

PUBLIC PETITIONS COMMITTEE

Wednesday 3 September 2003
(*Morning*)

Session 2

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PUBLIC PETITIONS COMMITTEE

3rd Meeting 2003, Session 2

CONVENER

Michael McMahon (Hamilton North and Bellshill) (Lab)

DEPUTY CONVENER

*John Scott (Ayr) (Con)

COMMITTEE MEMBERS

*Jackie Baillie (Dumbarton) (Lab)

*Helen Eadie (Dunfermline East) (Lab)

*Linda Fabiani (Central Scotland) (SNP)

Carolyn Leckie (Central Scotland) (SSP)

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

*Mike Watson (Glasgow Cathcart) (Lab)

*Ms Sandra White (Glasgow) (SNP)

*attended

THE FOLLOWING ALSO ATTENDED:

Frances Curran (West of Scotland) (SSP)

Mr David Davidson (North East Scotland) (Con)

Mike Rumbles (West Aberdeenshire and Kincardine) (LD)

THE FOLLOWING GAVE EVIDENCE:

Norman Banski

Janice Hill (Overload Network)

James Mackie (Overload Network)

CLERK TO THE COMMITTEE

Steve Farrell

ASSISTANT CLERK

Joanne Clinton

LOCATION

The Chamber

Scottish Parliament

Public Petitions Committee

Wednesday 3 September 2003

(Morning)

[THE DEPUTY CONVENER *opened the meeting at 10:26*]

New Petitions

The Deputy Convener (John Scott): Let us make a start on the third meeting of the Public Petitions Committee in the second session of the Scottish Parliament. I apologise to the committee, petitioners and members of the public for the late start. Sadly, Michael McMahon is unable to come this morning; he wishes his apologies to be recorded. I also welcome Frances Curran, who is attending the committee in place of Carolyn Leckie who is unable to attend today's meeting. We will bash on.

Rail Network (Local Railway Stations) (PE629)

The Deputy Convener: Although our first new petition this morning is PE618, the petitioner is not yet here. Therefore, I suggest that we move straight on to consideration of petition PE629.

PE629, which was submitted by Mr Norman Banski, calls on the Scottish Parliament to take all possible steps to facilitate the reopening of suitable local railway stations across Scotland, such as that at Laurencekirk, to improve access to the rail network and encourage the use of public transport.

Welcome to the committee, Mr Banski. You have three minutes in which to make an opening statement of your case. I also welcome my colleagues David Davidson and Mike Rumbles, who have come to support the petition.

Norman Banski: Thank you. I will use Laurencekirk as an example throughout my statement on the petition.

In 1993, a group of people in the Laurencekirk area began to look at regenerating the local area and economy in order to sustain the population. A good and reliable transport system that included public transport was identified as a key element of our strategy. At an early stage in our discussions, we agreed that it was essential to have an integrated public transport system, which is a view that seems to be echoed throughout Scotland, particularly in the north-east.

To assess the attitude of the population towards a rail connection, we commissioned a postal survey of Laurencekirk that targeted 2,500 households. We had a 20 per cent return, which is a sound sample of the population. Only one response out of 500 was negative, which gave us a 99.8 per cent positive attitude. In turn, that indicated support for our opinion that there is a need for an economically viable transport system.

In the case of Laurencekirk, revenue in 1993 would have been £3,500 per annum, which we felt would more than justify a station. We also felt that the position would be similar throughout the north-east of Scotland. We were able to canvass the local bus companies for backing in providing the supporting services that would integrate the whole system. We also approached European, national and local government representatives and received unanimous support from all levels of government and people of all political persuasions. That support has not ebbed but has continued unabated throughout the past 10 years.

10:30

Encouraged by the viability of our argument, we approached the operating company and hope that it takes on board the clear wish of the local population.

Laurencekirk station was closed in 1968, but most of its infrastructure is in existence—so much so that English Welsh & Scottish Railway still uses the station for goods and other facilities. Relatively minor work would be required on the site. The land remains in the ownership of Network Rail for platform purposes and Aberdeenshire Council has allocated ground within its local structure plan for parking. We have assessed the building costs on a local basis to be around £500,000, even taking into account health and safety constraints, although we cannot be absolutely certain that that cost will not increase. Plans have been prepared by an architect and the former chief of a railway company whom we consulted felt that our proposal had a proper basis.

Recently, a successful meeting was held in Laurencekirk and attracted cross-party support and a positive response. I stress that the petition before the committee represents the feelings of 20 per cent of the local population and includes signatures of people from Angus.

Our proposal is viable and would help to reduce the pressure on the overloaded road system in north-east Scotland. It is environmentally friendly and, in keeping with the policy of the north-east Scotland transport partnership—NESTRANS—we would be taking cars off the roads and relieving the pressure on Aberdeen. I ask the committee to support the petition and, if possible, to refer it to the Local Government and Transport Committee.

The Deputy Convener: Thank you for making such a clear presentation. I invite David Davidson to make a comment in support of the petition.

Mr David Davidson (North East Scotland) (Con): The important point is that made by Mr Banski at the end of his presentation: the petition should be sent to the Local Government and Transport Committee.

The public meeting that Mr Banski referred to was called by me, but I was anxious that we should secure cross-party support. In that regard, I was pleased that Mike Rumbles and Brian Adam, among others, attended the meeting. I assure the committee that party politics are not involved in this issue and that the council is keen to play its part.

I remind members of the example of Camelon station, on the Stirling to Edinburgh route, which was constructed by the regional council before local government reorganisation. It satisfied the needs of a large area and sucked in more commuters going to Edinburgh than people realised. The reopening of the Laurencekirk station would satisfy a similarly great need for the Mearns, providing transport into and out of Aberdeen and, to the south, Montrose, Arbroath and so on.

The Aberdeen crossrail project, which is being explored at the moment, starts at Stonehaven, which is the next station to Laurencekirk, crosses Aberdeen and goes up to Inverurie. I have discussed with ministers the need to start that project at Laurencekirk because of the large number of people in the Mearns who could use the station to access education, recreation and employment. Further, the station would get people off the A90, which not only gets clogged with traffic when it reaches Aberdeen but is becoming one of Scotland's death traps.

The project would be particularly welcomed by those who do not drive, disabled people and so on and fits in well with the stated policy of the Scottish Executive. The question is one of getting the Parliament to decide whether it can push the Executive to get involved in the project. The issue is not purely social—it is part and parcel of the effort to get people off a dangerous road—but it would give access to opportunities to many people over a large area. At the public meeting that was held, I was staggered to hear how far people were willing to travel to support the station if it were reopened.

The Deputy Convener: I ask Mr Rumbles, who is the MSP for West Aberdeenshire and Kincardine, to say his piece.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): As Norman Banski made clear, the campaign is of long standing. It is interesting to

note that it is of such long standing that Nicol Stephen was involved in it when he was the Westminster MP for Kincardine and Deeside. He is now the Minister for Transport and will decide on various transport issues. Does Norman Banski feel that it would help if the petition were referred to the Scottish Executive and the minister, so that he would be made aware of the petition and the strength of local feeling formally? That would be in addition to the informal representations that have been made.

Norman Banski: It is essential that the campaign is taken to that level. Mr Stephen is aware of the campaign, but it would do no harm to refresh his memory. The proposition is eco-friendly and sound.

The Deputy Convener: We will ask questions later. I ask Mike Rumbles to make his statement now.

Mike Rumbles: I am sorry; I thought that I was following the procedure. I did not know that I could speak to the committee.

The proposal fits in with the Scottish Executive's economic strategy. It is supported by Aberdeenshire Council and has cross-party support. More important, it is supported by the local people who would use the station. Laurencekirk station provides an example of what happens elsewhere in Scotland. Trains already stop at Laurencekirk, but they do not take passengers because the station is unfit for passengers, so investment is needed.

A suitable opportunity has arisen, because the ScotRail franchise is due for renewal, and three companies are involved in making bids. When the minister decides on the ScotRail franchise, that will present a tremendous opportunity not only for Laurencekirk, but for other stations throughout Scotland. We are using Laurencekirk as an example of how the rail network could be boosted throughout Scotland. That is the important point.

Jackie Baillie (Dumbarton) (Lab): Mr Banski, in listening to you and others, it struck me that the proposal is supported by Aberdeenshire Council and by the Executive, although it is right to say that the issue is a local transport matter and needs to be resolved locally. Given all that support—including that of your constituency MSP, Mike Rumbles, and of David Davidson—what is the obstacle? Where does the logjam occur?

Norman Banski: The obstacle is in convincing the operating companies. Questions are asked about the effect on the travel time between Aberdeen and Glasgow or, primarily, between Aberdeen and Edinburgh. We estimate that it would take two to four minutes to stop a train at Laurencekirk, which should not affect the two-hour journey from Aberdeen to Edinburgh. The

operating companies make a major argument about the journey time.

We have answered the viability question. One company has said that, even marginally, the proposal would be viable, if not more than that now that the population has grown. The primary question relates to timetabling.

Linda Fabiani (Central Scotland) (SNP): The petition raises two clear issues: the reopening of Laurencekirk station and the reopening of suitable railway stations throughout Scotland. Should the Local Government and Transport Committee take up the wider issue of railway facility use?

Norman Banski: Undoubtedly it should. In listening to morning radio programmes, for example, we hear about hold-ups on the road network at Admiralty on the way into Edinburgh or on the A90 between Aberdeen and Stonehaven or between Aberdeen and Ellon. The horrendous hold-ups are primarily round the conurbations. I respectfully submit that that nettle must be grasped. We must have a properly integrated public transport system.

Helen Eadie (Dunfermline East) (Lab): I, too, am pleased to welcome you to the meeting, Mr Banski. I am interested in the point that Jackie Baillie raised about the obstacles that you face. I am aware of the example of Camelon station and Dalgety Bay, which is in my constituency, was only the second new railway station to be opened in Scotland for many years—[*Interruption.*]

The Deputy Convener: We will pause for a minute because that microphone noise indicates that somebody must have a mobile phone switched on. Could everybody please ensure that their mobiles are switched off?

Helen Eadie: I know that you have political support from the local level to the national. As Jackie Baillie said, the matter is clearly one for your action group and your local council. Has your group visited the powers that be in the Camelon area, the central region and the Falkirk and Fife areas to assess how they went about achieving the establishment of their railway stations? My understanding is that Camelon and Dalgety Bay stations were established with help from the then Scottish Office in the days of challenge fund bids. I think that the public transport fund is now the means for achieving the aim of establishing a new station.

Norman Banski: Of the two stations to which you referred, we considered Dalgety Bay in particular, which I think cost about £1.8 million. That station was built on a greenfield site through land acquisition, whereas we have no land acquisition to worry about. However, we did not dismiss the Dalgety Bay example and in conjunction with NESTRANS we have been

exploring several aspects of that example. It was suggested that the cost of that station might put us off considering a similar station. We have not considered the example of Camelon station.

Helen Eadie: I am interested in your views on disability access. One reason why Dalgety Bay station was so expensive is that politicians insisted on the station having disability access. Do you plan to insist on such access for Laurencekirk?

Norman Banski: We have included disability access within the architect's plans. There will be long ramps on both sides of the station. We do not need to build a bridge over the railway because there is already a road bridge and from it both sides of the railway line could be accessed via long ramps.

John Farquhar Munro (Ross, Skye and Inverness West) (LD): As we have heard, there seems to be a tremendous amount of support locally and from the Executive for the proposal to open a station at Laurencekirk, so it is surprising that it has not happened. Are you aware of any competing interests at other stations in the north-east rail network that might be exercising the local authority's mind and which could explain why it has not moved on Laurencekirk?

Norman Banski: Yes. The crossrail system from Stonehaven to Inverurie, which David Davidson referred to, has been occupying Aberdeenshire Council's mind. However, it recently agreed that a station at Laurencekirk should be attached to the end of the NESTRANS system to create what I would like to call a metro-style system for the north-east, to provide commutability to Aberdeen for the south Mearns. I do not think that that proposal challenges Montrose, so it is not an issue for Angus Council.

I think that Aberdeenshire Council has now recognised the importance of attaching Laurencekirk to the wider picture. Some council officials were already aware of that and supported the proposal. It seems that the council initially regarded Laurencekirk as an isolated project, whereas we always felt that it should be part of the bigger picture and provide commuting not only to the north, but south to Dundee, if possible.

Mike Watson (Glasgow Cathcart) (Lab): You said that the estimated cost would be £500,000. What would that be for and from where would the money be found?

I can see the benefits of Laurencekirk as a commuter station, but what about places such as Inverbervie? Is the plan that people should travel from Inverbervie to Laurencekirk by car and leave their car there? Other towns nearby might want their station to be opened too.

I understand the rail operating companies' argument about train times from Aberdeen to

Dundee or Edinburgh. Could Laurencekirk be treated in the same way as Portlethen, which is mainly a commuter station, which means that not all trains stop there?

10:45

Norman Banski: About two years ago, we estimated that the plain building costs to reinstate the station platforms and buildings—which are now listed—would have been around £130,000. However, if we take into account the restrictions—perhaps constrictions is a better word—and the health and safety issues, which necessitate the work being done at nights and at weekends, the cost would be roughly trebled. It is fair to say that the cost would be nearer £500,000.

At the last estimate, the Aberdeen crossrail system is likely to cost around £9.5 million, which includes laying track and opening a station at Kintore. Our budget is less than 10 per cent of that amount, so it would not be difficult for our project to receive funding help from that project, although we would obviously have to try to find funding elsewhere. Some developers in the area are willing to contribute—one person suggested that he might be prepared to give £50,000, which would be a good start for any project.

People who have been canvassed, and others who have come forward without needing to be persuaded, from Edzell, Brechin, Inverbervie and north Angus—although, as I keep stressing, not Montrose—are adamant that they would use the station. Local bus companies have said that they would be prepared to consider running commuter bus routes to serve the station. I see Laurencekirk as the hub of a wheel that comprises the surrounding villages.

Ms Sandra White (Glasgow) (SNP): You have already touched on two of the issues that I intended to ask about. The station would be part of an integrated transport system and would bring economic benefits and regeneration. Do you have a projected figure for the number of passengers who would use the station if it were to be reopened?

Norman Banski: The issue seems to hinge around the figure of 20 per cent of the population. There is a definite will among the people. Laurencekirk is due to expand by another 200 houses in the near future. A figure of 10 passengers per stop has been mentioned as a break-even point, but I envisage far higher numbers than that. I am sorry if that is vague, but it is the best I can do.

Mr Davidson: Around eight years ago, Aberdeenshire Council commissioned a student survey on the issue. The information from that survey indicated the level of support for the project

at that time. I am sure that support has magnified because of the increase in housing and the fact that people are now much more mobile.

The Deputy Convener: If you would be so kind, perhaps you could make that information available to the committee.

Mr Davidson: Certainly.

The Deputy Convener: We must now decide what to do with the petition from Mr Banski.

Helen Eadie: At one stage or another, the entire Parliament has supported the principle of increasing the number of railway stations in Scotland. Even Nicol Stephen, Lewis Macdonald and various other ministers have said on the record that they want to extend the railway system.

Perhaps we should write to Aberdeenshire Council, asking for its views. Mike Rumbles, the local constituency member, has already spoken to Aberdeenshire Council about the issue. We could also ask the Strategic Rail Authority for its thoughts on ways of ensuring that we get a bigger uptake of the service following the reopening of old railway stations. In Fife, the uptake among the travelling public has increased by 30 per cent. At one stage, our campaign was threatened by the powers that be—the rail operating company, which was Railtrack at that stage—which said that we would have to pay the cost of pulling down a train station in five years' time if it did not succeed. Now the stations cannot cope with the increased demand.

I wish the petition well, as do other members, and I hope that we can support the petitioner in his campaign.

Linda Fabiani: We should also ask the Local Government and Transport Committee to consider the wider issue separately from the Laurencekirk issue.

The Deputy Convener: The clerk has suggested that we refer the petition to the Local Government and Transport Committee for its information. That committee might perhaps consider the general issue later.

Jackie Baillie: I would be happy with that approach. Without asking the Scottish Executive to do something, as it is not within its power to do anything about this, we might also send a gentle reminder to the Minister for Transport that the petition is still around, as the petitioner has specifically requested that.

The Deputy Convener: Are committee members happy with those suggestions?

Members indicated agreement.

The Deputy Convener: Thank you very much for attending the meeting, Mr Banski. We wish you

a safe journey back to Aberdeen. I also thank David Davidson and Mike Rumbles for their attendance.

NHS Prescribed Drugs (Effects on Children) (PE631, PE638, PE639 and PE640)

The Deputy Convener: We will now consider PE631, PE638, PE639 and PE640. The petitioner is James Mackie, on behalf of Overload Network. He is accompanied by Janice Hill, the director of Overload Network.

Welcome to the Public Petitions Committee, Mr Mackie. We are trying to keep discussion with petitioners to 15 minutes per petition, but as we are discussing four linked petitions we may have to take a little longer. We normally ask petitioners to speak for only three minutes in introduction, but we will give you some latitude as you are speaking to four petitions. Nevertheless, your presentation will be limited to six minutes. We would be grateful if you could explain the petitions.

James Mackie (Overload Network): Thank you for giving us this opportunity to address the committee. Some members know me already, through my support of other petitions on psychiatric services and treatment. Janice Hill is the founder member and managing director of Overload Network, a United Kingdom charity that is based in Edinburgh. Overload is an independent, non-profit-making organisation now in its 20th year. Its role is to provide information to parents so that they can make informed choices when deciding on action to help children who have learning difficulties and/or behavioural problems.

In recent years, an increasing number of parents have expressed alarm at the rising use of prescribed psychiatric drugs for children as young as two and a half. In the 18 months to April 2000, Overload received 28,000 inquiries from parents and professionals seeking documented scientific data on the effects of such medications and asking for information on safe alternatives. That trend has continued unabated.

A considerable number of inquiries are from parents who are concerned about the short-term and long-term unwanted effects of those prescribed drugs. In partnership with the University of Teesside in Middlesbrough, Overload has set up a clinic to help children safely to withdraw from prescribed psychotropic drugs.

Like parents, we and our team of professional consultants are concerned that children as young as two have been prescribed powerful antipsychotic drugs, often for conditions for which there is no definitive medical or biological test. Hazardous effects are associated with such drugs including, in some cases, permanent brain

damage, restricted growth, permanent physical disabilities and, in the worst cases, death.

Of particular concern to us is the fact that parents report that they are not informed of those risks. That undermines the principles of informed choice and consent. The medical literature notes that a considerable percentage of children do not benefit from medication with psychotropic drugs. Many parents do not want to use such medication and some children simply cannot tolerate it. Withdrawal effects are common, yet there are no services in Scotland for safe withdrawal from the drugs.

Many factors can influence child behaviour. Where parents have been given access to standard basic medical tests for their children, it has been found that a majority of children with intractable behavioural problems suffer from underlying physical problems, such as nutritional deficiency or difficulty in metabolising some dietary factor.

The extent of the information deficit on the potential hazards of medication and the availability of safe alternatives is indicated by the fact that Overload has been approached for factual information by parents, teachers, social services and even medical practitioners. Recent major medical journals have expressed concern about the distorting influence on medical practice of studies and campaigns sponsored by the pharmaceutical industry. That highlights the need for an information service that is independent of those influences. It is reported that insurance companies might refuse life insurance to individuals who have been prescribed such drugs and that the use of those drugs might restrict future employment opportunities in the Army, police and other professions. In our experience, the provision of such information is being left to individuals and voluntary groups.

The Deputy Convener: Thank you, Mr Mackie. That was wonderfully short. I will now open up the meeting to questions from committee members.

Ms White: Like most MSPs, I have been involved in children's health issues throughout Scotland and so I read your report with interest. You said that there were 28,000 phone calls to your agency. Were those calls from people throughout the UK or just Scotland? You also said that parents are not properly informed about the side effects and long-term effects of the drugs. Are parents given counselling when they are told to put their children on such drugs? Are they offered any alternative medication?

I worry that the increase in the number of children who are being put on the drugs is similar to what happened to women many years ago when they went to their doctors with depression.

They were just prescribed Valium and we are now seeing the effects on them of being prescribed that drug for many years.

The Deputy Convener: Either or both of you can answer the question, if you like.

Janice Hill (Overload Network): As Overload Network is a UK national agency, the figure of 28,000 is based on national figures. However, for Scotland, we have an approximate figure of 15,000 inquiries. There seems to be a lack of disclosure. Parents receive only selective information after a child is diagnosed with attention deficit hyperactivity disorder. If that happens, how can parents give their full consent to the use of drugs?

Could you repeat your third question?

Ms White: Are parents offered any form of alternative medicine or treatment for their children?

Janice Hill: Although the guidelines stipulate that medication should be used only as a last resort, our data suggest that medication is being used as the first approach. Medication should be used as part of a package; after all, other treatments can be used with it. However, because there are major deficiencies in the system, especially in relation to psychologists, most children are left to take the medication without any further input.

11:00

James Mackie: Everyone knows the problems that Valium caused 20 or 30 years ago. However, I have found that many general practitioners are still prescribing the drug without providing any follow-on support. Certainly there is no acceptance within psychiatric services that Valium causes major addiction problems and therefore no programme or procedure to help people to withdraw from it. We have also had similar findings for Ritalin and some other medications.

We have a copy of the Scottish intercollegiate guidelines network—SIGN—guidelines that are issued to professionals. If members get a chance to read through them, they will find that, unfortunately, everything directs the physician to prescribe medication instead of considering other methods of dealing with the problem.

Linda Fabiani: I have two specific questions on two of the petitions. In PE638, on the prescribing of vitamin supplements by the national health service, you say that certain vitamin supplements should be prescribed to help children with a nutritional imbalance caused by an addiction to prescribed drugs. How does that situation currently stand?

My second question relates to PE640, which concerns the prescribing of neuroleptic and similar drugs to children. What would be the alternative to prescribing such drugs to children with disorders such as ADHD? Do you think that mineral or vitamin supplements, homoeopathic remedies or other treatment that is sometimes referred to as "alternative" could be used instead?

Janice Hill: Many alternatives are available. Indeed, we have more than 200 pedigrees in psychotherapy. However, most children do not get access to psychotherapy or counselling, or even access to standard medical tests before they are prescribed psychiatric drugs. As a result, a large proportion of children have eyesight and hearing problems.

Many factors such as poverty, divorce and overcrowded classrooms can influence child behaviour. There cannot possibly be a one-pill-for-all solution. Looking at the child as an individual and tailoring an individual programme to suit them—not necessarily the parents or education departments—has proved a successful approach.

Linda Fabiani: What about the current position with doctors prescribing supplements to children to treat nutritional deficiency?

Janice Hill: An abundance of safe alternatives has become available over the past 50 years. For instance, many children who have been diagnosed with ADHD have an inborn error caused by kryptopyrrole, which has an affinity for and strips children of vitamin B6 and zinc. Zinc is important in more than 200 enzymes, including those in the brain; vitamin B6 is important in the production of serotonin. As those children cannot make serotonin, they have major problems with neurotransmitters. With a simple, non-invasive urine test—which is available only in the private sector and costs parents £12—we can find one of the root causes of the problem. Most of the children who come to Overload do not have just one or two nutritional deficiencies, but might have five or six things going wrong.

Linda Fabiani: Your petition calls for doctors to be able to prescribe such supplements through the NHS. Is it your understanding that they are not allowed to do so at the moment?

James Mackie: As Janice Hill said, 98 per cent of clients who come through our system and work with our consultants end up on a nutritional programme that is based partly on diet and partly on supplements. Our understanding is that, under the forthcoming European directive on supplements, many supplements will no longer be available. On top of that, many children require omega 3 fish oil capsules, which play an important role in their diet. Parents are finding that a GP can prescribe omega 3 to a mother if she complains

about having tender breasts but cannot prescribe the same product to her child. A GP has the power to prescribe amphetamines to children, yet the Executive is saying to children that they should not take amphetamines on the street because they are bad for them.

Linda Fabiani: So you are saying that, at the moment, GPs are prescribing nutritional supplements.

Janice Hill: The problem is that few GPs have training in the use of vitamins, nutrients and amino acids. They receive an average of four hours' training; only if they have a particular interest will they take that training further.

James Mackie: In the second part of your question, you referred to the prescribing of drugs such as Ritalin to children under six. Currently, no such medication has a marketing authorisation to be given to a child under six. The youngest age for Ritalin is six. We are finding with GPs and, more commonly, psychiatrists that, once a drug has a marketing authorisation, a GP or prescribing physician has the power to prescribe it for anything that they want and not only for what it says in the marketing authorisation. We have found that children as young as two are regularly being prescribed drugs, and Ritalin in particular. Ritalin is an amphetamine and we all know what the street use of speed does. In the past two or three months, the UK Government has decided to enforce a ban on the use of Seroxat outwith the label recommendations. Our experience has shown that drugs are not the only route to go down. Other avenues should be explored long before a child of two is prescribed amphetamines, which will have a major impact on that individual for the rest of their days.

Helen Eadie: I have two questions. First, are you aware of any guidelines that are issued to GPs on the prescribing of vitamins and minerals? Secondly, much of the evidence is anecdotal, so can you cite any national reports that provide evidence of the issues that you raise?

Janice Hill: I would not know where to start. We have an abundance of data. I am sure that a study was carried out in England to consider the benefits of vitamins and nutrients and the link to juvenile crime and delinquency.

Helen Eadie: Was a report issued last month about the use of vitamins and minerals in prisons?

Janice Hill: I am not fully up to date. I believe that, in England, Bernard Gesh carried out a study on vitamins and nutrients in young offenders and in relation to juvenile crime and delinquency; I think that he will also be working with Polmont young offenders. There is an abundance of evidence on the benefits of vitamins, minerals and amino acids to children.

James Mackie: I could forward you a copy of the report that was carried out in an English prison where, through the control of nutrition and diet, violence was reduced by almost 30 per cent. One of our consultants is a retired police officer. When he was in charge of the Shipley subdivision in Yorkshire, he did a lot of work with juvenile offenders. Following on from the work that Overload is doing, we know that, if the diet of young offenders is assessed, crime can be cut almost completely.

One of the problems that we have come across with the SIGN guidelines is that the officials and the scientific officer look at only a narrow range of published journals for papers on a subject. Unfortunately, the majority of papers that are published on nutrition and its effect on behaviour are not in the medical journals and so tend to be overlooked. If necessary, we can provide you with references through one of our consultants, who is an NHS clinical neurological psychologist.

Janice Hill: One study—a crossover double-blind trial—was carried out in psychiatry just over 20 years ago. It compared methylphenidate—Ritalin—with vitamin B6. The evidence was that vitamin B6 was better, safer and cheaper. However, you cannot patent vitamin B6, and Ritalin is part of a multibillion pound industry.

Helen Eadie: I do not think that the witnesses have answered the question on guidelines for GPs.

James Mackie: We have no knowledge about that. We refer our clients to their GPs to ask for supplements, but they consistently come back to us to say that GPs will not issue a prescription, so that the parents end up buying the supplements themselves. It is a double-edged sword. The poorest in the community, the ones who need supplements the most, do not have the finances to buy them.

Janice Hill: There is a lack of continuity and structure within the services. There may be four or five consultants looking after one child, but nobody takes the lead in making decisions.

Frances Curran (West of Scotland) (SSP): More and more parents are refusing to give their children these drugs, but what alternatives do GPs offer? If we agree with your proposal to ban the prescription of those drugs, we would have to argue for alternatives.

Janice Hill: There are many safe solutions. Overload works with the University of Teesside in Middlesbrough, where we have a drug withdrawal clinic. We offer a many-pronged approach. First, we believe that we must look inside the body to see whether anything is going wrong. All children have access to standard basic medical tests, including eyesight and hearing tests. Secondly,

the child and the family may need counselling or psychotherapy. We are working with Professor David Stein, a leading psychologist in America, who has developed a skill programme for parents—the care giver's skill programme. That programme gives parents continuity and direction in disciplining their children. The subject is complicated and it is not my area of expertise, but there are a number of safe alternatives. Sadly, however, parents are not getting the choice.

Frances Curran: Would you expect a GP to refer people to a programme or to have some kind of test related to vitamins and minerals in the body?

Janice Hill: Overload accepts NHS referrals. We have been very successful in Glasgow, Aberdeen, Banff and London. However, for whatever reason, we are not in communication with the health board in Lothian, although we have approached it over the past three or four years. The issue has been raised with Malcolm Chisholm. There is a big deficit and there is a postcode lottery; where you live affects the services that are available.

Frances Curran: What I want to find out about is the alternative for GPs, who may even agree with your views.

Janice Hill: The alternative is to refer children on and to give them the choice. GPs must ensure that parents have full access to all the information.

The Deputy Convener: We will have one brief final question from Jackie Baillie.

Jackie Baillie: It will be very brief, I promise. A number of the issues that are covered by the four petitions are, to a greater or lesser extent, issues for Westminster. For the sake of clarity, may I ask how you are promoting your campaign at the Westminster level? We cannot deal with some of the issues that you raise, such as those relating to employment insurance and the Misuse of Drugs Act 1971.

James Mackie: We have regular contact with members of all parties in Westminster, where we lobby. Some of the major decisions could be made at Westminster, but some of the points that we raise could be taken up by the Scottish Executive, which gives guidelines to the NHS in Scotland. That is particularly the case on the major issues such as the prescribing of drugs to children under the age of six.

Frances Curran asked about alternatives for GPs. My experience—not only through my work with Overload but through my involvement with people on the autistic spectrum and with other groups that I meet regularly—is that the NHS in Scotland seems to have some sort of major block when considering the impact of nutrition and diet on health.

The easy answer seems to be just to write prescriptions for medication without considering how the body works. An American book, "The Second Brain", says that if your gut does not work properly, your brain will not get the correct nutrition; it will get toxins. The message that we want to get across to the committee and the Executive is that we should get back to basics and consider how the body works, rather than just writing prescriptions.

The drugs bill each year is multiplying two, three or fourfold. That money is coming out of the public purse but it is creating more problems than it is solving. In the past five years, the problem has become completely out of hand, particularly with regard to young children, and there will be major problems for society and the public purse in years to come.

11:15

The Deputy Convener: That brings us to the end of questioning; I think that everyone has had a chance to ask a question. Thank you for your presentation. The committee will now discuss what to do with the petitions, bearing in mind that, as Jackie Baillie said, many of the concerns that they touch on are Westminster issues.

Ms White: Jackie Baillie and the convener have both mentioned Westminster issues, but the biggest issue is children's health and the Scottish Parliament is responsible for health. Given how many issues the petitions raise, I would like us to write to the Executive and seek its views on them. I think that that would be fair.

The Deputy Convener: Is everybody happy with that suggestion?

Jackie Baillie: It is perfectly legitimate for us to write to the Executive, but it would be improper for the committee to pretend that it could seek changes in areas for which the Parliament has no responsibility. I am happy to support the recommendation on that basis.

The Deputy Convener: Perhaps it would be wise for us to ask the Executive to clarify which matters are reserved. That might bring clarity to the situation.

Helen Eadie: I agree with what is being proposed. If we write to the Executive, we will help to put on the public record the answers to the questions that the petitioners have asked. That would be a useful step forward for everybody.

The Deputy Convener: We will proceed on that basis. If the Executive takes into account the *Official Report* of the meeting as well as all the literature, it will certainly have plenty to ponder. I thank Janice Hill and Jim Mackie for presenting the petitions to us. We are very grateful.

Violence (PE621)

The Deputy Convener: PE621, which is from Mr Christopher Yorkston, calls on the committee to urge the Scottish Executive to address violence in Scotland by providing violence-intervention programmes and anger-management courses to anyone who feels that such provision would improve their quality of life. The petition is prompted by the petitioner's belief that the Executive should promote actively intervention in all types of violence and aggression that exist in Scotland, particularly in the forms of domestic, social, racial, sectarian and international violence, cases of which he claims are increasing at an alarming rate. What do members want to do with the petition?

Linda Fabiani: The petition makes a lot of sensible points. We should ask the Executive to comment on the issues that it raises and we should find out what kinds of programmes exist. I understand from what Jackie Baillie has told me that general practitioners are able to refer patients to anger-management sessions; I would like to know a bit more about that.

I would also like to know whether there are any programmes that can be accessed through schools, so that young people can benefit from anger-management intervention. In addition, the petitioner mentions a pilot scheme in Wiltshire. It would be worth getting some comments from the Executive on that scheme. We should reconsider the petition when we get some answers from the Executive.

The Deputy Convener: Are members happy with that?

Members indicated agreement.

Ethical Standards in Public Life (PE622)

National Lottery Funding (Listed Buildings) (PE630)

Buildings of Architectural Merit (Preservation) (PE634)

The Deputy Convener: We move to petitions PE622, PE630 and PE634, which are all from David Wilson. PE622 calls on the Scottish Parliament to ask the Scottish Executive to issue guidance to local authorities and Government agencies on ethical standards in public life, with particular emphasis on honesty, especially before the courts. PE630 calls on the Scottish Parliament to urge the Scottish Executive to publish advice and guidance regarding the eligibility of listed buildings in Scotland for national lottery funding. PE634 calls on the Scottish Parliament to urge the Scottish Executive to take the necessary steps to ensure that every effort is made to ensure the preservation of buildings of architectural merit.

The petitioner's primary concern surrounds the failure to preserve and restore Museum Hall at Bridge of Allan, which ultimately led to a ruling by the Court of Session permitting the sale and partial demolition of the building. Members may wish to note that the committee's predecessor considered Mr Wilson's first petition, PE518, which called on the Executive to develop an action plan to restore Museum Hall, and agreed to take no further action, on the ground that the Court of Session had already made a ruling on the matter. The petitioner has supplied copies of various correspondence relating to the campaign to save Museum Hall, together with copies of relevant Court of Session reports, which are available to members on request.

I open up the discussion on the petitions. How do members wish to deal with them?

Jackie Baillie: I confess to having a lot of sympathy with the petitioner's main aims, which concern Museum Hall at Bridge of Allan, but equally I confess that we cannot interfere in a matter that has been debated and deliberated on by the Court of Session. At the heart of PE622 is a dispute about the validity of statements that were made in the Court of Session, and as such it is a matter for the Court of Session. The only lifeline that can be offered to Mr Wilson is that he can take the issue to the standards commissioner if he feels that there has been a breach of standards by the local government official concerned.

As for the other petitions, the issues have largely, if not entirely, been addressed previously. For example, the review of lottery funding will necessitate publication of new guidance, which Mr Wilson proposes in PE630. I suggest regretfully that the committee can take no further action, but we may wish to point the petitioner either back to the Court of Session or to the standards commissioner.

The Deputy Convener: Does anyone else have anything to contribute? Is everyone happy with that view?

Members indicated agreement.

The Deputy Convener: We will proceed on that basis.

Education (Self-defence and Swimming) (PE626)

The Deputy Convener: The next petition is from Frank Harvey, and is about the self-defence of teenage girls. The petitioner is calling on the Scottish Parliament to take the necessary steps to ensure that all teenage girls are taught how to defend themselves from attackers, and how to swim, while they attend secondary school in Scotland.

The petition is prompted by the petitioner's concern at the increase in numbers of attacks on teenage girls and young women in recent years, and his belief that politicians have a duty to take effective action to protect such groups. He therefore argues that girls in secondary education should be taught both how to defend themselves from attackers and how to swim.

Linda Fabiani: At the same time?

The Deputy Convener: I am not immediately sure what the link is. Perhaps we can discuss the matter further.

Ms White: I know Frank Harvey very well. I wonder whether the allusion to swimming lessons is because of the number of burst pipes in the area of Partick area that Frank comes from.

However, the issue is serious. I think that it would be preferable if there was self-defence for all teenagers, not just girls. Boys get attacked as well. The issue is serious enough to merit writing to the Executive to ask for its position on swimming lessons and self-defence classes for all school children. I would like to get an answer to that. I know that there is an active school implementation plan, but I do not know how far ahead that is at the moment. It would be interesting and informative to us and to the petitioner if we were to write to the Executive to ask those questions. We could then see what is happening.

The Deputy Convener: In response to your comments, should we perhaps write to Scottish Water as well?

Ms White: I have already written to Scottish Water.

Mike Watson: I agree with Sandra White's recommendation that we should ask the Executive for its position. We should highlight the fact that not enough local authorities provide swimming lessons. That is an important aspect. I understand that Glasgow City Council now provides free swimming lessons for every primary school child and is moving towards extending that to secondary schools. I hope that other local authorities will do that. If writing to the Executive serves no purpose other than to highlight that aspect, albeit that the other aspect of the petition is important as well, it would be worth doing.

John Farquhar Munro: I would support such a programme whole-heartedly, but it should be available to all teenagers, male and female. Otherwise, the outcome is likely to be that the playground will be full of girls who are skilled in the martial arts and at putting a half nelson round some of the loons to pull them into a shady corner. Spread the net.

Jackie Baillie: I think just girls is fine.

The Deputy Convener: Perhaps the matter will subsequently need to be referred to the Equal Opportunities Commission. We may, or may not, take that view subsequently. In the meantime, we will proceed on the basis that Sandra White and Mike Watson have suggested. In addition, obviously, we will take note of what John Farquhar Munro has said. We will write to the Executive on the matter. Is everyone happy with that?

Members indicated agreement.

Solar Power (PE637)

The Deputy Convener: PE637, from J Russell Thomson, calls for the Scottish Parliament to take the necessary steps to amend the planning and building regulations to ensure that each new building is fitted with sufficient solar panels to provide an adequate hot water system for the building.

The petition is prompted by the petitioner's belief that, had relevant material on the benefits of a new advanced form of solar heating been available at the time of consideration of his original petition—PE267—on the same topic, the predecessor committee might not have accepted the Executive's position on the matter and agreed to take no further action. At the time, in November 2001, the Executive had no plans to amend building regulations to require the installation of solar panels in buildings for water heating because the technology was considered to be too expensive. Indeed, it appears that the Executive has no plans even now.

The Parliament has recently considered legislation, to which I was party, on that matter. Nonetheless, we may wish to consider the issue.

Jackie Baillie: The substance of the petition is that there have been technological advances. I am conscious of that and of the fact that a more cost-effective method has been identified. We should write to the Executive to establish what its view is on a number of fronts.

I might be wrong about this, but I think that design guidance that is issued by Communities Scotland to housing associations encourages sustainability and the use of renewable energy sources. The Executive should work in that direction with building regulations.

We could ask the Executive whether it intends to amend building regulations or to publish guidance to encourage solar power, and whether it is taking any other steps with the Department of Trade and Industry—which has taken a lead on the matter—to encourage the installation of solar heating in new buildings.

11:30

The Deputy Convener: Are members happy with that worthwhile recommendation?

Linda Fabiani: I have just one wee rider to add. The petitioner asks the Executive to make the inclusion of solar heating compulsory under the building regulations. Is Jackie Baillie suggesting that we should ask for the Executive's general view on amending building regulations, but not necessarily request compulsory solar measures?

Jackie Baillie: I will clarify what I said. Building regulations could make solar power compulsory, but I wondered whether there could be guidance. That question would be worth exploring further.

The Deputy Convener: Thank you for your clarification. We will proceed on that basis.

Scottish Judiciary (Membership of Faculty of Advocates) (PE641)

The Deputy Convener: PE641 is from Eirlys Lloyd. The petition calls on the Scottish Parliament to take the necessary steps to investigate whether the Scottish judiciary's membership of the Faculty of Advocates is compatible with its required independence and impartiality. It is prompted by the petitioner's belief that judges who retain membership of the Faculty of Advocates cannot appear to be independent and impartial, particularly when presiding over cases in which individuals represent themselves against advocates.

Mike Watson: I do not see the merits of the petition's case. I should state for the *Official Report* that I am not a lawyer and do not have an individual interest in the matter.

Members will recall that the European convention on human rights required a review of the temporary sheriffs system in Scotland, as it was seen to involve political appointments and therefore was not seen as impartial. Any suspicion that the convention was being contravened in the matter that we are discussing would surely have impacted on that matter. I do not think that the convention is being contravened.

I am interested in the idea that if an individual represents himself or herself, and if there is an advocate on the other side and the judge is a member of the same organisation as the advocate, that individual would somehow be at a disadvantage. The judge could leave the Faculty of Advocates but still see the advocate at the golf club at the weekend, at the New Club after work or at any other strange, trouser-tugging organisation. Problems relating to people's acquaintances could surface in many other ways. The proposals are not necessary in order to show whether judges are

impartial. Judges are either impartial or not impartial—the issue does not relate to whether a judge is a member of the Faculty of Advocates. For that reason, I suggest that we take no further action on the petition.

The Deputy Convener: Do members agree that the committee should take no further action on the petition?

Members indicated agreement.

Equal Opportunities (PE618)

The Deputy Convener: We will now return to PE618, which we had intended to deal with first this morning. The petition is from Aitor Endemaño Isasi, who does not appear to have made it to the meeting.

The petition calls on the Scottish Parliament to take the necessary steps to set up a single equality body for Scotland that is accountable to the Scottish Parliament in order to improve and develop channels of communication between the Parliament and people from ethnic minorities. We will discuss the petition in Mr Isasi's absence.

Jackie Baillie: I understand that a United Kingdom white paper is due to be published that would establish exactly what the gentleman seeks—there would be a UK-wide equality commission and single equality body.

It would be useful if we wrote to the Scottish Executive to ask how the proposal will be given practical effect in Scotland. As members know, we have three separate equalities bodies in Scotland—the Equal Opportunities Commission Scotland, the Disability Rights Commission Scotland and the Commission for Racial Equality Scotland. I assume that the Scottish Executive has considered the impact of the proposal on those bodies.

Also, as the petition asks for the Equal Opportunities Committee to consider some of the issues on behalf of the Parliament, it would be appropriate to send a copy of the petition to that committee.

Linda Fabiani: I agree in general with Jackie Baillie's suggestion, but perhaps we should also ask the Executive when it intends to report on the consultation on the single equalities body.

Frances Curran: As I am on the Equal Opportunities Committee, I know that that matter will be on the agenda for that committee's next meeting or the following one.

The Deputy Convener: That should mean that we get a report on the matter relatively soon.

That brings us to the end of consideration of new petitions.

Current Petitions

Gaelic Language (PE437)

“A Fresh Start for Gaelic” (PE540)

11:36

The Deputy Convener: PE437 is about the creation of a Gaelic language act and PE540 is about the implementation of the recommendations of “A Fresh Start for Gaelic”. The petitions call for the future of the Gaelic language to be secured through a Gaelic language act. The predecessor Public Petitions Committee considered the petitions on several occasions, but most recently on 14 January.

Before we begin, I should mention that we are to consider a letter that was submitted to the committee by Mike Watson in his former capacity as Minister for Tourism, Culture and Sport. Do you wish to comment, Mr Watson?

Mike Watson: Yes. The Executive's commitment to introduce legislation early in this new session of Parliament seems to me to meet the petitioners' requests. Petition PE540 calls for the full implementation of the Meek report, which had two main recommendations. One was to establish a body to oversee the development of Gaelic in Scotland, which was done in January, when Bòrd Gàidhlig na h-Alba was established. The Gaelic language act would, in effect, implement the other recommendation.

To some extent, the petitions have been overtaken by events. We should advise the petitioners that the Executive has given a firm commitment to introduce a bill, which means that, before long, what they seek will come about.

The Deputy Convener: The clerks have obtained an update on the Executive's position, which confirms Lord Watson's point. The commitment in the partnership agreement is that the Executive will legislate to provide secure status for Gaelic through a Gaelic language bill. I seek members' views on how we should proceed with the petitions.

John Farquhar Munro: Mike Watson's statement covers the situation adequately. I understand that the draft bill is to be presented at the Royal National Mòd in Oban next month, so matters are moving ahead.

Linda Fabiani: I am not convinced that the draft bill will deal with all of the petitioners' requests, although I am open to correction on that. I would like to know more about both of the petitions. Could we keep the petitions open until the bill has been published and we know more about it? That would allow us to compare the petitioners'

requests with the bill before we make the final decision to close consideration of the petitions.

The Deputy Convener: As for the bill, it is open to every member to lodge amendments at stages 2 and 3. Perhaps that will put Linda Fabiani's mind at rest, if the bill is not entirely what she hopes that it will be. It is important to get on with the bill, given the commitment to produce it.

Linda Fabiani: Keeping the petitions open does not preclude getting on with the bill.

The Deputy Convener: Absolutely not.

Jackie Baillie: May I make a helpful suggestion? I am conscious that we could keep petitions rolling until the Executive does something. The main terms of the petitions have been addressed and a draft bill is imminent. The way to have the detail of the petitioners' concerns taken on board is to ensure that they are consulted as part of the consultation process on the bill. We could ask the Executive to consult the petitioners as it consults everybody else.

Linda Fabiani: I would go along with that.

Jackie Baillie: Perhaps that covers the points that Linda Fabiani made.

The Deputy Convener: Do members think that we should conclude consideration of the petitions?

Members indicated agreement.

The Deputy Convener: We will let the petitioners know of our decision.

Linda Fabiani: We should also let the Executive know that we want it to consult the petitioners.

Radioactive Contamination (PE444)

The Deputy Convener: PE444 is from Mr Allan Berry and concerns radioactive substances in Scottish coastal seawater and marine life. The petitioner calls for the Parliament to investigate the amount of radioactive substances throughout the marine food chain, which he thinks have increased in the past decade. A previous response from the Executive explained that the Scottish Environment Protection Agency, together with the Food Standards Agency, monitors and reports annually on radioactivity in Scottish waters.

Members will see from the more recent responses that SEPA and the FSA take the view that a comprehensive and effective regime is in place for monitoring radioactivity in the marine environment and in the marine food chain. They report that the levels of radionuclides that are present do not pose a risk to public health and are in decline.

Contrary to the claim in the petition that current reports from Norway show that amounts of

radioactive substances there are up to 10 times higher than they were in 1994, SEPA refers to a European Community report that shows a significant reduction in such substances in European surface waters. I am interested in members' views—[*Interruption.*] I am not sure what that extraneous noise is—is it from somebody's pager?

Mike Watson: The pager is in Jackie Baillie's handbag.

The Deputy Convener: I dare not invade the privacy of a lady's handbag to switch it off. The pager will probably go silent in due course. Does anybody have views on the petition?

Linda Fabiani: SEPA says that, contrary to the claims in the petition about the situation in Norway, the levels have reduced. I have read the petition closely and read the views of SEPA and the FSA. The committee can take no further action on the petition.

Helen Eadie: That is exactly what I was going to say. I support what Linda Fabiani said.

Mike Watson: We have that statement in writing from SEPA and the FSA.

The Deputy Convener: The statement is at the bottom of SEPA's letter. The issue comes down to who we believe. As SEPA is the authority involved, we must take its view. Does the committee agree to take no further action?

Members indicated agreement.

Miscarriages of Justice (Aftercare) (PE477)

The Deputy Convener: I am getting lost among the papers, but the clerks are now circulating to members a further page of briefing that was missing from the original briefing. I ask members to take that into account when considering PE477, which concerns the aftercare programme for those who have suffered miscarriages of justice.

The petitioners call on the Scottish Parliament to urge the Executive to provide financial assistance in setting up an aftercare programme in the form of a halfway home to help people who have been wrongfully incarcerated and who have served long terms of imprisonment, or whose conviction has been overturned at the court of criminal appeal.

The predecessor Public Petitions Committee agreed that the petitioners should await the outcome of the funding application that the Miscarriages of Justice Organisation—MOJO—made to the Executive under section 10 of the Social Work (Scotland) Act 1968, and that the petitioners should contact the committee again at that stage. The petitioners have since advised the committee that their application for funding has not been successful. It appears that the Executive

took the view that the bid was not strong enough on value-for-money grounds and that it did not provide enough information on the outcomes that the project was trying to achieve.

The petitioners are clearly unhappy with that decision. They are concerned that there is significant inequity, in that it appears that funding is provided for giving appropriate support to guilty offenders, yet it is not available to assist those who are found to have been wrongfully convicted. I welcome committee members' views on this serious issue.

11:45

Linda Fabiani: The issue seems to have come increasingly to the fore recently. Aside from the application made by MOJO, I would like to find out about which programmes are provided and funded for people who have suffered miscarriages of justice before we can consider the petition properly. I find it difficult to consider the matter in isolation. I would like to seek some background information from the Executive on the programmes that are in place and on the funding that is provided for them. Which organisations—if any—carry out work that is similar to that which MOJO seeks to promote?

Ms White: Linda Fabiani makes a good point. I was rather disturbed on reading MOJO's submission. It seems that people have to go through section 10 of the 1968 act to receive any moneys. I would have thought that cases covered by the petition should be treated in the same way as those of rehabilitation for prisoners, with some automatic provision. I am not so sure about halfway houses, as arrangements could be made elsewhere in the community. In any case, the matter merits proper consideration. How do members feel about passing the matter on to one of the justice committees? This is an area where provision is sadly lacking. If moneys are readily available for the rehabilitation of prisoners, I would have thought that it was our duty to make moneys available in this case, but without people having to go through hoops in order to access them via a grant under section 10 of the 1968 act.

Helen Eadie: It would be helpful if, before we pass the petition to another committee, we could obtain answers to the questions that Linda Fabiani has put, which I think are reasonable. It would be a good basis on which to proceed if we had all the relevant information before taking a decision.

Frances Curran: If the issue is one of core funding for such services, which committee would consider that?

The Deputy Convener: It would be a justice issue, and it would be for the Executive to consider the funding implications on the basis of

any recommendation made by one of the justice committees.

Frances Curran: It is not clear from the information that we have received that any other services are available in this area, where there seems to be a gap. From the background material that I have read, I understand that the services that are 100 per cent funded by local authorities are intended for those who have been found guilty of committing an offence. There does not seem to be any provision for those who are released under the circumstances covered by the petition. Since the Scottish Criminal Cases Review Commission was set up, the issue has arisen more frequently: I note the rise from 27 such cases in 1999, when the SCCRC was established, to 304 cases now.

MOJO's application for section 10 funding does not fit in with the other decisions that have been made. We should refer the petition to somewhere that will address the issue of core funding for support services and whatever else is needed for this type of rehabilitation.

The Deputy Convener: You make the valid point that there is nowhere else for these people to go.

Jackie Baillie: The central question of principle that we need to address is whether there is a need for distinct services. The Executive's argument—which I would like us to test—seems to be that, by providing 100 per cent funding, it provides a range of services that are primarily for ex-offenders coming out of institutions. However, considering their nature, the services—for example, guidance and assistance on accessing benefits, accommodation, education and training—could be useful to anybody leaving an institution. The central question is whether there is a need for a different type of service for somebody who is released because they have not offended and where there has been a miscarriage of justice, or whether existing services could apply equally to them. That is the issue that I would like us to tease out further with the Executive before we pass the petition to any committee.

The Deputy Convener: That seems sensible.

Mike Watson: I endorse what Jackie Baillie has said. The question is whether appropriate services are available for people who have been wrongly incarcerated. The committee should not be regarded as a court of appeal for people who have applied for funding and been turned down. We can get round that by considering the issue of service provision. It would be worth asking the justice committees whether they feel that there is a need for distinct service provision. On that basis, I support the recommendation to refer the petition to one of the justice committees.

The Deputy Convener: I am aware of the work load of the justice committees. We might write to

the minister in the first instance, and thereafter, subject to the response, refer the petition to one of the justice committees. Do members want to refer the petition straight to one of the justice committees?

Helen Eadie: We need to establish the facts first, as Linda Fabiani proposed, and determine what services are available. Jackie Baillie suggested that the same funding should be available to anyone who leaves an institution, and I subscribe to that principle. However, from what Mr McManus and others have said, that would not seem to address their concerns. We need to tease the matter out a wee bit more and clarify the Executive's view of existing provision. We can then judge for ourselves the extent to which that provision addresses the concerns of everyone who leaves prison.

The Deputy Convener: Members would be happy for us to write to the Executive in the first instance, seeking clarification and asking whether the current system could be adapted to suit everybody. We will not prejudge the Executive's answer, but its response will determine how we decide to proceed thereafter.

Members indicated agreement.

Linda Fabiani: I am not sure that I agree. I want to ask the Executive whether there are specific services for people who suffer miscarriages of justice. It may be that such services exist but that they are hidden among other services that we do not know are funded. If there are no such services, we have a big issue. If there are, let us consider how the things that MOJO wants to do tie in with them. If there is a huge gap in service provision, we should certainly refer the petition to the appropriate committee. However, I do not feel that we have enough information to justify passing on what may be a huge issue.

Frances Curran: The first issue is about specific services for those who have been released who never committed any offence. The second issue is whether such people should use the same services that are used to rehabilitate those who have committed offences. There is a debate to be had about that and evidence to be taken. There is a load of supporting evidence here. I am worried about the Public Petitions Committee being asked to make that decision when the issue of whether the services should be separate is really for the justice committees to decide.

Linda Fabiani: The petition has come to us; we have to make our recommendation.

Frances Curran: I am just checking whether, if the petition comes back to the Public Petitions Committee, it will be for us to decide whether the services should be combined.

The Deputy Convener: That will depend on the information that we get from the Executive. The petition will remain live—we will still be able to refer it on.

Frances Curran: Carolyn Leckie will be back by then.

The Deputy Convener: Steve Farrell has a list as long as your arm of all the questions that he will put in the letter to the Executive. If members are happy to allow him to write to the Executive, we will get a response in due course.

Ms White: The justice system in England and Wales is funding a pilot scheme there for providing such services separately from normal services. We could mention that to the Executive. We might be able to have such a scheme in Scotland.

Frances Curran: I must declare an interest. I have been involved in some small aspects of MOJO's campaign. I suggest that we find out exactly what services are involved in the pilot scheme. As well as housing, benefits, work and training issues, there are issues to do with counselling support and so on. We should find out whether those other issues are covered in the scheme that is being run by the National Association of Citizens Advice Bureaux. MOJO states that the NACAB project has a narrow remit.

The Deputy Convener: In the light of all the questions that have been raised, we will seek a wide-ranging and comprehensive response from the Executive. As has been mentioned, we reserve the right to pass the petition on to one of the justice committees, depending on the Executive's reply. Is that agreed?

Members indicated agreement.

Criminal Memoirs (Publication for Profit) (PE504)

The Deputy Convener: PE504 is about the publication of criminal memoirs for profit. The petitioners call on the Parliament to take steps to prevent convicted murderers from profiting from their crimes by selling accounts of those crimes for publication. The petition, which deals with a very sensitive issue, was prompted by the petitioners' own experiences. An interview with the convicted murderer of their daughter resulted in the publication in a magazine of what they considered to be a misleading account of the crime. The petitioners are concerned that the immediate families of innocent murdered victims are powerless to prevent convicted murderers from giving malicious or deliberately misleading statements in published accounts of their crimes, and that they are unable to challenge such statements in a court of law. They request that the Parliament introduce a number of measures,

including the establishment of a special court with powers to enforce legislation to prevent convicted murderers or members of their families from profiting from their crimes and other matters.

Our predecessor committee considered the petition on several occasions. It noted the Executive's view that a UK-wide approach to criminal memoirs would be most effective and that it would not make sense to take any action on the issue in Scotland until the Home Office's proposed consultation had been carried out. However, the committee considered further representations from the petitioners in March and agreed to bring to the Executive's attention a potential loophole in the regulations that govern access to material relating to inmates' crimes. The petitioners alleged that, in the case that prompted the petition, free access to prisoners was given, which allowed the gathering of material that subsequently formed the basis of an article. In response to the petitioners' allegations, the Executive refutes the suggestion that there is a loophole in the rules that govern journalists' access to prisoners.

The petitioners informed the committee that they submitted written evidence to the House of Commons Culture, Media and Sport Select Committee's report on privacy and media intrusion. They also advised the committee that they believe that a system of double standards is in place, which means that those who can afford to take court action against what they see as libellous or misleading articles in the press can do so, but ordinary families cannot, as they lack the necessary funds.

I advise members that it would not be appropriate for the committee to investigate the case in question. That has been made clear to the petitioners on several occasions. I welcome members' views.

Mike Watson: I have been reading the paperwork associated with the case and, like many other members, I remember the incident happening 10 years ago. I did not realise that another article had been published as recently as August this year.

I have two points to make. First, I accept the Executive's view that it does not make sense to have a separate Scottish position, and a UK-wide position is being adopted. It is stated on page 3 of our committee papers that the Executive has made it clear that it does not believe that a loophole exists, but the article that appeared in the *Sunday Mail*, although I have not read it, clearly seems to suggest that there is a loophole.

12:00

I notice in the correspondence that the Press Complaints Commission stated in its letter of 12

August that it is dealing with the matter. Although I know that the issue has been continuing for some time because of that, I think that it would be worth delaying a decision on the petition until we know the outcome of the PCC's consideration. If the PCC were to decide that the article was against its code of practice, the Executive's view that there was no loophole would be shown to be wrong. On that basis, I suggest that we defer consideration of the petition until we have heard from the PCC.

Perhaps we could also write to the petitioners, Mr and Mrs Watson. I do not know whether the PCC will keep the clerk informed but, if it will not, perhaps we should let Mr and Mrs Watson know what we are doing and ask them to let us know as soon as they get a reply from the PCC.

The Deputy Convener: We could also ask them to let the committee know the outcome of the PCC's deliberations.

Helen Eadie: I support that suggestion. I am also inclined to support the view that, as there is a consultation going on at Home Office level, it is worth waiting for the outcome of that consultation. People are trying to inform themselves of all those issues so that they can ensure that any future policy is based on good evidence. What Mike Watson has said supports that aim. Once the Home Office consultation is completed, we will be in a stronger position and better able to say yea or nay as to whether further action is required. Do we know the final date for the Home Office consultation?

The Deputy Convener: The clerk tells me that the consultation has probably not started yet.

Helen Eadie: My goodness.

The Deputy Convener: In the light of that, it might be more appropriate to revisit the petition when the outcome of the PCC's deliberations becomes known. Are members content with that?

Members indicated agreement.

Scottish Airports (Access to Public Roads) (PE528)

The Deputy Convener: PE528 concerns car parking at Scottish airports; it was prompted by the fact that Glasgow international airport is seeking to enact byelaws under the Airports Act 1986 to enable the airport to limit the services that are provided by courtesy buses. The petition specifically seeks changes in legislation to ensure that no restrictions or charges for access to drop-off or pick-up points immediately in front of Scottish airport terminal buildings are imposed on businesses offering off-site parking services or on other courtesy bus services.

The predecessor committee considered a

response from the Executive in November last year, which made it clear that the Executive has responsibility for confirming byelaw applications that are made under sections 63 and 64 of the Airports Act 1986 only. The response indicated that the Executive was at that time awaiting responses from BAA plc on a number of points related to the byelaws issues raised in the petition. It was agreed that the committee would defer consideration of the petition until a further response was received from the Executive. That response has now arrived.

The response explains that the Executive has received a response to its inquiries from BAA, and that BAA's response provides details of how it is attempting to formalise the arrangement under which off-airport operators are permitted to pick up and drop off passengers at the airport. That will involve the granting of licences and the charging of a uniform fee as a contribution towards infrastructure costs. New stances and a covered walkway will be provided for use by the operators and their passengers in an effort to ease congestion.

Importantly, the response also highlights BAA's view that there has been confusion with regard to the use of byelaws to control access to the airport forecourts and the right of the airport operator to control and charge for access in its position as the owner of private land. The Executive states that ministers will have to consider BAA's comments before deciding whether they can confirm the byelaws under the Airports Act 1986.

Helen Eadie: It is bizarre that, at a time when we are trying to reduce the number of cars that are being driven with no passengers or only one passenger, people are trying to put obstacles in the way of having coaches taking passengers to airports. We all agree that it is desirable for air passengers to reach airports by bus or train, so it is extraordinary that people are seeking to place impediments in the way.

We should write to the Executive, thanking it for the letter that we have received and asking to be kept informed of the outcome of the consideration of BAA's comments in relation to the byelaws. We could also ask the Executive to clarify why it is necessary for Glasgow Airport Ltd to apply for changes to the byelaws if it believes that it already has sufficient powers to control access as owner of the land.

My simple view is that we should facilitate policy that enables coaches of any description, no matter where they come from or who owns them, to drop off passengers at airports.

I have just come back from a trip to Sweden, and the situation there is wonderful. You can just get off a train and step onto the metro or a bus.

That kind of transport network is what we should be aiming for in the UK.

Ms White: I have read through most of the committee papers trying to make sense of the situation. However, like Helen Eadie, I still cannot understand how BAA could possibly charge buses that come to the airport to drop people off. People come to Glasgow airport from as far away as Aberdeen.

We should put off making a decision on this petition until we get a reply from the Executive on the outcome of its consideration of what BAA is saying in relation to the byelaws. We could be facetious and say that it seems as if BAA is trying to charge a holiday tax. People already pay enough to fly out of Scottish airports. I would like to know whether BAA has similar charges at other airports in the UK or whether the charges apply only to Glasgow airport. BAA claims that it is able to charge the fee because it owns the land, but I would have thought that that land would have been bought with public money. For BAA to charge operators who are working in line with the Government's transport policy to reduce congestion—I am thinking of park-and-ride schemes and so on—cannot be helpful.

Could we write to BAA to ask whether it makes similar charges at other airports or intends to do so?

The Deputy Convener: We could do that. I am sure that that is a worthwhile suggestion. However, I should point out that BAA is no longer the airports authority, but is a public limited company, which means that there may be limited room for the Executive to intervene. Private companies trading on their own land can, by and large, make decisions about who uses their land.

Ms White: Could I point out an anomaly? If we were all flying out to Sweden, and the Parliament supplied a coach and we all left our cars somewhere in Glasgow and took the coach down to the airport, would the charge apply? Would it apply to a group of rugby players or football players? Where does it stop? I would like some clarification from BAA about what is going on at Glasgow airport and whether it intends to implement the charge anywhere else.

The Deputy Convener: We can write to BAA and seek that clarification in addition to acting on Helen Eadie's suggestions. Are members happy to proceed on that basis?

Members indicated agreement.

Planning Process (PE554)

The Deputy Convener: PE554, which is about repeat planning applications, calls on the Scottish Parliament to take the necessary steps to improve

the planning process by proposing that once a planning application has been refused and is not appealed, or is appealed and refused, no substantially similar planning application for the same site should be accepted unless there is a material change in circumstances.

This has been a positive story to date as the Executive had previously agreed to consult planning authorities about the extent to which there are concerns relating to repeat planning applications and to thereafter consider whether any action, such as a change to primary legislation, would be necessary. The latest letter from the Executive informs the committee that it has now received a response from the Scottish Society of Directors of Planning, which has indicated that it broadly supports a change in legislation. The Executive has said that it will consider the issue again in the context of a future planning bill. That is an extremely positive response from the Executive and one which the committee should welcome. It is encouraging that the Executive will actively consider a change in planning legislation as a direct result of the petition.

Do members have any views on what we should now do with regard to the petition?

Jackie Baillie: I echo the convener's comments. I think that this is a positive story about how one petitioner can influence a change in legislation. The Executive has recognised that there is inequity in the system and it has made clear its commitment to bring forward the change in the context of a future planning bill. I suggest that we should write to the petitioner to congratulate him on his initiative.

We should do nothing further with the petition other than perhaps to send it to the Communities Committee for information so that it can take the petition into consideration when the planning bill is eventually introduced to Parliament.

Helen Eadie: Are you suggesting that we should keep the petition open and request that the clerks monitor the situation?

Jackie Baillie: I am not suggesting that. I think that we have a very positive commitment. I am suggesting that we take a belt-and-braces approach and send the petition to the Communities Committee, not for action but for its information. When the Communities Committee considers the planning bill, it might want to be reminded of the commitment from ministers.

The Deputy Convener: Are members happy with that?

Members indicated agreement.

Amateur Boxing (PE594)

The Deputy Convener: PE594, which is about the health and safety of amateur boxers in Scotland, calls on the Parliament to ask the Executive to fund the medical requirements of the AIBA—the international amateur boxing association—to eliminate abuse of amateur boxers in Scotland. The committee's predecessors agreed in February to write to both Amateur Boxing Scotland Ltd and the AIBA to seek their comments on the issues raised in the petition. ABS Ltd strongly refuted the petitioner's claims that amateur boxers are being abused and explained that while all boxers are medically examined by a medical officer prior to a boxing competition, a number of particular examinations that are recommended but are not obligatory are not carried out due to the costs involved.

The AIBA explains that although it sets the medical standards that are to be followed by its 200 member organisations worldwide, it is not practical for it to monitor and regulate their application. That is left to the appropriate national boxing organisations. Further comments were sought from the Executive, which has now responded and made clear that it has no intention of providing funding of approximately £534,000 per annum to cover the cost of the non-obligatory tests.

The salary of an administrator who monitors boxers' compliance with the obligatory medical requirements is already covered by a grant from sportscotland. The Executive considers that the combination of the carrying out of the obligatory tests, the requirement that protective head gear be worn and the limited length of bouts reduces the risk of serious injury to amateur boxers in Scotland.

12:15

Mike Watson: The assurances that have been given by ABS Ltd should be accepted because, as stated in the papers, it has an administrator who is funded by a grant from sportscotland, which takes seriously the issues of safety in any sport. If that person were not doing his or her job effectively, I am sure that sportscotland would have done something about it. Although I understand that safety must be maintained to the highest degree, I believe that the view of ABS Ltd should be accepted and that we should take no further action on the petition.

The Deputy Convener: From my reading of the papers, a lot of safeguards appear to be in place. Boxing is a dangerous sport and, presumably, people go into it knowing those dangers.

Mike Watson: ABS Ltd points out in its submission that

"amateur boxing is 50th on a list of "dangerous" sports and that there have been no fatalities in the sport in Scotland since 1952."

That is interesting.

The Deputy Convener: As a matter of information, was it not the Executive that made that point rather than ABS Ltd?

Mike Watson: The note that I have says that ABS Ltd points that out. It might have come to us via the Executive but it was quoting ABS Ltd.

The Deputy Convener: If everyone is content, are we agreed that we will take no further action?

Members indicated agreement.

Scottish Census 2001 (Pagans) (PE600)

The Deputy Convener: PE600 calls for an analysis of the number of pagans who responded to the 2001 Scottish census. The petition calls on the Parliament to urge the General Register Office for Scotland to carry out a count of the number of those who entered "pagan" as their religion in the 2001 Scottish census, and to make that information freely available to the public.

The petitioners are disappointed at the GROS's decision not to conduct an analysis of the written answers entered in response to question 13a—another religion—of the 2001 Scottish census unless the full costs of roughly £1,500 are met by those requesting the information.

The GROS has responded confirming its position and stating that it agrees with our predecessor committee's view that any decision by the GROS to collate and publish data on the number of pagans in Scotland at no charge could set a precedent resulting a number of demands for information at no cost. That could prove to be an inefficient use of public funds. The Registrar General for Scotland also makes it clear that consultation will take place on the questions to be included in and the format of any future census and that representations made by the Pagan Federation (Scotland) will be fully taken into account.

From separate press reports, it is also understood that the Pagan Federation (Scotland) might be considering how to raise the necessary funds to have the work carried out in the short term. Do members have any points?

Mike Watson: Why is the situation in Scotland different from that in the rest of the United Kingdom? Why should the Scottish form be different? The briefing note for members states:

"Coding these replies for Scotland would require a significant clerical exercise".

I do not understand why the Scottish census form should be different from that used in other parts of

the United Kingdom. I wonder whether we can get information on that.

The Deputy Convener: We could seek such information. Perhaps different questions are asked of people in Scotland and those use up the available space on the census form. However, it is not for me to speculate. It would be far better for the organisation that is responsible for the census to provide information on the matter. We could write to it.

Mike Watson: I do not advocate a change. I do not think that we could justify such a change for a group that consists of between 4,000 and 12,000 people. However, the fact that there was automatic coding of the relevant boxes on the UK form but not on the Scottish form means that there will be an imprecise estimate of the figures. There might be examples of other differences. Members will remember the debate over the ethnic minority categorisation for the 2001 census in Scotland as distinct from that used in England. I do not know whether Linda Fabiani and Sandra White agree, but I cannot understand why the Scottish census form has to be different for particular issues. There might be additional choices, but I do not understand why some choices should be excluded.

Linda Fabiani: That issue is different from the issue pursued in the petition.

The Deputy Convener: We are dealing with a point of information about the petition. We have had an assurance that, prior to the next census, it will be possible to suggest questions for the census form. We could write to the organisation responsible for the census about the petition, which would mean continuing the petition. If members want to do that in the full knowledge of what it means, we will do so. Do other members have views on the matter?

Jackie Baillie: My view is, regrettably, that the petition should end here. The purpose of the census is not just to gather information for no particular reason. The information must be of use to potential users, such as local government. I fail to understand how counting the number of pagans in Scotland would in any way contribute to decisions, particularly those about types of services. I am sure that the number of pagans in Scotland is of interest to the federation. The Registrar General has indicated that the GROS would do a manual count of the information if the federation were willing to pay the cost of doing so. Therefore, I think that the federation should be left to get on with it. Ultimately, the test for including information in the census is its usefulness to the wider populace rather than to one narrow section. If we were to agree to the petitioners' request, we would create an unhelpful precedent.

The Deputy Convener: Indeed. Other organisations must pay for the manual retrieval of information. Are we happy with Jackie Baillie's recommendation?

Helen Eadie: I support that. When we write to the petitioners it might be useful to remind them—because not everybody remembers this—that when the next census is being prepared there will be an opportunity for the federation to be consulted on the format of the census form. Indeed, that opportunity will be open to us all. I remember well the debate on ethnic minority issues to which Mike Watson referred.

The Deputy Convener: Okay. If members are happy to proceed on the basis of Jackie Baillie's recommendation, we will do so.

Members indicated agreement.

Scottish Human Rights Commission (PE603)

The Deputy Convener: The next petition is PE603, regarding the establishment of a Scottish human rights commission. The petitioners call for the Parliament to support the establishment of a commission that would have clear lines of accountability to the Parliament.

It is clear that the Executive has undertaken a great deal of work on the issue. Full details are provided in its response. The petition was submitted before the Executive launched its consultation exercise in February 2003. When the petitioner spoke to the committee in March, he made clear his concern that, unlike its counterpart in Northern Ireland, the proposed commission would be unable to deal with individual cases. However, it is suggested that the Executive has given a reasonable response to the committee in relation to the petitioner's concerns.

It will now be for the Executive to consider the responses to the consultation and to introduce legislative proposals for the Parliament to consider in due course. It would, of course, be possible for those who have concerns about the legislative proposals to make representations to the Parliament at that stage. A further petition would be one option. What are members' views on the petition?

Linda Fabiani: I do not think that we can take any further action on the petition. The legislative process to establish a commission will give people the opportunity to make representations after the draft bill is published. The subject matter of the petition will work itself through. If the outcome is not satisfactory, the petitioner will have the opportunity to lodge a further petition at that point. As far as the Public Petitions Committee is concerned, I think that the issue should now be closed.

The Deputy Convener: Is that the view of the committee? Are we content with that?

Members *indicated agreement.*

Law Society of Scotland (Complaints Procedures) (PE606)

The Deputy Convener: We move to consideration of the last of our current petitions, PE606, which calls for a review of the complaints procedures of the Law Society of Scotland. The petitioner calls on the Scottish Parliament to take the necessary steps to improve the transparency and accountability of and accessibility to the Law Society's complaints procedures.

The petition is prompted by the difficulties that were experienced by the petitioner in attempting to raise a civil claim for financial loss against a solicitor on the ground of negligence. The petitioner claims that she was refused access to legal aid for her claim and that the Law Society failed to provide the specific information that she requested on the master policy with regard to the insurance of the allegedly negligent firm of solicitors.

Our predecessor committee agreed to seek comments from both the Executive and the Law Society of Scotland. It appears from the responses that most of the petitioner's concerns in relation to the availability of information on the master policy are unfounded. Details of the policy can be found on the Law Society's website and a range of further information is available on request.

The Executive has also made it clear that, as part of its response to the Justice 1 Committee's session 1 report on the regulation of the legal profession, it intends to examine the operation and regulation of the master policy, together with other related issues such as compensation levels and the operation of the pursuer's panel. What is the committee's view of what we should do with the petition?

Linda Fabiani: As far as the Public Petitions Committee is concerned, PE606 should be closed as the issues seem to have been addressed. However, I want to say one thing about the master policy. Members will see from the Law Society's letter that the policy is publicly available on its website and that the society thinks that that is the best way of disseminating information. Although that might be fine, a lot of people do not have access to the web. Part of the trouble is that a lot of organisations think that if they put information on the web they have no further obligation to publish that information. It is difficult for someone who does not have access to the web to phone up an organisation and ask for a hard copy of a document. Hard copies do not seem to do the rounds as they used to do.

Perhaps we should send a note to the Law Society saying that, although it is fine for it to place information on its website, it should take account of the fact that not everyone has web access. We should also ask whether the society is willing to send out hard copies of documents to those who might request them.

The Deputy Convener: Should we forward the petition to one of the justice committees?

Linda Fabiani: No. An investigation was undertaken into a similar subject.

The Deputy Convener: Therefore, there would be no benefit in doing so again. Are members content with that position?

Members *indicated agreement.*

Inadmissible Petitions

Cannabis (Multiple Sclerosis Patients) (IP44)

12:30

The Deputy Convener: We move to consider our recommendations in respect of inadmissible petitions—members will be pleased to hear that there are only two such petitions.

The first, petition IP44, was lodged by Mr Frank Harvey. It calls on the Scottish Parliament to take the necessary steps to legalise cannabis to ease the pain of multiple sclerosis patients in Scotland.

I will pass over to Steve Farrell at this point to take us through the petition.

Steve Farrell (Clerk): Mr Harvey argues that MS patients who are in constant pain should have the right to use cannabis to ease their suffering and that cannabis should be prescribed for that purpose. His view is that cannabis should not be illegal for people who use it for such purposes. We have been advised that the Misuse of Drugs Act 1971, under which the supply of cannabis is an offence, is reserved. As it is not possible for the Scottish Parliament to amend that act, the petition is inadmissible.

The Deputy Convener: Is the committee content with that advice?

Helen Eadie: The issue is highly topical and has had a lot of newspaper coverage. My local newspapers have covered it because of circumstances in my area. I am especially interested in the information at the end of the Executive note about the progress that has been made. The note says:

“The Home Secretary has said that the UK Government will do whatever is needed to amend the law quickly to permit the prescribing of a cannabis-based medicine, in the event that the MHRA—“

the Medicines and Healthcare products Regulatory Agency—“approves ... the product.”

It is helpful for politicians to know that so that we can advise our constituents. Although the matter is reserved, we have gained some useful information from our consideration of petition IP44.

The Deputy Convener: Indeed. We should point out in writing to the petitioner that, as the matter is reserved, he should pursue it through his local member of Parliament rather than through the Scottish Parliament. Are we agreed?

Members indicated agreement.

Attacks on Elderly People (Reporting) (IP45)

The Deputy Convener: Petition IP45, which was lodged by Mr Charles Marshall, calls on the Scottish Parliament to introduce a restraint on newspapers so that they do not give details of the amount of money and jewellery that is taken in their reports of attacks on elderly people. Our legal advice confirms that, although the regulation of the press is not reserved under the Scotland Act 1998, the action that is called for in the petition would be contrary to article 10 of the ECHR, which relates to freedom of information. The subject of the petition is therefore outwith the competence of the Scottish Parliament. That is the ground on which we believe that the petition is inadmissible. Is the committee content with that view?

Members indicated agreement.

The Deputy Convener: Okay. That is it. I thank everyone for attending today and for members' forbearance and help.

Linda Fabiani: We thought that you were an excellent convener.

The Deputy Convener: You are much too generous. Nonetheless, I thank everyone for their support in getting through quite a big work load.

Meeting closed at 12:31.

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