raffan (Mid Scotland and Fife) (LD): I did not want to kick off the discussion either.

I have read the document once and I hope to read it a second time. It is a bit like a lot of Executive documents in that, dare I say it, it could probably be boiled down to about two or three pages. There is an awful lot of padding and I found it difficult to put my finger on certain issues. The document seems to deal more with mechanics than with strategy. It is all very well using buzzwords such as "mainstreaming", but the document does not say how mainstreaming will be done. I found other such words, but why bother mentioning them? I get the impression that the document has been thrown together—I choose those words carefully. It does not have a strategic thread, or even just a thread, running through it. That disappointed and concerned me.

I presume that we can pursue the issue with the minister. Many worthy points are simply not followed through. For example, the document states:

"We will increase our engagement with EU Consular Missions",

but it does not say how the Executive is going to do that. On the tourism aspect, the document mentions practical measures that are being delivered such as the Rosyth-Zeebrugge ferry and the new air routes. Perhaps this is just me, but I

feel that the document has been put together in a rush. As it is difficult to pin things down on one read, I will probably have to read it several more times, after which perhaps some profundity that I missed the first time will sink in.

Mr Alasdair Morrison (Western Isles) (Lab): I do not share Keith Raffan's or Margaret Ewing's sense of disappointment. The document is mercifully short, and rightly so. In its 10 pages it skips through the Executive's strategy and clearly outlines targets and milestones on pages 9 and 10. Had a 50-page document been plonked before us, we would have said that it was far too long and convoluted. The document is short and concise and outlines broadly the Executive's European strategy.

I can speak only for myself, but I feel that it is up to members of the committee to question the minister and to come up with alternatives to the strategy or ideas to enhance and improve it. After all, that is the role of the committee and its members. As I said, I am glad that the strategy is a 10-page document, not some tome of 50 or 100 pages.

Phil Gallie (South of Scotland) (Con): I feel that I have read all this before in various documents from Europe, the Scottish Executive and other places. It seems that the document merely puts together all the things one would expect to be included in it. It contains nothing that really surprises me or that stands out as being new, innovative or something that we should all get enthusiastic about. It simply states what I would expect the Executive to be doing.

As Keith Raffan and Margaret Ewing pointed out, the paper raises questions about the precise meaning of a few throwaway words that we will be able to get a response to only by querying the minister. That would be my only criticism; in fact, it is not even a criticism. I am simply saying that we need to ask questions about the document, which probably aligns me with Alasdair Morrison's position.

That said, the one thing that I want to know is whether anyone has done their sums and found out the actual costs of achieving the aims that have been stated, of any additional civil servant involvement, of travel and accommodation and so on. I am sure that achieving those aims will incur costs and would be interested to know what is entailed.

Dennis Canavan (Falkirk West) (Ind): I would have thought that a Scottish Executive document would contain more emphasis on the opportunities and challenges of enlargement and the new markets that will present opportunities for trade and for Scottish business. Towards the end, the document says:

"Through our Fresh Talent initiative and the activities of VisitScotland, we will actively promote Scotland as a place in which to live and work and to visit";

however, enlargement also presents a new opportunity in that respect.

Indeed, I think that the United Kingdom Government itself might have neglected or underestimated the possibility that some people—including I hope some who are very skilled—will come to the UK and Scotland to live and work either temporarily or on a more long-term basis. We hear a lot about the skills shortage in certain areas in Scotland and more thought should be given to the implications of enlargement in that respect.

The Convener: Does any member who has not yet spoken want to comment?

Mr John Home Robertson (East Lothian) (Lab): I missed the earlier part of the discussion, but I gather that everyone got out of bed the wrong side this morning. I have not heard such crabbit muttering for a long time.

On Dennis Canavan's point, enlargement is referred to in the document. Paragraph 7(i) says:

"It is critically important that the focus and range of activities of Scottish Enterprise and Scottish Development International reflect Ministers' strategic European priorities, including securing economic benefits for Scotland from EU Enlargement."

Dennis Canavan: The reference is very brief. It should be fleshed out to let us know exactly what the Executive means.

The Convener: In order to allow us to establish areas of questioning, I ask for members' comments on the strategy's general thrust. Gordon, do you have any comments?

Gordon Jackson (Glasgow Govan) (Lab): No, I would not want to disrupt this wonderful unity in any way. [*Laughter.*]

The Convener: Perhaps we should reconsider the committee's seating arrangements.

Mr Raffan: Part of the problem is that the document has been called a "European Strategy". I do not think that it adds up to a strategy; it sets out some useful stuff about mechanisms and mechanics, but I would want it to contain more vision and more of a strategy.

Dennis Canavan raised a number of important points. I have lodged a number of questions about trade and developing our relations with the countries that are being admitted to the EU, particularly in view of the huge, regional development aid-funded infrastructure contracts that will be forthcoming. I have been pursuing the issues but I do not find that the Executive is really buzzing or keen to make the most of them. I would

like to see ministers leading delegations to Lithuania rather than to Houston. I do not see vision, drive, energy or imagination. If there is to be a document called a strategy, let it be a strategy and not a list of things that are being done, policy areas and mechanisms.

Mrs Ewing: I do not know what side of the bed John Home Robertson got out of today

The Convener: The happy side.

Mrs Ewing: It might be a four-poster, I do not know.

After listening to the various comments, I want to make a recommendation to the committee. The general consensus is that the document is good but does not have the action plan that we would all want. I recommend that, when we meet Andy Kerr, we concentrate on sections 12, 13 and 14. Those seem to be the sections in relation to which we could try to get more information about what the action plan for the Scottish Parliament and the Scottish Executive might be. The sections raise a series of issues—making a reality of subsidiarity, debates in the Scottish Parliament on Europe, mainstreaming EU policy and so on. Once the document has been read for a third time, those areas become the key areas and the rest of it becomes background information. We should concentrate on the key areas with the minister.

14:15

Phil Gallie: I would go along with Margaret Ewing, although I would say that paragraph 12(b)(ii) jumps the gun, because it presumes that the European constitution will be signed up to. If I did not make that point, I would not be doing my usual duty.

Dennis Canavan made a very positive comment, but there is another side to the issue. Yesterday, the national news covered the movement of Roma people from Slovakia to the United Kingdom. Opportunities arise from job experience coming into this country, but there is also a threat. Other European countries have recognised that and have applied limitations on people coming in, to use their benefit systems, I presume. The UK Government may have been negligent and the Scottish Executive should take account of such matters when considering issues that are within our remit such as health and education.

The Convener: That was useful. Members have flagged up areas of concern about which we can question the minister. If members agree, this process could form a central plank of our scrutiny role over the next few years and into the foreseeable future. We will return to these issues time and time again. As Alasdair Morrison said, it is up to this committee to hold the Government to

account for its strategy. I hope that we can get our teeth into that. We will have to cover the many aspects of the strategy paper.

I suggest that the Scottish Parliament information centre considers the strategy paper for us and highlights areas that we might have to delve into with the minister to get more information. We have agreed before that we do not want to be given questions to ask but that some background information on individual areas would be useful. I hope that the minister will put aside a reasonable amount of time for questions. There will clearly be a lot of interest in the matters that members will want to pursue.

Promoting Scotland Worldwide Inquiry

14:19

The Convener: If we can take deep breaths and calm down, we can move to the next item on the agenda, which is our flagship inquiry for 2004, on the promotion of Scotland worldwide. At our previous meeting, we discussed the types of witnesses from whom we would want to hear and the themes that we would want the inquiry to address. We also discussed the names of potential witnesses. Members were given a full opportunity to comment and the clerks have produced a revised set of witnesses. The inquiry has been streamlined to six or seven meetings on the themes that are outlined in the paper that the clerks have produced.

For the benefit of the *Official Report*, I will briefly go through the themes. We want to examine the promotion of Scotland through trade, business and economic development; through the arts, culture, sport, tourism and heritage; and through food and drink. We will also hear from academia, and the theme of international links will be central to the inquiry.

I ask the committee to agree that we maintain a lot of flexibility. We will have to set up the first evidence-taking sessions as soon as possible, but we will want to adapt to changing circumstances and be flexible on whom we invite for future evidence taking.

I am happy to take any further comments on the paper.

Mr Morrison: I will return to a matter that I think we discussed at the previous committee meeting: the way that we conduct the inquiry. We are going to take evidence at six or seven meetings, and the witnesses will all have submitted written evidence and will be refreshing their evidence, so I suggest that we go straight into questions when they appear. I also suggest that, as a change to the arts, culture, sport, tourism and heritage panel at meeting 2, we consider replacing Peter de Savary, owner of Skibo Castle, with someone from Gleneagles hotel.

The Convener: Could you say that again?

Mr Morrison: Could we think about substituting someone from Gleneagles hotel for Peter de Savary from Skibo Castle?

The Convener: Did you submit that to the clerks?

Mr Morrison: No, I did not, which was an oversight on my part.

The Convener: I will take further comments meantime.

Mr Raffan: I have been remiss: because I have been off, I did not contribute ideas. I will make one general point and then get down to some specifics. If they are not taken into consideration, it is my fault for not getting in by the deadline.

I am concerned most of all about meeting 5, the theme for which is international links. It seems, particularly in panel 2, to be very much Europe oriented. I know that we will devote a meeting to links with North America, but we ignore the far east and Africa, particularly the long-standing, historical links that we have with Africa. In that context, the Church of Scotland is active in the international field and has a number of assistant general secretaries who are responsible for different areas of the world, and I suggest them as possible witnesses. We might also consider Asia—particularly India and the far east—and possibly Australia, in view of the large number of antipodeans who come to Edinburgh.

It might be worth seeking some written evidence from other organisations. For example, on international links, the French have come to the forefront with *Médecins Sans Frontières* in the past 20 years and I would like to know more about MSF's activities, so perhaps we should seek written evidence from it.

On meeting 1, which is about trade, business and economic development, I had a question mark against the Scottish textile forum in panel 1 and wondered why the Confederation of British Industry Scotland was not included in that meeting.

On meeting 2, I slightly share Alasdair Morrison's view about Peter de Savary and I had three other organisations down: those responsible for the Edinburgh festival—it would be extraordinary not to consider it at all in view of its remarkable success as the biggest European festival of all—and Scottish Natural Heritage and Historic Scotland, which are two important organisations for the promotion of tourism, our landscape and our historic buildings.

I also had slight concerns about the panel of academics. My concerns are not so much about the academics who are on the panel, but there are perhaps one or two academics with a more international perspective—such as Dr Brian Lang, the principal of the University of St Andrews—who might be useful witnesses on the academia theme.

Gordon Jackson: We should thank the clerks for putting the paper together, which must have been difficult to do. At the previous meeting, I expressed a huge reservation about our ability to handle the planned number of witnesses, but it seems to be possible in a way that I did not think it.

Alasdair Morrison has made the point about Peter de Savary. I do not really care whether he comes, but we have VisitScotland down to come on the same day. I do not know whether this is still the case, but, recently, the boss of Gleneagles was the chairman of VisitScotland, and he invariably comes with VisitScotland—I have forgotten his name for the moment.

Mr Morrison: Peter Lederer.

Gordon Jackson: He would normally come wearing the VisitScotland hat, so I would expect him to be there that day anyway.

Each meeting has two panels of witnesses, sometimes with five witnesses in each panel. How long is it anticipated that we give them? I sometimes worry that we give people such a short time to give evidence when they have travelled from all over the country. We can almost do more harm than good if we get people to come from all over the country and say, "Come in and have a cup of tea. Thanks very much. Go away again." I wonder whether we are giving the witnesses enough time, although the whole arrangement of the inquiry is to be welcomed.

Dennis Canavan: I do not see any specific reference to Scotland's role in the Commonwealth. Might it be worth while inviting someone from the Commonwealth Secretariat, at least to submit written evidence, and possibly to give oral evidence?

Mr Morrison: On Keith Raffan's points about antipodeans, Africa and so on, would it be possible for the Commonwealth Parliamentary Association to bring all the various strands together? I have no idea whether that might be possible; it is just a suggestion.

The Convener: The clerks will look into that.

Mrs Ewing: On Alasdair Morrison's point about the CPA and so on, I would say that we should be able to cross that boundary. We are meeting for a formal lunch on Thursday, I think. We can discuss the matter and liaise, through the clerks, with the external liaison unit. I made some suggestions about this, and I see that one or two of them have been picked up. I am worried about panel 2 for the third meeting, when sportscotland witnesses are due to attend, as shown on page 3 of the briefing. I put in suggestions about the Scottish Women's Rugby Union and the Scottish Women's Football Association. Dennis Canavan will know more about those organisations than I do, but I am aware that they are facing difficulties. Despite the fact that the SWRU team are the current world champions, they are getting no money at all at the moment. I am not an arch-feminist, but I think it would be helpful if we had a female representative in there somewhere, so that we do not have an all-male panel.

On the meetings themselves, we need to work out whether we hear five-minute presentations, followed by question-and-answer sessions, before moving on to the next panel. If we have to have extra meetings, so be it. We meet only fortnightly, unlike many committees of the Parliament, some of which meet sometimes twice a week. If we are going to carry out what is a very important investigation, we should take our responsibilities seriously and try to ensure that we give it our best shot. I hope that that meets with the committee's agreement.

The Convener: I will try to respond to those points.

Mr Raffan: I agree with Margaret Ewing. If extra meetings are required, the committee should meet more often. I agree with Gordon Jackson that we should give everyone a fair crack of the whip. Personally, I am against presentations. We might say five minutes, but people will take seven and a half minutes. If each organisation could give us a piece of written evidence, preferably in English—unlike the Highlands and Islands Enterprise contribution, which had to be translated from jargon—and if we could read that in advance of the meeting, we could shoot straight into questions and get going.

Phil Gallie: I have already made a point to the clerk about the length of time involved, and about my concern that the inquiry will overlap with other activities, although it seems that there is no target for completion of the inquiry. I do not see that there is a particular rush, but it might be useful if the committee could form some sort of idea about the timescale. That would allow us to take account of Gordon Jackson's point.

Mr Raffan: Targets? That is very new Labour.

The Convener: I will respond to three or four of the points that have been raised. That discussion was helpful, and I hope that we are in a position to move on. I do not see any problem with accommodating most of what members have said. I am sure that we can address the point about the owner of Skibo Castle being on the list of witnesses. I will ask the clerks to make the alteration suggested.

As far as time commitments and timescales are concerned, I would say that members have an ally in their convener on not having any more presentations and just going straight to questions. I think that we have learned our lessons over the past four years in that regard, and not just from this committee's meetings. Given the size and scale of the inquiry, we should abandon statements and go straight to questions. On Gordon Jackson's point, perhaps having an hour per panel would be suitable, although we should be flexible.

14:30

I have asked the clerks for statistics and it is worth saying that, since the election, our committee has met only half as often as some other parliamentary committees and, when we do meet, our meetings are often shorter than those of other committees. Therefore, as this is our flagship inquiry, and as this is the first time that this particular subject has been scrutinised since the establishment of the Parliament, I hope that members will agree that we have to be flexible. If we have to meet once a week, or perhaps more often, we should do so. That would send out the right message. I am sure that the people whom we invite will be very keen to give us oral evidence. It will be up to us to decide who gives the best evidence and to take it on board in our report. We can discard what we feel not to be important. However, it will be worth hearing from as many people as possible.

To answer Phil Gallie's points on the overall timescales, again we will have to be flexible. We would hope to hear all the evidence, and perhaps to begin work on our report, before the summer recess. However, there is no guarantee that we will report before the recess. We will have to play it by ear. This is a considerable inquiry.

Many good points were made on international links. We can ask the clerks to take those points on board and to ensure that there is more of a balance between Asia, the Commonwealth and Europe. We may have to fit in another meeting on that issue. We will play that by ear as well.

I hope that we will hear not only from quangos. If the committee agrees, I think that we should make an effort to hear from people who are actually involved in promoting Scotland, as opposed to hearing only from representatives of organisations. I take on board Margaret Ewing's point about hearing from representatives from the female sports organisations.

Mrs Ewing: I am sure that Alasdair Morrison would agree that we should do that. After all, we did win the gold medal in curling.

The Convener: Before we move on to the next item on our agenda, I want to thank the clerks for all the hard work that they have done so far. There has been a lot of juggling because of feedback from members, but I hope that we are now in a position to make progress.

EC Legislation (Implementation)

14:32

The Convener: The next item is implementation of European Community legislation. We have received two letters from the Executive in connection with our role of monitoring transposition and implementation. We have asked the clerks to review our approach to this. In the meantime, the Executive has asked about two matters: the end-of-life vehicles directive (2000/53/EC) and the greenhouse gas emissions trading scheme regulations (2003/87/EC). The Executive intends to use section 57(1) of the Scotland Act 1998 to allow those instruments to be dealt with under the Sewel procedure so that the UK Government can legislate on Scotland's behalf. We will have to decide whether we support that intention and whether we think that it is justified in respect of the legislation.

Mr Morrison: Of course we are content that section 57 of the Scotland Act 1998 be applied. The recommendation comes in three parts. The paper asks us to consider whether we have been provided with sufficient explanation and, in my view, the answer is yes. The fifth paragraph on page 5 of the paper, on the greenhouse gas emissions regulations, says that using section 57 offers the

"most efficient and sensible approach."

That is eminently sensible and self-explanatory.

The third recommendation in the paper is:

"Finally, the Committee may wish to seek views from stakeholders".

I think that that would be a waste of time. We know who the stakeholders are—the UK Government and the Executive. We have had an explanation, so let us just get on with it. As has been outlined in the letters from Ross Finnie, Sewel motions are the best, quickest and least complex way of dealing with such important issues.

Phil Gallie: I have no objection to the use of a Sewel motion—that seems to be quite reasonable. However, in relation to both instruments, points of specific interest to Scotland arise.

For a start, it is suggested that Scotland does not really have a direct interest in the end-of-life vehicles directive because there are no car manufacturers, importers or distributors in Scotland. However, when we read through the Executive's document on the directive, we realise that end-of-life vehicle reception facilities must be 10 miles apart, on average, throughout the UK. In my view, the only people who will pick up on that are the distributors for the major producers. That

proposal could have major implications for the motor trade in Scotland; I would like to find out about those implications and about how the industry intends to deal with them. Although I am not sure whether we can ask the Executive to follow up those questions—given that it is pushing for acceptance of the legislation being dealt with by a Sewel motion—I would like answers to them.

I cannot understand why the UK has to reduce greenhouse gas emissions by 12.5 per cent, when the overall EU target is 8.5 per cent. I can understand that France's high proportion of nuclear generation might cut down its emissions problems, but Scotland also has a high proportion of nuclear generation—the rate in the UK as a whole is fairly average, if not above average—and Scotland also has a reasonable commitment to renewables. I wonder why our emissions are so high in comparison with countries such as Germany, Italy, Belgium and Holland. It is strange that we appear to have such a problem.

In light of the fact that we are taking such a collective view, I have another question for the Executive: how is it that Scotland can have different renewables targets from England, given that we are talking about the same emissions levels and that Scotland is already ahead?

The Convener: You did open by saying that you did not have any objection to—

Phil Gallie: I have no objection to the use of a Sewel motion, but there are specific questions that I would like the Executive to answer.

Mr Raffan: I do not have any objection to the use of a Sewel motion, but I think that Phil Gallie has raised an important point on the end-of-life vehicles directive. Page 1 of annex A refers to “producers”, but page 2 changes that to

“car manufacturers and professional importers”

and then says that there are

“no importers/distributors of any size”

in Scotland. It is not quite clear what the definition of “producer” is; the fact that it varies between the two pages causes me some concern. In my constituency, there is a very good Skoda distributor in Burrelton in the middle of Perthshire, the home of the SNP leader. It is a small firm, so what will it be landed with? The fact that “producer” is not defined—or rather, that its definition becomes very wide on page 2 of the Executive's letter—is an important point about which we should ask.

The Convener: If there are no further comments, is the committee happy to obtain clarification on the points that Phil Gallie and Keith Raffan have made?

Members *indicated agreement.*

The Convener: I do not think that I was clear enough on the issue of the Sewel motion. I understand that there may not be a need for a Sewel motion as such, although the proposed procedure is similar to a Sewel motion. I thought that I should put that on the record, because I think I said that the legislation would have to be dealt with using a Sewel motion.

Mr Morrison: I would just like to clarify that we do not have to pursue the three different elements of the recommendation that is made in paragraph 5 of the briefing paper. We are all satisfied about those questions.

The Convener: Yes.

I point out that the relevant subject committees should also be addressing those issues, as they have received similar correspondence.

Convener's Report

14:39

The Convener: The next item on the agenda is the convener's report. There are only two matters in it, both of which are self-explanatory.

The first is an update on the planned visit to the Catalan Parliament for a meeting of NORPEC—the network of regional parliamentary European committees. The event is to be hosted by the Catalan Parliament, and our committee and the equivalent Catalan committee are to meet to discuss how to take NORPEC forward. The trip is scheduled for early March, although we are still working out the exact details, with which we will get back to members later. Are members happy with the recommendation?

Mr Raffan: I am happy with the recommendation. It is perhaps because I am relatively new to the committee, but I was wondering whether we could have a background briefing on NORPEC and its membership. Is the autumn conference in Edinburgh for the entire network?

The Convener: At the moment, NORPEC effectively comprises just two committees: ourselves and the Catalans. The purpose of the meeting is to progress NORPEC with regard to new members.

Mr Raffan: Is it intended to be the parliamentary equivalent of the regions with legislative power—Regleg—with which the Executive is involved?

The Convener: I understand from the deliberations of the previous European Committee that we are talking about membership comprising committees of Parliaments in Europe that have primary legislative responsibilities. We will have to discuss with the Catalans in March who should be invited to join NORPEC, and how to respond to anyone who approaches us with a view to joining.

Dennis Canavan: Are the favoured dates for the event still 8 and 9 March? I realise that it is subject to confirmation.

Stephen Imrie (Clerk): We will circulate provisional details to members shortly. The favoured dates are 8 and 9 March because of a trade mission that is being organised by either Scottish Development International or the Scottish Food and Drink Federation, I think. Its delegates will be in Barcelona at the same time, so members might find it useful to be there when the trade mission is going on.

The Convener: It is worth reading NORPEC's November 2003 newsletter, which gives the background to the issues. I say that particularly for the benefit of Keith Raffan.

Mr Raffan: Sorry?

The Convener: I am talking about the November 2003 newsletter. It was distributed to members—I am not sure, but additional copies might have been circulated today. The newsletter provides background on NORPEC.

The second item under the convener's report is the inward visit of the Czech Republic's European integration committee, whose members intend provisionally to come to Edinburgh in April. This committee has built up a good relationship with its Czech counterpart. Given the enlargement of the EU, I hope that everyone agrees that it is appropriate that we give the Czech committee members a warm welcome, and that we all turn out to greet them and have discussions with them. I invite the committee to express its support for that visit.

Mr Raffan: I am totally in favour of the visit—I was in Czechoslovakia during the velvet revolution. We are creating a precedent, and I would like to know what our position is in relation to some of the other countries that are joining the EU and with which we have long-standing connections, such as Lithuania, the other Baltic states and Poland. Are we going to invite delegations from several countries over two or three years, or are we going to wait until they approach us?

The Convener: The visit has been arranged following meetings between representatives of the two committees. A parliamentary delegation went to Prague a few months ago and I had an informal meeting with the chair of the Czech committee when I was on holiday in Prague. Such meetings have not happened with all the other relevant committees, so it is up to this committee to decide whether we wish to invite those other committees.

Mr Raffan: I am aware of that, and it underlines the point. I remember that we had a visit from Czech senators about a year or 18 months ago. There is a lot of coming and going between Scotland and the Czech Republic, but I am concerned that we should also have a lot of coming and going between us and the other countries that are coming into the EU.

The Convener: We have discussed several times in the past how to mark the enlargement of the EU in our dealings with other European committees from the countries that are joining. I suggest that we put the matter on to a future agenda, so we can have another quick chat about it.

Mr Raffan: The subject is important. The various consuls in Edinburgh will be aware of what is happening and it is important that we are open to the idea of visits—delegations to and delegations from countries that are to join the EU.

The Convener: We have discussed the matter previously and there has been positive feedback from the committee about dealing with and meeting other countries' European committees.

Mrs Ewing: Many of the accession states are setting up consulates general in Scotland, Estonia being an example that springs to mind. Keith Raffan talks a lot about Lithuania, but we should not forget Estonia. We should recognise that those links will develop over the next few months.

We should not just say, "We will meet X, Y and Z", however. We must consider the bigger picture and invite consuls or representatives of all the accession countries at some point, even if that happens only informally. Perhaps the committee could hold a reception—I do not know what would be the easiest event for our staff to organise. I think that that will be an on-going feast for the next wee while.

The Convener: Okay. If members are happy about that and have no further comments to make on the convener's report, I ask the clerks to put the matter on the agenda of either our next meeting or the one after it.

Scottish Executive (Scrutiny)

14:45

The Convener: We move on to item 5, which is pre and post-council scrutiny. Members have the papers and the one that is worth pointing out—over and above our regular updates from the Scottish Executive—is the analysis of Executive responses, which we discussed previously.

Phil Gallie: Will we go through the briefing paper first?

The Convener: I am happy to do that.

Phil Gallie: I draw members' attention to paragraph 3 of the section on the economic and financial affairs council—ECOFIN—on the broad economic policy guidelines, which contains a comment that the Lisbon agenda has brought about

"the creation of five million jobs".

I presume that those jobs have been created within the European Union. I would be interested in seeing a breakdown of that figure, in particular because only the UK seems to be sustaining a good level of employment at present, whereas other countries seem to be going backwards. Where are the 5 million jobs and where did they come from? Can they be attributed to the Lisbon agenda?

Before I come on to the real issue that I want to raise, I point out that in that paragraph we are complimented on opening up our energy markets. I am sure that members will join me in congratulating Mrs Thatcher on having laid the foundations for that.

My other point is about the setting of interim targets for Scotland—here I go again being new Labour, Keith—in relation to the broad economic policy guidelines. Can we have some country-specific detail on that matter? The paper says:

"Interim target dates are less than two years away."

On reading that, I thought that it sounded as if a panic button was being hit somewhere. I would like to think that Scotland was on the right lines.

The Convener: On your first point, we could ask SPICe to find out whether the information on employment levels is available, rather than write to the Executive. The information might already have been published, in which case we can ensure that it is passed round the committee. Are you happy for us to do that?

Phil Gallie: Yes. What about my second point?

The Convener: I think that you made a second and a third point. Are you suggesting that the committee should write to the Executive for clarification on those points?

Phil Gallie: We should ask for clarification on the BEPGs and targets. I did not suggest that we write to congratulate Mrs Thatcher, but if that is the wish of the committee, I will go along with it.

The Convener: Her name has now been mentioned twice since this committee was formed.

If members have no comments, we will drop a short note to the Executive to ask for its view on the matters that Phil Gallie raised.

Are there any other comments on the pre and post-council scrutiny?

Phil Gallie: We have other papers.

The Convener: Can we briefly discuss the Executive responses?

Mr Raffan: I was intrigued to read in the pre and post-council scrutiny paper that the Irish and Dutch presidencies have set out a joint operational programme. I am sure that there are connections between different presidencies, but I was not aware that they were such that the presidencies would set out a programme for the council for 2004. It would be interesting to see a copy of the programme. Can we get one?

The Convener: I think that Stephen Imrie knows something about that.

Stephen Imrie: I would be delighted to send a copy to committee members who are interested in that. Members may also recall that at a previous meeting, we asked the Executive for an analysis of that slightly longer-term look at the EU's agenda to identify matters of interest to the people of Scotland. An annual work programme or policy statement for 2005 is expected in the next few days. If we receive a copy of that, we will circulate it to members.

Phil Gallie: The post-council report contains a comment on items that have been approved without debate at ECOFIN, including

"Taxation: Directive concerning common system of VAT".

I do nothing more than ask whether we can have information on that, to ensure that no threat is posed to our derogations.

The Convener: We will take that on board and try to obtain that information when we obtain other information.

We will move on to the clerks' paper on timescales for responses from Executive departments when we seek pre and post-council scrutiny. As members will see from the table, the Environment and Rural Affairs Department is the worst offender for delays in providing information.

Does anyone have comments on the paper? We thank the clerks for producing it and making the calculations. The delays hamper our job of

scrutiny. I know that the clerks have continuing discussions with Executive department officials and that the committee has said in the past that it wants departments to get their act together, because having that information is essential if we are to scrutinise the Government pre and post-council.

Mr Raffan: As the footnote on page 2 says, almost all requests for information have been in the four-week response category—the slow track—so the situation is disappointing. As the clerks have allowed that length of time, it is disappointing that we do not receive quicker replies. That hampers our work.

Mrs Ewing: The Environment and Rural Affairs Department is the most disappointing. In an opinion poll that took place recently or before the previous election, in which people spoke about Europe, the issues that were numbers 2 and 3 were agriculture and fisheries, which are both dealt with by the Environment and Rural Affairs Department. It is worrying that that department has made only a 50 per cent return to the committee. An asterisk next to the figures for the Finance and Central Services Department marks the note that somebody was absent because of long-term sickness, but the Environment and Rural Affairs Department has offered no excuse for being the only department to meet only 50 per cent of the committee's requests. I do not know how we handle that, but that worrying aspect of the table jumped out at me.

Mr Home Robertson: What are the outstanding papers? Is there anything that we are exercised about on which we should chase departments?

The Convener: We do not have the papers in front of us; we are discussing an analysis of the figures.

Mr Home Robertson: On the face of it, the figures are disturbing, but if the papers deal with trivia, we should not make a meal of it.

The Convener: The committee has several options to consider. We can write to the acting minister to bring the matter to his attention or call the department's head to the committee to discuss the subject.

Mrs Ewing: I do not want to make a mountain out of the issue, because we all appreciate Ross Finnie's circumstances and we are all thinking about him. I am glad that he is back home. However, a 50 per cent non-return of information to the committee is a very poor record. Something must be done, as *Private Eye* says.

The Convener: There is no point in keeping the information to ourselves.

Dennis Canavan: The issue is not just non-return by the date requested, but excessive delay

in providing a response. For example, our documents contain a copy of a letter dated 5 November that the convener sent to Ross Finnie, in which he asked for a response by 1 December. Having no response to that is not good enough; we are into February now, so the response is more than two months late. I take it that why the response is more than two months late has not been explained.

Phil Gallie: To pick up on John Home Robertson's point, the questions and the letter to which Dennis Canavan referred are not exactly trivia, given that they cover agriculture and fisheries, albeit that there might have been a deliberate delay because of continuing negotiations. However, that letter is not the worst one by any means, because there is a letter to Jim Wallace that is dated 29 September, and I know that that was routed through Ross Finnie. I am not sure whether the original letter was sent to Jim Wallace on 29 September, but a response to that letter has been outstanding since that date.

The Convener: I suggest that we write to the Deputy Minister for Environment and Rural Development to bring those matters to his attention, express concern and suggest that he discuss with his officials how they can improve their procedures to help us to fulfil our duties to the Parliament.

Mr Home Robertson: I know from ancient experience that some officials have more than enough on their plates without dealing with such matters. If that is an inherent problem with the system such that it is physically impossible for officials to do the job properly and respond more quickly, it might need to be raised with the permanent secretary to the Scottish Executive, because it would be in nobody's interest to ask the officials to do the impossible. It would be wise to take stock and find out just how serious matters are before we go ballistic on the issue.

The Convener: I do not think that the committee wants to go ballistic, but we do want to express concern, given the results of the analysis that we have carried out. I am sure that the minister will also be keen to see the figures so that he can speak to his officials about them—I am sure that any of us would do that if we were the minister. We could copy our letter to the permanent secretary so that he is aware, if members feel that that is helpful.

Mr Home Robertson: I am not suggesting that we write to him yet.

The Convener: We could copy our letter to him for information so that he is aware of the problem, if members are happy to do that.

Phil Gallie: Among the letters, we have a reply from Cathy Jamieson about the Criminal Injuries

Compensation Board. From my reading of that letter, it suggests that the United Kingdom probably has one of the most generous criminal injuries compensation schemes in Europe, if not the most generous one. That suggests to me that people from other parts of Europe come here and take advantage of our scheme, but when people from Scotland go to other European countries, there is no scheme to cover them. I am not sure that Cathy Jamieson's response addresses the urgency of the need to level the position or considers whether, in the short term, we should find some means of ensuring that the generous scheme that we appear to have does not apply to others from throughout Europe, although I suspect that that might be illegal. Some action should at least be taken to identify the circumstances and whether the Government should do something now about it, given the lack of agreement.

The Convener: It might be more appropriate for one of the justice committees to take that matter up, because they might have an interest in that. They should have copies of that correspondence, but I will double-check that the conveners of those committees have distributed it.

Phil Gallie: Would you mind putting those points to the justice committees?

The Convener: I will do that, and we will copy the *Official Report* of this meeting to them to show the points that you have raised.

Sift

14:59

The Convener: The final item on the agenda is our sift report. Are there any comments on the documents of special importance that are highlighted at the front of the paper?

Phil Gallie: Paper 699 has been allocated to the Communities Committee, but it could have major implications for the Enterprise and Culture Committee in particular because there could be a knock-on economic effect to considering social inclusion. It might be worth while at least to give the Enterprise and Culture Committee the choice by highlighting the paper to it.

The Convener: We should bring that to the attention of the appropriate subject committee.

Phil Gallie: That would be fine.

Mrs Ewing: Which committee will that be? The paper mentions social inclusion as well as economic and social policy.

The Convener: That is a fair point. There is nothing to stop us giving the paper to both committees.

Phil Gallie: There is a proposal for something on patents, and one of our committees should pick up on that and examine it. It could have an effect on enterprise.

The Convener: As we are limited in the amount of work that we can do, it would be worth while to get some feedback from the other committees at some point to find out whether they are picking up on those issues as well. In the meantime, we will ensure that those issues are brought to the relevant committees' attention.

Phil Gallie: Spain is encouraging a directive on airlines releasing passenger data. Passenger lists have always been a closed shop, but Spain has proposed a directive, and I would like a bit more information on that.

On the airline industry, particularly the cheap flights with new companies that are so important to Scotland, I also draw attention to the fact that a judgment seems to have been made in Europe that goes against Ryanair's interests and certainly goes against the interests of the Ayrshire economy, if it is to be applied across the board in Europe. I passed the clerk a note about that earlier today; it might be worthy of discussion in the committee.

The Convener: That is an important issue, and your comments will obviously be in the *Official Report*, but it is not on the agenda and it is open to you to request that it be put on the agenda for a future meeting.

Phil Gallie: I requested that it be put on today's agenda, but since I did not manage that, I make a formal request now to have that matter on the agenda at the next meeting.

The Convener: I will take that into consideration.

Mrs Ewing: I have a lot of sympathy for what Phil Gallie says. Perhaps we could consider it under the debate that we are going to have on the Executive's paper on a European strategy, which includes transport. I have used Ryanair for various purposes, including going to Brussels, and I agree that it is important that we consider the judgment. I was slightly disappointed that our inquiry into promoting Scotland did not have a little bit more emphasis on transport issues, because those are vital to attracting inward investment and tourism, for example. If you are prepared to put the matter on the agenda for a future meeting, I support Phil Gallie on it.

The Convener: Phil Gallie has made his request, and I will take it into account.

As there are no further comments on the sift report, I will bring the meeting to a close. The agenda has been light—the meeting has been only just over an hour long—and committee members should enjoy it while it lasts, because we have a heavy work load ahead of us over the next few months. I say that in case anyone thinks that we are workshy because we met for only an hour today.

I thank committee members for attending and will see them at the next meeting in a fortnight's time. I ask them to remember the meeting next week when the Irish ambassador is in Parliament. Committee members should have had the details already, but we will send round another e-mail to make sure.

Meeting closed at 15:03.

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