

EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

Tuesday 7 June 2005

Session 2

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EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

11th Meeting 2005, Session 2

CONVENER

*Mr John Swinney (North Tayside) (SNP)

DEPUTY CONVENER

*Irene Oldfather (Cunninghame South) (Lab)

COMMITTEE MEMBERS

*Dennis Canavan (Falkirk West) (Ind)

*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)

*Iain Smith (North East Fife) (LD)

COMMITTEE SUBSTITUTES

Ms Wendy Alexander (Paisley North) (Lab)

Murdo Fraser (Mid Scotland and Fife) (Con)

Richard Lochhead (North East Scotland) (SNP)

Nora Radcliffe (Gordon) (LD)

*attended

THE FOLLOWING GAVE EVIDENCE:

Stephen Boyd (Scottish Trades Union Congress)

Dave Moxham (Scottish Trades Union Congress)

Robina Qureshi (Positive Action in Housing)

David Reilly (Positive Action in Housing)

CLERK TO THE COMMITTEE

Alasdair Rankin

ASSISTANT CLERKS

Nick Hawthorne

David Simpson

LOCATION

Committee Room 6

Scottish Parliament

European and External Relations Committee

Tuesday 7 June 2005

[THE CONVENER *opened the meeting at 14:02*]

The Convener (Mr John Swinney): Good afternoon. I convene the 11th meeting in 2005 of the European and External Relations Committee. I have received an apology for absence from Phil Gallie, who is attending the Edinburgh Tram (Line One) Bill Committee and has a mandatory obligation to be there. Iain Smith has advised me that he will be leaving early.

Iain Smith (North East Fife) (LD): I shall be leaving early, but I would like to raise a matter of which I gave you prior notice. At the previous meeting, there was an exchange between myself and Mr Gallie on the European Parliament debate on the working time directive, in which Mr Gallie suggested that Liberal Democrat MEPs did not vote in favour of retaining the UK opt-out. I have since checked the voting records of the European Parliament and can confirm that no Liberal Democrat MEP voted against retaining the working time directive and that those who voted on the amendments voted in favour of retaining the UK opt-out. I would be grateful if that could be put on the record for Mr Gallie's information.

The Convener: It is duly on the record and I am sure that Mr Gallie will study it. Whether that means that he will not say it again is a different matter altogether, but it is on the record anyway.

Fresh Talent Initiative Inquiry

14:04

The Convener: Item 1 is the continuation of our inquiry into the Scottish Executive's fresh talent initiative, for which we have two panels of witnesses. I welcome our first witnesses, Stephen Boyd and Dave Moxham, who are assistant secretaries at the Scottish Trades Union Congress. We been given a copy of written evidence that the STUC has submitted to the inquiry. I invite Mr—[*Interruption.*] I remind members to switch off their mobile phones. I now invite Mr Moxham to speak to the committee.

Dave Moxham (Scottish Trades Union Congress): It is a pleasure to be here and to speak about an important initiative. As the convener said, we have submitted written evidence, so we do not want to take up too much time with an opening statement. We simply underline our view that the evidence that the committee has heard from several experts about demographic change highlights a real problem. Several measures will be required to increase the number of hours that are worked in the broadest sense by people who are resident in Scotland, to deal with the aging population.

We would emphasise the elements of our submission about the experience of people who are in work and the roads to retaining people in work when they arrive here or are at the end of their studies. We also highlight fairness at work and the experience that such workers have when they are involved in employment in Scotland as being key parts of our evidence.

The Convener: I begin on planning and development of the fresh talent initiative. The STUC and its constituent unions have tremendous experience of the labour market and of recruitment and retention issues. Has the Executive engaged the STUC in any dialogue about preparation of the fresh talent initiative and how the initiative operates in practice?

Dave Moxham: We have had continuing discussion with the Executive on the general issue of demographics and on a range of related projects, such as our one workplace project, which aims to deal with racism and other equalities issues in the workplace. However, we did not have deep engagement with the Executive on the development of the fresh talent initiative.

The Convener: You mentioned practical workplace issues and material concerns that you might have about racism and other workplace matters. Do you have experience of such issues being brought to the fore? Do you have concerns about such matters that the fresh talent initiative has not yet adequately addressed?

Dave Moxham: It should be said that gathering such evidence is difficult. Where trade unions are active, practice tends to be better, but it is not easy for us to gather evidence. Second-hand and anecdotal evidence is more likely than direct experience, because our people tend to be able to deal with such issues and—dare I say it—to cut them off at the pass.

From the worst examples—such as the illegal migrant workers in north-east Scotland who were engaged in fish processing—to more local examples in the building trade, we have strong anecdotal evidence that abuses are taking place. However, we do not want to place too much emphasis on worst practice because middling practice is just as important. We know from several studies that have been conducted in the workplace that racism and a lack of equality continue. We suppose—rather than have firm evidence—that that problem will continue under the initiative.

The Convener: You mentioned the fish processing sector in north-east Scotland. In my constituency, an enormous number of migrants work, as far as I can make out, satisfactorily and happily in the food processing sector. Do you gather from your constituent unions feedback about difficulties in the adjustment of migrant workers into the general workforce? If so, will you convey to us information on that?

Dave Moxham: It is difficult to gather information that is specific to the food processing industry, although it is clear that some of the examples of worst practice that have been publicised in the press do exist.

We have submitted evidence from the Union of Construction, Allied Trades and Technicians about the construction sector. It is clear that, on occasions, wage levels are lower and that there is difficulty in respect of health and safety as a consequence of so many workers having English as their second language. Those problems need to be addressed in concert with the unions, but there is potential to make improvements.

The Convener: Finally, in your written evidence you state:

“The Fresh Talent Initiative must be as much about retention as in-migration.”

I think that I understand the sentiment, but can you flesh out that comment for the committee's benefit?

Dave Moxham: There is plenty of evidence that sound employment practice is a key driver in retaining all workers, whether they are migrants or not. If anything, the issue is more true in relation to migrant workers. The market for migrant workers will—to put not too fine a point on it—become

more difficult and competitive, and we will be competing against people south of the border and in other European countries. Migrant workers' experience of work in terms of the level of understanding they receive from employers, wage levels and their general terms and conditions will have a key impact.

A key section of the workers whom we hope to retain will come from higher education. Our evidence suggests that more than 50 per cent of students in Edinburgh are currently working. Although our figures are from a small sample, it is also suggested that 50 per cent of overseas students are working as well as studying in Edinburgh. The quality of the work that they do and their experiences in their first jobs in Scotland are important and will impact on decisions whether to stay and work in Scotland or to move further afield. It is an extension of our fair employment argument to say that that will impact on retention.

Mr John Home Robertson (East Lothian) (Lab): The section in your submission on the working environment and the responsibility of care is particularly important. I am sure that many examples could be cited. I can think of one case in my constituency, in which a company interviewed a prospective employee who was a well-qualified scientist. At the end of the interview he was asked how much money he needed to be paid. When he gave his answer, the employer said, “We wouldn't be allowed to pay you as little as that here.”

That is best practice, but many of us know from constituency experience that there is far too much evidence of people coming from abroad and working in gangmaster/agency environments, in which they are very badly exploited, with low pay, long hours and bad conditions. In the process, they displace local staff who would be paid at the right rate. Given that more and more people will come to work in Scotland, what can Government agencies and trade unions do to represent foreign workers as well as native Scottish workers, to ensure that people are not abused in that way?

Dave Moxham: That is difficult to do, although it is not difficult when we talk about FirstBus, from which the committee has heard evidence and which has a fully unionised workforce and has welcomed the fresh talent initiative. It will be difficult in sectors where there is not currently that level of organisation, but there is an opportunity if we examine current health and safety models. There are in England and Wales pilot schemes on general health and safety that involve the Trades Union Congress. The Health and Safety Executive works with union health and safety officers in visiting non-unionised sites—essentially it uses the expertise that trade unions have in the sector to its advantage and to the advantage of the general workforce.

We would like to consider such schemes. We do not have a blueprint for that because we are in a new situation, but there exists the potential for that agency and the unions to get together to consider where we might carry out some level of inspection. To be frank, we might be able to formalise some of the hearsay that we pick up and become involved in research and evaluation of the pilots—we would like to be involved. We do not have a blueprint, but there are certainly opportunities for co-operation.

It should be said—in parenthesis—that many workers who come over here will not expect to join a union, although we hope that many of them will be pleased to find that they are able to do so. Many people will also come from places where trade unionism is far more popular and more widespread than it is here. For instance, one would hope that Polish workers will have relatively fond memories of trade unions' role in the changes that took place in their country. We should not expect migrant workers to be anti-trade union, but we might find that they will not expect to be asked to join a trade union. We hope that we can help them with that.

14:15

Dennis Canavan (Falkirk West) (Ind): The STUC submission mentions that immigrant workers might face three potential problems, which are:

"Unforeseen cultural and procedural workplace issues ... Placement in 'hard-to-fill' posts where the ... difficulty has been ... poor terms and conditions, health and safety or bad management practice ... Directly discriminatory policy, which seeks to employ migrant labour on the basis of lower wage expectations."

What measures should be taken by the Scottish Executive and/or the UK Government to try to solve or minimise those problems?

Dave Moxham: On the last of those three issues, it is absolutely clear that agencies and other organisations to some extent advertise at lower rates abroad. Evidence from UCATT suggests that the rates for posts that are advertised abroad are 20 per cent to 30 per cent lower than the rates that are advertised here. To be honest, I am unaware of what mechanism could be used to tackle that problem. The job permits system might be used as a mechanism whereby, at the very least, we can suggest and monitor good practice. I am unaware of exactly what mechanisms might be used to make such a process mandatory, but I believe that the work permits system might provide some possibilities.

On hard-to-fill posts, our general view is that we must work on tackling domestic economic inactivity. For example, although FirstBus is one of the better companies, there are a number of concerns about the safety and stress issues that

bus workers face. It is felt that one reason why public sector bus workers are not coming forward is that the job is more stressful than it should be. Rather than deal with that as an issue that simply involves individual seekers of work, we suggest that a clear view needs to be taken that such issues arise not simply because people do not want to work—in fact, very rarely is that the case—but because the jobs are hard to fill for other reasons. We should not use migrant workers to blind ourselves to the existence of difficulties in the way in which jobs are currently framed.

On the unforeseen cultural and procedural workplace issues, it is difficult to comment because they are unforeseen. Our submission emphasises the fact that many employers, in trying to do their best, do not believe for a minute that they are doing anything that will put migrant workers off. However, research shows that racism and inequality in the workplace are often indirect. Where trade unions are represented, they will seek to work in partnership with employers to consider language and other cultural difficulties. They will also consider whether the indigenous workforce has difficulties in accepting new migrant workers. Trade unions will want to play as positive a role as they can. That approach will be more difficult where the unions are not represented, so we suggest that the Government and employers get together and analyse closely all the potential problems.

Dennis Canavan: Apart from the statutory minimum wage, are there any other mechanisms that might be used to achieve justice for people who feel that they are being discriminated against? In your time as a trade unionist, have there been any cases in which immigrant workers have successfully gone to the Equal Opportunities Commission or an employment tribunal to get a fair deal with regard to wages, job opportunities or conditions of work?

Dave Moxham: I cannot think of a specific example of such a case. My impression is that what you suggest would happen within a firm itself; the law is relatively clear about cases in which two people who do the same job are paid different rates. It is more likely in such situations that a system of self-employment will operate. For example, people who come on to a building site might be deemed for legal purposes to be self-employed, which very often takes them outside the law and makes it much more difficult to prosecute such cases.

Protections are, in general, relatively low, but the European directive on agency workers—which is awaiting implementation—will affect all agency workers' rights and thereby have a significant effect on migrant workers. That said, the subject is very difficult because migrant workers' tenure of

employment will in the first instance not be as long as the tenures of people who have worked for the statutory one or two years that are needed to secure full employment rights.

Irene Oldfather (Cunninghame South) (Lab): In your submission, you say that more than half of the current 35,000 hard-to-fill vacancies are because of skills shortages. Is enough being done to upskill and retrain Scotland's indigenous population? Do you have any role in that? Are Scotland's further and higher education institutions being responsive enough to skills shortages?

Stephen Boyd (Scottish Trades Union Congress): That question probably needs a whole evidence session to itself. I will do my best to be concise.

Irene Oldfather: The question will certainly be asked in my constituency, which has a high number of unemployed people. They want to know why we cannot do more to retrain and upskill people to meet skills shortages.

Stephen Boyd: Work has certainly been done through the enterprise networks and the national training programmes. Moreover, the Scottish Executive is currently working on its employability framework, which it expects to publish in midsummer. Of course, your colleagues in the Enterprise and Culture Committee will examine employability later in the year.

We are no more able than anyone else to suggest a magic bullet for this difficult issue. For some time, we have bemoaned the rates of economic inactivity in Scotland which, although they are falling, are falling too gradually. We need to concentrate on the other side of the argument. Although we support the fresh talent initiative, much more must be done to address the persistent and massive rates of economic inactivity, particularly in west central Scotland.

The Convener: I want to stop you on that very interesting point about the fresh talent initiative's focus. Such an initiative might focus either on skills shortages or on simply getting 8,000 people into Scotland annually to ensure that our population does not fall below 5 million. What do you think the focus should be?

Stephen Boyd: I am not sure that it is possible simply to highlight a focus in that way. To get back to the bare bones of the question, I think that representatives of Futureskills Scotland, for example, might say that in Scotland we do not have skills shortages as such but that we have, rather, skills gaps in soft skills and so on. A huge debate is emerging around whether that is the case—I do not know; we would have to do a bit more work on that—and what the best way is to address those skills gaps.

A recently published book based on the Allander series of lectures suggests that far more money should be put into pre-school education. The STUC would not disagree with that but, if that is to be future policy, we will still be left with a couple of generations of economically inactive people and we must determine how best to deal with them. One of the problems of doing that within the devolved framework is that some of the main levers for addressing economic inactivity, such as benefits and taxation, remain reserved. The question is this: what are the most positive measures that we can take within the devolved framework?

That was not a particularly helpful answer to the question, but I am not aware of the fresh talent initiative's being focused as the convener described.

Irene Oldfather: My answer would be that we have to do a little bit of both. However, it is vital that we identify skills shortages. When the committee took evidence about the information technology industry, it was struck by the fact that there is a huge market for IT people from eastern Europe because they work on the most advanced and most technologically competent systems because they are new in the game, whereas the skills of people in Scotland who were IT experts in the 1980s and early 1990s are a little bit out of date because the new technology has overtaken them. A great deal of work needs to be done on upskilling and on the skills-technology mismatch in Scotland, but I am not sure that enough is being done. We have gone through diversification from manufacturing into industries such as IT and are now finding that people from eastern Europe have qualifications that make them more employable than people from Scotland. Should we do more with the universities to address such gaps?

Stephen Boyd: I was not aware of a specific skills shortage in IT, but I am sure that that is a fair point. Generally speaking, the point is apposite. We all have to work together; the STUC works with employers and promotes training through the Scottish union learning fund. To be fair to the Executive and the enterprise network, a lot of work is being done at the moment on knowledge accumulation and dissemination between further and higher education institutions and business, particularly through the intermediary technology institutes. The fresh talent initiative will be semi-long term, as such initiatives ever are, and the policies have to be given time to work.

Mrs Margaret Ewing (Moray) (SNP): You referred to the European directive's impact on agency workers.

Stephen Boyd: That was Dave Moxham.

Mrs Ewing: I am sorry. What was the extent of that impact? You mentioned soft skills in the context of the fresh talent initiative. Will you define soft skills and tell us where the definitive line is drawn between soft and hard skills and how educational processes can be applied to help people who come to Scotland through the fresh talent initiative? I ask that against the background of a report that was published yesterday that said that 109,000 people in west central Scotland are in long-term unemployment but do not register on the official statistics.

Stephen Boyd: In all our submissions on economic matters in the past couple of years, we have highlighted those who are economically inactive, the hidden unemployed or however one wants to put it. That is a massive issue for Scotland. I have seen figures that say that, if Glasgow could move in line with the national average, it would be likely to add 1 or 2 per cent to Scottish gross domestic product. It is a huge issue, particularly in west central Scotland.

On skills, I feel slightly out of my depth. The STUC skills people are not at the table today, although I will give you my perspective on the matter. I am sure that Futureskills Scotland and the enterprise networks would tell you that surveys of employers constantly show that soft skills are lacking. I understand soft skills to mean communication skills, problem-solving skills, teamworking skills and so on. The problem seems to be that kids are leaving school and graduates are leaving university with decent portable skills—they may be good at IT or whatever—but their soft skills in the workplace are not as good as they should be. Addressing that is a long-term challenge. There might be some short-term fixes, but we need to put more resources into pre-school education and wait for that investment to feed through.

Public agencies, employers and trade unions have been addressing economic inactivity for a number of years, particularly in Glasgow, but it is a huge and difficult task. We must wait and see what the Scottish Executive proposes in its employability framework in the summer. That major work is very much targeted at getting long-term economically inactive people back into work.

To be fair to the Government, there are a number of helpful schemes at UK level, such as the pathways to work scheme. The Government is trying to be a bit more innovative—for example, by involving health service providers in getting people back into work. It is a shame that the rhetoric at UK level is not always as progressive as the work that is being done on the ground, because some constructive work is being done.

14:30

Dave Moxham: I am not sure that I can be of further assistance to the member in relation to agency workers. There is a degree of opposition—I am being kind when I say that—to adopting the directive on the part of the larger employers organisations. I am happy to furnish the committee with any more up-to-date position that we have on the matter, but I cannot give much more detail at this point. I offer my apologies.

Mrs Ewing: It would be helpful if you could name those employers organisations because I am not sure which organisations you are referring to. We will hear from small businesses in a subsequent session and it will be interesting to hear how they think the directive applies to them.

Stephen Boyd talked about soft skills, such as communication skills, problem solving and so on. Is that an issue for the educational sector in particular? If we bring people in from elsewhere, language skills will be important. I saw a television broadcast this morning in which Andrew Kerr, our Minister for Health and Community Care, was presiding at a graduation ceremony for—I think—40 national health service workers who had been long-term unemployed. Are the communication skills that you mentioned needed both at the domestic level and by those who migrate to Scotland?

Stephen Boyd: We are perhaps in danger of conflating different issues. On the fresh talent initiative and the point about bringing in people from abroad, we certainly must be able to offer them assistance, particularly with language training in further education colleges. That is a given.

Soft skills in relation to the long-term unemployed or economically inactive is an entirely different issue. The emergent academic theory seems to be that it is not so much in education but in the early years in the home that soft skills are inculcated into people. What are the implications of that for public policy development? Should we put more resources into pre-school education? I am not sure.

We must be clear that if we are serious about the fresh talent initiative, language training is a key element.

Dennis Canavan: Some time ago, a scandal was revealed regarding nurses who were coming in from the Philippines. The Scottish Executive or one of the health boards or health trusts was using a recruitment agency to bring the nurses into Scotland and it was discovered that they were being paid much less than the equivalent Scottish national health service workers and that compulsory deductions were being made from their salaries for accommodation; complaints were

made about the level of those deductions. Unison made allegations about the exploitation of those workers.

The matter was reported to the Scottish Executive. If you are familiar with the case, do you think that it was it a one-off? If so, should the Scottish Executive be more proactive in ensuring that such recruitment agencies are not used, particularly in the public sector, and that workers who come here from the Philippines or any other country get wages and working conditions equivalent to those of Scottish workers?

Dave Moxham: On the question of equivalence and the general issue of fair employment, specifically in relation to migrant workers, the public sector has a key role to play. The role of setting a good example is as important as any. Agencies will probably continue to be used; I am not aware of any specific plans for a public sector recruitment agency, which would be an interesting possibility. The issue is to ensure that they do their job properly.

Mr Home Robertson: I have a couple of follow-up questions. After we have finished the inquiry, we intend to make recommendations and publish a report. It is becoming clear that there is concern that migrant workers could be exploited and might not get paid properly. That is bad for them and it also displaces the local workforce. We are looking for things that we can recommend to tackle the problem. For example, would it be helpful if every individual who came to Scotland under the fresh talent initiative was given written information outlining their rights in relation to working hours, pay, trade union membership and all the rest of it?

Stephen Boyd: My understanding is that such a document is available. It is a UK-wide document and it has been distributed to some migrant workers.

Mr Home Robertson: If we want employers—whether in the public sector or the private sector—to take on this fresh talent, is there a case for the Scottish Executive doing some kind of official supervision of those who employ foreign people, who are obviously vulnerable because they come from a different background and might have language difficulties? I am thinking of the food processing industry and the Scottish Agricultural Wages Board that is meant to keep an eye on agricultural processors; how well it does that is debatable. Would it be worth pursuing more effective supervision of employers who employ the category of employee that we are talking about?

Dave Moxham: There is a very strong case for that, and I think that I speak for the trade union movement when I say that we would be prepared to get involved in that directly.

The Convener: We have talked quite a lot about the issues that arise in merging a migrant workforce with the labour force in this country. We have also talked about language skills and some other difficult factors. All that comes back to ensuring that the existing regime in relation to the working environment is of the appropriate quality and standard. Are you satisfied that the merging of migrant and domestic workforces in the workplace is adequately supervised by different agencies in this country? I am thinking in particular of the Health and Safety Executive. Where there is a language difficulty between members of staff, fundamental health and safety issues can become difficult to communicate. Are you satisfied with the supervisory arrangements, or are there issues that are inadequately dealt with by the existing agencies?

Dave Moxham: There is good practice out there, including good Health and Safety Executive practice. Of course things can go further, apart from anything else because there will be a changing picture with which we have to deal. I have already referred to the importance of health and safety information for migrants with English as their second language. Perhaps I should go further and say that there should be health and safety training for migrant workers and that it would be helpful to have migrant workers communicate the health and safety message in workplaces—especially in workplaces in which the migrant workforce is large. In a sense, it is not our job to be satisfied with the level of supervision; our job is to argue for more supervision and more trade union involvement in its delivery. Therefore, I suppose that the answer to your question is no, but that should not be taken as an absolute criticism.

Stephen Boyd: Employment is a reserved matter, so the Executive has been understandably nervous about getting involved in workplace issues. Our contention is that an Administration such as the Executive, which is wedded to improving productivity, cannot take a totally hands-off approach. How people are treated at work, how organisations are organised and how they can change must be considered. Our main problem with “The Framework for Economic Development in Scotland”, which was published last year, was that it did not mention the workplace and how people are treated at work. We were to make huge productivity improvements without engaging with people who are meant to become more productive. The issue that is involved is wider than fresh talent; it is about how we improve Scotland’s workplaces for Scotland’s workers and how we can improve the quality of work.

Earlier this year, a Scottish economic policy network report that considered the reasons why Scottish people go to live and work in Dublin was

published. One of the report's main conclusions related to the quality of work that people experience in Dublin. Workplaces are better places in which to work on a day-to-day basis. We recognise the sensitivities around the devolution settlement, but we think that the Executive and the enterprise networks must be more proactive on such issues. The enterprise networks must work with employers to sell the benefits for productivity and competitiveness of a better workplace culture.

The Convener: That is an interesting point, for which I thank you.

I thank Mr Moxham and Mr Boyd for coming to the meeting and draw the evidence session to a close. We will reflect on the points that they have made.

Robina Qureshi and David Reilly of Positive Action in Housing have joined us for the second part of today's fresh talent inquiry evidence-taking session. Positive Action in Housing has a great deal to do with migrant workers and people who come to this country from other countries, and it is a pleasure to have the witnesses here. I invite them to make opening remarks to the committee. We will then open up the discussion and members may ask questions.

14:45

Robina Qureshi (Positive Action in Housing): We have tried to use the parameters that the committee set as the basis for our comments. The committee asked us to comment on how refugees and asylum seekers are treated when they come to Scotland, what rights they have, whether their skills are utilised to their maximum potential and what legislative restrictions they face in seeking work. It also asked for our views on the fresh talent initiative and how it could be improved.

I will deal first with how refugees and asylum seekers are treated when they come to Scotland. There are 12,000 asylum seekers and refugees living in Scotland, mainly in Glasgow. They have been forcibly dispersed here under the Westminster Government's asylum legislation; they are put in the worst housing; and they face stigmatisation and constant racial harassment. They live in enforced poverty and suffer disproportionately from mental health problems, which are often the result of difficulties that have been created for them by the asylum legislation. Asylum seekers and refugees are being treated as an underclass; in their day-to-day lives, they are constantly the victims of racism and xenophobia. Worse still, men and women of all ages are being left on our streets starving and completely destitute. Right now, around 100 asylum seekers are sleeping on the streets of Glasgow without food, shelter or money. In the past year, Positive

Action in Housing has witnessed a 206 per cent increase in destitution among asylum seekers, who are young, willing and able to work, but are forbidden to.

Asylum seekers have no housing rights. They are treated as numbers rather than human beings with individual needs; they are forbidden to work; the amount on which they are forced to live is up to 30 per cent below the poverty line; they are allowed to seek only part-time higher education; they are threatened with deportation, destitution or even so-called detention of their whole family at any stage of the asylum process; and they live in constant terror of the state's deliberations on their asylum claim and of society's disdain for them. The presence of asylum seekers in our society is highly politicised—they are frequently made scapegoats by the Westminster and home counties-driven agenda that is fed to the tabloids, according to which they are overwhelming the UK, when in fact Scotland's population is in decline. In comparison, the one Scotland, many cultures campaign is drowned out and rendered ineffective.

The fact that refugees inherit and must overcome that legacy places them at an immediate economic disadvantage, even though being granted refugee status gives people the same housing and employment rights as British citizens have.

We think that the skills of asylum seekers and refugees are not utilised to their maximum. According to "Refugees and Asylum Seekers in Scotland: A Skills and Aspirations Audit"—a piece of research that the Executive conducted in 2004—although 21 per cent of the refugees and asylum seekers who live in Scotland are university educated, only 7 per cent of them are able to work, in jobs that in no way match up to their skills and qualifications.

The Convener: What was the statistic on those with a university education?

Robina Qureshi: Twenty-one per cent.

In addition, only 13 per cent of the 783 refugees, asylum seekers and members of the ethnic minorities who used our casework service last year are employed. Thirty-two per cent of our service users—in other words, 251 of them—are forbidden to work at all; they are mainly young people who are willing and able to work. The fact that they are not allowed to stand on their own two feet seems to be a huge waste of talent and a denigration of their aspirations.

Legislation forbids asylum seekers from working, so we cannot blame them if they look for work in the black economy, which might mean working for 75p an hour or less.

We think that the fresh talent initiative is an excellent idea, but although we support it, we do not think that it will benefit refugees and asylum seekers in a meaningful way. If the initiative is sincere in its aim of increasing Scotland's working population by making Scotland an economically dynamic and welcoming place, the Executive should grasp the thistle and lobby Westminster to remove the barriers that exclude asylum seekers from the workplace. If that happened, asylum seekers would be able not only to stand on their own two feet and contribute taxes to the country, but to establish themselves as equal citizens, regardless of whether they intend to remain here. They would be on their way to fulfilling their potential, instead of being dragged down by Westminster's inhumane asylum legislation, which is in complete contradiction to Scotland's economic needs.

We are calling for asylum seekers to be granted permission to work and to contribute to the fresh talent initiative. The Scottish people support that. A recent Oxfam opinion poll showed that 73 per cent of people agree that asylum seekers should be allowed to work. In addition, we support the provision of decent, safe, affordable, social rented housing that meets the needs of everyone in our community, including black and minority ethnic communities, immigrants, refugees and asylum seekers.

The Convener: Thank you for your remarks, which give us a flavour of the issues that are of concern to you. I want to pursue the last issue that you raised—that of lifting the barriers to employment for people who are here seeking asylum. At the outset, you mentioned the figure of 12,000. What proportion of those 12,000 people are or are likely to be permanently resident here?

Robina Qureshi: Do you mean resident in the future?

The Convener: Yes.

Robina Qureshi: About 40 to 50 per cent will receive positive decisions allowing them to remain in the country. Many asylum seekers have been resident here for several years and are settled and established in communities, although no decision has been made on their claim.

The Convener: In essence, your view is that we should utilise the skills of individuals while they are here temporarily, given that we have skill and population shortages.

Robina Qureshi: Yes. Why should we treat them as if they are not needed, when they are needed? Why should they not be able to stand on their own two feet and to contribute to the economy while they are here?

The Convener: What reasonable steps would public authorities need to take to make it a practical proposition for asylum seekers to be allowed to work?

Robina Qureshi: Westminster has responsibility in this area. The Scottish Executive must have the guts to say to Westminster that its policy contradicts what we need in Scotland. We have a declining population and people here are not having enough children. To solve that problem, we need to be able to allow asylum seekers to work and to be part and parcel of society. Why should we not allow them to work? What matters is not where they come from, but where they and everyone in Scotland are going and how they are contributing. Instead, people are being left in enforced idleness. The Scottish Executive needs to get its act together and to lobby Westminster to allow asylum seekers to be granted permission to work, to seek work and to stand on their own two feet. That would allow Scotland to stand on its own two feet.

The Convener: Once again you have contrasted the reality of population decline in Scotland with the message from a wider political debate that is not supportive of immigration. Earlier you said that the one Scotland, many cultures message was being largely drowned out by that debate. What steps need to be taken to address the dichotomy of the need for us to increase our population and the wider debate and culture that are not exactly enthusiastic about immigration?

Robina Qureshi: The agenda of the home counties in England is an agenda for the home counties. Population decline is an agenda on which Scotland needs to lead. The Scottish Executive needs to show more leadership in pushing through what Scotland needs in economic policy and in order to tackle population decline. The Westminster agenda that scapegoats asylum seekers as a social ill and a burden is in total contradiction to what is needed in Scotland. If the Scottish Executive does not grasp the thistle, the needs of this country will be drowned out.

Gordon Jackson (Glasgow Govan) (Lab): You began, I think, by saying that asylum seekers were given the worst housing.

Robina Qureshi: Yes.

Gordon Jackson: I want to try to tease out what that means, because it might at first blush sound as if they are discriminated against in housing because they are asylum seekers. I do not know whether that is what you meant, or whether you just meant that we do not have any good housing.

Robina Qureshi: I am sure that you have a very nice house—

Gordon Jackson: I do; I do not apologise for that.

Robina Qureshi: I do not expect you to. The national asylum support service is the part of the Home Office that decides where asylum seekers are to be allocated. Our point is that it has agreed primarily to allocate them to hard-to-let housing around the country, so its focus is on hard-to-let housing in local authority areas. That deal involves all the hard-to-let housing that Glasgow City Council has—so yes, asylum seekers are forcibly dispersed to the worst housing. That is a matter of fact, not an opinion.

Gordon Jackson: You mentioned Glasgow, and Glasgow's stock—or rather, what is now Glasgow Housing Association's stock—contains lots of very poor housing and not a lot of very good housing. There are many historical reasons why we have reached that point; perhaps one is the right to buy. Anyone who needs a house urgently, whether that is a woman with three kids who is made homeless or an asylum seeker, will end up in poor housing. That is partially because the good stuff rarely becomes available. Some people have been on a waiting list for donkey's years, and when the good stuff does become available, they expect to get it—and they do have a point.

I do not want us to go down the path of suggesting that when asylum seekers come to Glasgow, Glasgow discriminates against them—although if you are suggesting that, that is fine. The basic problem is that everybody who urgently needs a house ends up in very poor housing, not in somewhere like my house or yours.

Robina Qureshi: No, that is not true. Asylum seekers are placed in the worst hard-to-let housing, which no one else wants to live in. It tends to be empty accommodation, which is why Glasgow has the biggest contract, outside London, for taking in dispersed asylum seekers. As a result, structurally, asylum seekers are discriminated against. That is a matter of fact.

Gordon Jackson: Well, it is not. Do you not accept—

Robina Qureshi: It is.

Gordon Jackson: Do you not accept that everybody in Glasgow—[*Interruption.*]

The Convener: Mr Jackson has the floor.

Gordon Jackson: Everybody in Glasgow who requires housing, regardless of their background, always ends up in poor housing. That is nothing to do with being an asylum seeker; it is to do with what I think you said before, which is the housing stock that Glasgow has.

Robina Qureshi: It has to do with all the local authorities around the country identifying their

worst hard-to-let housing, which nobody else wants to live in—for example, housing in Sighthill, which has been lying empty for years. Glasgow City Council took measures to try to rent the properties privately and to get people to live in them, and nobody took up the offer. The housing remained empty and was not generating council tax, so central Government has paid for those houses to be occupied. As far as we are concerned, it is a matter of fact that asylum seekers tend to be placed in the worst housing—empty housing that is hard to let.

Gordon Jackson: I totally accept that they will be placed in very poor housing, but if appropriate housing stock in a place such as Glasgow is not there, and there is only a small amount of good housing, which people have waited on for a long time, what would you do about that?

Robina Qureshi: Do about what?

Gordon Jackson: How would you resolve that? Would you suggest that the people who have been waiting for the small amount of good housing should not get it?

Robina Qureshi: No, we are not saying that at all. We are saying, first, that the worst hard-to-let housing has been earmarked. For that to change, the situation would have to be changed. We would want asylum seekers not to be forcibly dispersed, but to be given the option of voluntary dispersal around the country to the places where they feel most comfortable, perhaps near friends or family. That is what we would have preferred, but that has not happened. Does that answer your question?

Gordon Jackson: So it is the dispersal policy that causes the problem.

Robina Qureshi: The dispersal policy created by the Westminster Government, yes.

Gordon Jackson: Thank you.

Dennis Canavan: You said, I think, that 21 per cent of asylum seekers in Scotland are university educated. Is that correct? Does your organisation, or any other organisation that you know of, have a detailed skills profile of asylum seekers—something that says not just whether they have a university degree but what the degree is in, what professional qualifications if any they have, what trade skills they have, and how many of them are plumbers, electricians and so on?

15:00

David Reilly (Positive Action in Housing): Several different pieces of research have been carried out in Scotland, but none is comprehensive, and I do not know how deeply they go into trade skills and so on. It is a lot easier to ascertain whether someone has a degree than

to find out about trades. Possibly the most extensive piece of research is the Scottish Executive's "Refugees and Asylum Seekers in Scotland: A Skills and Aspirations Audit", which was carried out in 2004. Other than that, the Scottish Refugee Council undertakes audits of clients, which it uses for campaigning purposes. There is no one piece of research that can be pointed out in order to say, "Of 12,000 people, 4,000 have such-and-such skills." That level of detail does not exist.

The people who claim asylum throughout the UK tend to be highly qualified. That is simply because they tend to have been the middle class in their countries of origin. They are the people with the skills and the shops to sell in order to fund their travel to this country.

Dennis Canavan: Your point about giving asylum seekers the right to work is a very good one, but is it not more than likely that the Scottish Executive would say, "Sorry, but the law on asylum and the law on employment are reserved to Westminster"? However, housing is very much a devolved matter, and your organisation specialises in housing. Will you spell out in a bit more detail what you would like to see the Scottish Executive do to help asylum seekers to get better housing? If the fresh talent initiative is a success, all the immigrant workers who come to Scotland to work here will need housing. I ask you to imagine for a moment that you are the Scottish Executive minister with responsibility for housing. What would your priorities be in trying to solve the housing problems in order to ensure that the people who come to Scotland get decent houses?

Robina Qureshi: Housing of asylum seekers is reserved to Westminster, but housing for refugees is not. The first thing that we would do is devolve the housing of asylum seekers to the Scottish Parliament. Basically, it would come down to a fight with Westminster. Just because an issue is reserved does not mean that it is invisible or that we cannot talk about it, although that is the impression that is given in many debates. For example, if the Parliament is debating the rough sleepers initiative, the issue of asylum seekers who are out on the street is not discussed. Housing should be allocated on a voluntary basis: people should be assisted in being dispersed to different parts of the UK. If there is accommodation in Scotland, people should be assisted, but not forced, to be dispersed here.

Does that answer the question?

Dennis Canavan: Partly, but I was thinking in broader terms. If the fresh talent initiative is a success, workers—not necessarily asylum seekers—will come from many other countries into Scotland. What would your priorities be in terms of improving their housing opportunities?

Robina Qureshi: Certainly, workers coming from other countries should be able to access housing benefit and council housing. We have had reports that some people who have come to work in Scotland on a work permits basis have had problems in that respect. I do not have the detail with me, but I think that they were nurses working in the Borders. They were not allowed to access public sector housing and had to take a bed-sit or private rented accommodation, which cost them a lot of money. Part of the deal under which they came into this country to work was that they were not allowed to access housing benefit. The nurses were also sending money back home to their families in their country of origin and were in an impossible position—in effect they were slave labour in this country.

Dennis Canavan: What about the quality of housing that is available to people from other countries? Are there any success stories? For example, do any housing associations in Scotland specialise in the needs of people who come to Scotland from other countries? If not, can the case be made for having such an association?

Robina Qureshi: A small housing association has been set up, which we supported and with which we were involved initially. Access Apna Ghar Housing Association is a black and minority ethnic-led housing association, which is based in Glasgow. It is seeking to develop accommodation and has managed to secure around £1 million.

That sort of association needs a lot of support. We would welcome the development of specialist ethnic minority-led housing associations that cater for the needs of people who come to this country. We need to look at the structural issues that prevent people from accessing social rented or public sector housing when they come to this country to contribute to Scotland's economy. Many issues need to be addressed in that respect.

Mrs Ewing: I return to the fact that 21 per cent of asylum seekers are graduates, which is a significant figure. What was the basis for rejecting asylum seekers with degrees? Did it relate in any way to language skills? Which spheres are we talking about? Was it health, education or business? I do not expect you to reel off figures at the moment, so could you send them to us?

Gordon Jackson and Dennis Canavan spoke about housing. You say that you are a small organisation that is trying to help asylum seekers and refugees, and indicated your frustration at times with Westminster. Have you examined what the Ministry of Defence is doing in disposing of extra MOD housing, because that will be an issue, given its change in strategy?

David Reilly: On the rejection of graduates, do you mean the rejection of asylum cases or rejection in housing or employment?

Mrs Ewing: I am thinking about constituency cases that I have had, where highly qualified and skilled people who could fill places that we desperately need to be filled lacked language skills. Is that a key element in rejection, rather than not accepting qualifications from other countries?

David Reilly: There are language barriers—there is no getting round that. However, we have found that many asylum seekers and refugees who are graduates not only are bilingual but speak many languages and can therefore bring great benefits to organisations, particularly in the voluntary sector. Refugee communities as a whole have tremendous resources that can empower organisations to help refugee communities and other members of the community. Scotland was reasonably slow to catch on to the fact that members of the refugee communities can speak languages and understand their own communities. On the dispersal of refugees, we were very much involved with established black and minority ethnic communities. We used the resources in those communities to enable and empower community members to help themselves and their own communities.

On barriers to working, you say that there are problems with the devolution settlement. You must see that although the employment of asylum seekers is not directly within your sphere, it impacts on the employment possibilities of people post-asylum, when they have become refugees and need to deal with the legacy of their asylum experience. When someone has been forced into poverty and idleness for a year or two, and has lived in a deprived area where they face racial harassment every day, they feel uncomfortable leaving their house and cannot engage in the community. That impacts on employment and economic attainment when they become a refugee and enter temporary accommodation. They can find that there is not enough housing stock in the city because the city council did not think that asylum seekers would one day stop being asylum seekers and start being refugees whom they would have to take into account.

There are other areas that you could get involved in, one of which is the size of housing stock in the social housing sector, which is focused almost exclusively on small one and two-bedroom flats. Although that affects large families from all communities, it affects people from black and minority ethnic communities and refugee communities disproportionately. When people are forced into situations of chronic overcrowding, from which there is no possibility of escaping because no big houses are available—larger flats are not being built—that has obvious knock-on effects on their economic attainment. In respect of the fresh talent initiative, it means that people are stuck in temporary accommodation in Scotland,

whereas elsewhere in the UK they could live in a decent house and three or four children would not be forced to share a room as they are growing up. That is one matter that the committee could examine in order to improve those people's experience.

Mr Home Robertson: You have expressed understandably strong feelings about the quality of housing that is made available by public authorities. Have you done any work on the private sector housing provision for people from different communities? I do not know whether you were in attendance during our earlier discussions with the STUC. References were made to migrant workers who work in the food processing industry in different parts of Scotland. Have you had the opportunity to investigate private sector housing that is being provided for people who are doing such work? They may be employed by gang masters or agencies and may be using unregistered houses in multiple occupation and so on in different parts of Scotland. Have you done any work on that?

Robina Qureshi: We have received anecdotal evidence of chronic overcrowding where many single people, primarily men, live in a flat—perhaps 10 to a room—and do shifts either in a local factory or many miles away. Such accommodation is being supplied through the people who give them employment.

Mr Home Robertson: That is anecdotal evidence.

Robina Qureshi: It is very difficult to get more information because of the secrecy and the fact that people are unwilling to come forward.

Mr Home Robertson: That is the trouble, but it would be helpful if we could get a handle on the issue because there appears to be a lot of anecdotal evidence.

Robina Qureshi: There is a lot of anecdotal evidence, but people are scared. They are being handled by people whom they fear and their work and accommodation rely on those people, so it is understandable that they are unwilling to come forward.

We are also aware of families from Slovakia who have been subject to chronic overcrowding. We took up one case in Glasgow last week in which 70 people were living in three private rented flats. Families that were related had come over from Slovakia. They were looking for work—some family members were working and others were not—and were trying to maintain those flats.

Mr Home Robertson: It would be helpful for those of us who want to get to grips with such abuse if we could get some hard information. I appreciate that it is difficult for the individuals

concerned, but if pressure groups such as Positive Action in Housing, which work in the field, could help to obtain information and get it into the system in an appropriate way, it might be easier for the Scottish Executive, local authorities and other agencies to do something about the issue.

Mrs Ewing: I will follow up John Home Robertson's point. The private sector is significant. Legislation is currently before the Parliament on planning and housing. There has been a strong recommendation that there should be more powers to regulate private landlords. The conditions that you have described are probably well known to many of us from constituency cases. It might be helpful if you could examine the proposals in the legislation and provide the committee with written evidence in which you say what you would recommend.

Robina Qureshi: Okay.

The Convener: As there are no other questions, I thank you both for appearing before the committee today and for your contribution to our discussions, which we will reflect on in the course of our inquiry.

Pre and Post-council Scrutiny

15:14

The Convener: Item 2 on the agenda is the briefing paper on pre and post-council scrutiny and analysis of European Union decisions.

I ask members to turn to annex A of the briefing paper, which sets out a summary of the different papers that have or have not been received at this time. Would anyone like to comment?

Mrs Ewing: Phil Gallie is not here.

The Convener: In the absence of Mr Gallie, let me assume the mantle. On the pre-council agenda relating to the agriculture and fisheries council, there is the suggestion of possible political agreement on a new rural development regulation, which has an impact on less favoured areas. With no disrespect meant to the civil servants of Scotland, there is a typically civil service phrase in the paper that states:

"the proposed deferment on definition until 2008 may not be unhelpful."

I do not know whether that writing would pass the Plain English Campaign, but I think that I understand what it means.

Mr Home Robertson: It means that it may be helpful.

The Convener: Perhaps. I am not sure whether the Environment and Rural Development Committee has been involved in scrutiny of the issue, but I think that we should write to the Minister for Environment and Rural Development to ask for an update on where things stand immediately following the agriculture and fisheries council. That will be around the time of our next meeting.

Mr Home Robertson: Following on from the point that you have just raised, I would like to mention the reference to

"redefining 'intermediate' Less Favoured Areas."

That could be of enormous interest in Scotland. I have no idea—

Mrs Ewing: What it means.

Mr Home Robertson: I have no idea what it means, whether it has been defined or whether there are alternative definitions floating around. It might be useful to get some idea of what areas would be affected one way or another, because there may well be a number of marginal operations that employ people in fragile rural economies that could be quite severely affected by such changes. We need to be aware of that.

The Convener: That is my reason for raising the issue. Large parts of my constituency and the constituencies of Margaret Ewing and John Home Robertson will be affected, and perhaps other areas too. I know that negotiations have been going on and I have certainly talked to NFU Scotland about it, but we need a more detailed understanding of which way it is going to settle, and the explanation provided does not exactly give us an idea of that.

Mr Home Robertson: It sounds as if the rough grazing has been kicked into the long grass.

The Convener: It could be. We will get a response from the minister on that point.

Irene Oldfather: I would like to draw attention to the pre-council agenda for the general affairs and external relations council on 13 and 14 June. That will obviously be an important meeting, given that it will set the agenda for the European Council. We have only one meeting of the committee left before the recess, and I want to put on record the fact that it is important to have a timeous post-council report to consider at that committee meeting. Otherwise, we may well be out of date and will be finding out about the results of that council only in September. It would obviously be helpful if we had an indication at our meeting on 21 June as to exactly what was agreed and what was left outstanding to be continued into the UK presidency.

The Convener: You anticipate the far-sightedness of the convener and clerks of the committee. I have taken the liberty of inviting Tom McCabe to appear before the committee on 21 June to give us an update. My brief for today's meeting, which was written before yesterday's announcement, says that it will be an update on the European Union Bill, but we know what has happened to the European Union Bill. We would also like McCabe to update us on the outcome of the European Council meeting on 16 and 17 June, on the impact of the French and Dutch referenda, and on the UK presidency of the EU. We have yet to hear whether he is available to attend, but we hope to hear soon.

Mr Home Robertson: He could send the First Minister in his place.

The Convener: We will come on to that as well.

In the same vein, I have also extended an invitation on behalf of the committee to the new Westminster Minister for Europe, Douglas Alexander, either to appear before the committee or to provide input as an ambassador of the incoming presidency by making a presentation to Parliament. Mr Alexander is keen to undertake that but, due to overseas commitments in June, he will be unable to do so. In the circumstances, we can understand why he is spending so much of his

time in the air, but he is keen to do that in September.

There is an invitation for Tom McCabe to appear before the committee on 21 June, and I will obviously let members know if there is a positive reaction to that.

Sift

15:19

The Convener: Item 3 is the sift of European Community and European Union documents and draft legislation. The first document is a green paper on financial services policy for 2005-10. I have a sense of déjà vu, as such were the issues that kept me awake at night when I worked in the financial services sector all those years ago. The issues in the green paper are of relevance to us and to the Enterprise and Culture Committee, in relation to the creation of a liberalised financial services market. That will obviously have an enormous impact on the financial services sector in Scotland. A consultation exercise is now under way and we should encourage the Enterprise and Culture Committee to be involved in that. We should also perhaps make Scottish Financial Enterprise aware of the issue. I am sure that it will know the relevance of it, but it would not do any harm to draw the matter to its attention.

There are also two papers relating to an EU drugs action plan for 2005-08, which is relevant to the Health Committee and the justice committees. We will refer those papers to those committees.

The final paper is a communication from the Commission to the Council and the European Parliament, setting out the Commission's 10 priorities over the next five years in the areas of freedom, security and justice under the Hague multiannual programme. That is of relevance to the justice committees and we will pass it to them.

Convener's Report

15:21

The Convener: Item 4 is my report, which contains two items. The first is an exchange of correspondence between me and the principal private secretary to the First Minister, intimating that the First Minister advises that Tom McCabe will appear before the committee in relation to our inquiry on the fresh talent initiative. I am somewhat disappointed that Mr McConnell has decided not to appear before us on an issue that has his personal imprimatur all over it.

Dennis Canavan: Has Mr McConnell ever appeared before any committee of the Parliament since he became First Minister?

The Convener: No.

Dennis Canavan: Never?

The Convener: No. I made an inquiry about the possibility of the First Minister appearing in front of a committee of conveners, just as the Prime Minister appears before the Liaison Committee of the House of Commons to have a general run around the houses a couple of times a year. I was surprised to find that, when that proposal was put to the Conveners Group—before I became the convener of this committee—it was rejected. I am advised that the First Minister was prepared to appear before the Conveners Group, so I may take the matter up with the group again. On an issue such as the fresh talent initiative, however, it would be beneficial to hear from the First Minister.

Mr Home Robertson: I quite understand that it is right that the relevant minister should be the first port of call for any committee. Equally, I quite like your suggestion that the First Minister could usefully appear before the Conveners Group.

Irene Oldfather: The danger is that the First Minister technically has responsibility for everything and so every committee of the Parliament could issue invitations to him. That is what ministerial portfolios are for. Personally, I do not have a problem with that.

Mrs Ewing: We can acknowledge that the First Minister has all those responsibilities, but he has made the fresh talent initiative a personal issue and we are conducting an inquiry into the initiative. We have already heard a lot of evidence and we have a lot of evidence to read. I think that we should be quite firm and should ask again that he come before us—in a private session, if necessary—so that we can pursue some of the points that we have picked up in our investigation.

Dennis Canavan: Convener, it is interesting that although you wrote to the First Minister, the

First Minister did not reply to you, but got his principal private secretary to reply to the clerk.

The Convener: I had noticed that point and was irritated by it.

Mrs Ewing: The PPS cannot even spell “convener” properly.

Dennis Canavan: Yes—he spelled it wrongly.

To say the least, the fact that the First Minister did not respond personally is a breach of parliamentary protocol. However, a more important point is that the First Minister has taken a great personal interest in the fresh talent initiative, which has been described by the media and others as one of his flagship policies—the policy was his idea and his stamp is on it. I agree with Margaret Ewing that we should pursue the matter and see whether we can persuade him to come before our committee.

I am not sure that a private session would be in order, given that there is nothing confidential about the fresh talent initiative. The First Minister has shown great leadership on the matter and I, for one, strongly support the initiative. It is not as if we are going to give him a hard time. We might want to ask some difficult questions, but I would hope that the meeting would not be confrontational. Perhaps if the convener and other members who have greater influence with the First Minister had a personal word with him, he might be persuaded to appear before us.

The Convener: On the subject of members who have influence with the First Minister, I see that Mr Home Robertson wishes to comment.

Mr Home Robertson: If only.

There is a bit of humbug going around. It is entirely appropriate that we should take evidence in the first place from the relevant Cabinet minister. After that, if an issue is outstanding on which it might seem relevant to go back to the First Minister, that is the time to think about doing so. I can understand why the First Minister is reluctant to set a precedent by coming to the committee early in the process, when he has a perfectly competent Cabinet minister who takes responsibility for the issue.

Dennis Canavan: Competent?

Mr Home Robertson: Yes. That is Mr McCabe.

Irene Oldfather: Mr Canavan rightly mentioned that the First Minister has taken a personal interest in the fresh talent initiative, but he has also taken a personal interest in a raft of other issues, such as sectarianism, Malawi, the G8 summit and legislation on passive smoking. However, the ministers who have responsibility for those issues should give evidence to committees first. I agree with John Home Robertson that, if there are

outstanding issues that cannot be resolved with the minister, it would be fair enough to ask the First Minister to give evidence. We have written to the First Minister and we have an indication that the minister with the relevant portfolio responsibility is willing to come to the committee. I am happy to accept that.

Mrs Ewing: I agree that Jack McConnell has pinned his flag to many policies, but, in contrast to passive smoking and other issues, the fresh talent initiative is about growing the Scottish economy, which is part of what our investigation is about. There should be flexibility in the First Minister's office to allow him to come along and talk directly about the initiative. We have asked a few questions in the chamber and there is the occasional small debate on the issue, but given that the First Minister has made the initiative a flagship policy, he should come along and talk to us openly, as Dennis Canavan says, about how he sees it progressing.

One difficulty that I have is that we have received conflicting views from many organisations that have given evidence about how they think the initiative will work out, which is why we must get back to the First Minister's office and ensure that he comes to the committee. He can pick and choose with other committee requests—he does not need to set a precedent. Anyway, as far as I understand it, precedents do not exist in Scottish law.

The Convener: I will draw the matter to a conclusion, although it is obvious that we have a divergence of views that we will have to resolve. However, I will make a point that I feel is significant and which shows why it is important that the First Minister should come to the committee. When the fresh talent initiative was announced to the Parliament, the First Minister delivered the statement, but when the ban on smoking in public places was announced to the Parliament, the Minister for Health and Community Care delivered the statement. That shows a big distinction in the First Minister's degree of involvement in a policy. The First Minister has—appropriately—made statements on only a handful of issues, such as the programme for government, for which he is responsible. He made no statement about antisocial behaviour.

15:30

Irene Oldfather: He made a statement on Malawi.

The Convener: He made a statement about Malawi, which is important. It would have been ridiculous if Tom McCabe had made a statement on the First Minister's behalf about his trip to Malawi, because the First Minister made the trip

there. If it is appropriate for the First Minister to make a parliamentary statement, a substantial point arises about what he chooses to advance as his principal concerns, for which he should be accountable to committees. The invitation was offered to him utterly constructively on the committee's behalf. I am disappointed by the way in which his office has handled it. I am anxious to close on the point and to move to a decision. We have divergent views.

Dennis Canavan: My final point is that Tom McCabe might not be able to answer detailed questions on aspects that fall outside his ministerial responsibilities. For example, we heard complaints about housing matters today. We have also heard evidence about employment matters. Interdepartmental responsibility throughout the entire Executive is involved and the head of the Executive is the First Minister.

The Convener: We have had an exchange of views. There is a proposal that the First Minister be invited again to appear and an alternative view. We can only vote on those positions.

Irene Oldfather: Before we vote, I suggest that a constructive way forward exists. We can have a session with the minister with the relevant responsibility—Tom McCabe—following which we can take a further sounding if we feel that he has not appropriately answered questions. I would like us to do that.

If we vote, it will be the first time that the committee has voted in about two years. If a constructive way forward exists, I would prefer to take it. I am not saying that I would not be willing to reconsider the matter after hearing from Mr McCabe, but I would prefer to proceed constructively.

Mr Alasdair Morrison (Western Isles) (Lab): No one is trying to underplay the importance of the initiative or the First Minister's role in it. The one point that we can be certain about is that the fresh talent initiative's success is not contingent on whether Jack McConnell appears before the committee. What is important for our inquiry is having available to us the best information to allow us to pull together a coherent and cogent report that makes all the necessary recommendations and observations.

I agree with Irene Oldfather. In the unlikely event that Tom McCabe was not on top of his brief or could not respond to our satisfaction on all the issues that witnesses have raised and the concerns and matters of delicacy that members have about fresh talent, I would happily endorse the position that was just outlined of inviting the First Minister to clarify or expand on the points.

I appreciate why people want to hear from the First Minister about the initiative, which is hugely

important to all parts of Scotland. However, we must all appreciate that the fresh talent initiative's success is not contingent on whether Mr McConnell sits at the witness end of the table.

Gordon Jackson: I will finally express a view. I say openly that I have some regret that the First Minister has said that he will not appear. I am not over the moon about that. I accept totally Irene Oldfather's point that individual ministers deal with individual matters, but the convener makes the legitimate point that one or two issues are slightly different. I do not know whether the First Minister has thought the matter through. It is slightly regrettable that he will not come to the committee to deal with the initiative.

Having said that, I am not all that minded to make a huge confrontation out of the matter. I would go along with the idea of letting the minister who deals with the fresh talent initiative come. That would leave it open to us to ask the First Minister again, although we should make it clear that we would have preferred him to have come in the first place and that there is a degree of regret among committee members that he is not coming.

The Convener: I sense that the committee is minded to follow the route that Irene Oldfather suggested, which I very much regret, because we will not establish the correct and appropriate channels of parliamentary communication if we do not stipulate the way in which we want to pursue a particular issue and allow ministers to pick and choose when and how they wish to do so. If the committee is minded to move in that direction, we will hear from Mr McCabe but reserve the right to hear from the First Minister at a later stage. We will also express our regret that the First Minister has not acceded to our request to come to the committee.

Mrs Ewing: Convener—

The Convener: No, I am closing the discussion.

Mrs Ewing: I just want to make it a bit tighter.

The Convener: We will hear from Mr McCabe as part of our inquiry and, if we are dissatisfied with the evidence that he has to present, we will reiterate our invitation to the First Minister. We will also express our regret at the fact that the First Minister has not accepted our invitation.

The second item of my report concerns a letter from Alyn Smith MEP, who was a substitute member of the European Parliament's Temporary Committee on Policy Challenges and Budgetary Means of the Enlarged Union 2007-2013. As committee members will recall, the financial framework for the European budget 2007-2013 predominated during our visit to Brussels earlier this year. Alyn Smith's letter is effectively a covering letter for a report prepared by Mr Böge—

whom we met when we were in Brussels—charting a compromise position of an EU budget that is 1.07 per cent of EU gross national income. The letter also contains some caveats around that. I understand that the European Parliament will discuss and vote on the issue tomorrow. Does any committee member want to raise any points on that report?

Irene Oldfather: The report is obviously complicated and contains a considerable amount of information. Without having been party to all the detailed discussions that have resulted in the compromises that have been proposed in the report, I find it a little difficult to comment on it. Moreover, the political groups in the Parliament have not yet taken firm decisions on the report. I welcome parts of it, feel that I could use further clarification on others and am not entirely happy with others, so I find it difficult to give the report a blanket endorsement, although I recognise the amount of work that Mr Böge has put into trying to find a compromise. I will be interested to see what happens over the next week, because I imagine that further negotiations and discussion will take place today and tomorrow.

The Convener: The report obviously helps to inform the committee's background deliberations. We will watch the matter with interest in the next few days. The issue will obviously spill over into the European Council meeting and, if Mr McCabe is able to appear before us on 21 June, we will hear further updates on it.

Irene Oldfather: Through the meetings of the European members information and liaison exchange network, we have encouraged a team Scotland approach on the matter. Therefore, I assume that all our Scottish MEPs are getting together to discuss the report and to ensure that we have a team Scotland approach to it.

The Convener: I am sure that there will be some dialogue in that respect.

As there are no other points on that matter, I close the meeting. We meet again on 21 June.

Meeting closed at 15:39.

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