

# **PUBLIC PETITIONS COMMITTEE**

Tuesday 29 June 2004  
(*Morning*)

Session 2

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## PUBLIC PETITIONS COMMITTEE

12<sup>th</sup> Meeting 2004, 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)  
\*Campbell Martin (West of Scotland) (SNP)  
\*John Farquhar Munro (Ross, Skye and Inverness West)  
(LD)  
\*Mike Watson (Glasgow Cathcart) (Lab)

### COMMITTEE SUBSTITUTES

Frances Curran (West of Scotland) (SSP)  
Susan Deacon (Edinburgh East and Musselburgh) (Lab)  
Phil Gallie (South of Scotland) (Con)  
Rob Gibson (Highlands and Islands) (SNP)

\*attended

### THE FOLLOWING ALSO ATTENDED :

Rosie Kane (Glasgow) (SSP)  
Netta MacKenzie  
Iain Macleòid  
William Morrison (North Country Cheviot Sheep Society)  
Mr Jamie Stone (Caithness, Sutherland and Easter Ross)  
(LD)

### CLERK TO THE COMMITTEE

Jim Johnston

### ASSISTANT CLERK

Joanne Clinton

### LOCATION

Committee Room 2



## Scottish Parliament

### Public Petitions Committee

*Tuesday 29 June 2004*

*(Morning)*

[THE CONVENER *opened the meeting at 09:34*]

### New Petitions

#### School Holidays (Standardisation) (PE747)

**The Convener (Michael McMahon):** Good morning and welcome to the 12<sup>th</sup> meeting in 2004 of the Public Petitions Committee. The first item on the agenda is the consideration of new petitions, the first of which is petition PE747, in the name of John Macleod. The petition calls on the Parliament to urge the Executive to work with the Convention of Scottish Local Authorities to standardise school holidays throughout all local authority areas in Scotland throughout the year. I welcome John Macleod, who is present to give evidence in Gaelic in support of his petition. He has three minutes to make his opening remarks, after which members will ask questions on the issues that he raises.

**Iain Macleòid:** Tha an athchuinge seo ag iarraidh air Pàrlamaid na h-Alba ìmpidh a chur air Riaghaltas na h-Alba a bhith ag obair còmhla ri Co-chruinneachadh Ùghdarrasan Ionadail na h-Alba—COSLA—ag amas air bun-tomhas a thaobh làithean-saora nan sgoiltean tron bhliadhna le gach ùghdarras ionadail ann an Alba.

Ged is e dùthaich bheag a tha ann an Alba, tha 32 ùghdarrasan foghlaim ionadail a' riaghladh gnothaichean foghlaim aig ìre ionadail. Mar a tha mi a' tuigsinn, tha e gu h-iomlan an urra ris na h-ùghdarrasan ionadail fhèin rèiteachadh a dhèanamh air saor-làithean sgoiltean nan sgìrean aca bho bhliadhna gu bliadhna. Tha seo a' fàgail gu bheil saor-làithean gu math eadar-dhealaichte eadar aon sgìre agus sgìre eile, eadhon ged a tha iad ri taobh a chèile. Mar eisimpleir, airson saor-làithean na Càisge am bliadhna, sgaoil sgoiltean Dhùn Phris agus Ghall-Ghaidhealaibh air 26 Màrt ach cha do sgaoil sgoiltean Crichean na h-Alba gu 2 Giblean, agus ged a bha sgoiltean nan Eileanan Siar agus sgoiltean na Gàidhealtachd a' sgaoileadh còmhla air 26 Màrt, tha iad a' sgaoileadh aig amannan eadar-dhealaichte as t-samhradh—25 Òg-mhios anns na h-Eileanan agus 2 Iuchar air a' Ghàidhealtachd.

Ged a tha e iomchaidh gu leòr gum bi latha neo dhà an siud 's an seo eadar-dhealaichte eadar na sgìrean, a' gabhail sùim de shaor-làithean

ionadail, tha e duilich a thuigsinn carson a bhiodh làn seachdain de dh'eadar-dhealachadh eadar aon sgìre agus sgìre eile. Gu dearbh, is ann gu ìre mhòr air an aon chlàr-oideachaidh a tha na sgoilearan ag obair agus tha deuchainnean nàiseanta aca aig an aon àm. Saoilidh mi gu bheil an suidheachadh seo ag adhbharachadh tomhas de mhì-chinnt agus duilgheadas ann an diofar shuidheachaidhean: am measg theaghlaichean far am bi clann airson cothrom fhaighinn tadhal air an co-oghaichean agus air an caraidean air feadh na h-Alba fhad 's a bhios na soar-làithean aca; agus gu sònraichte ann an saoghal na Gàidhlig far a bheil tachartasan mar am Mòd Nàiseanta Rìoghail agus fèisean ionadail a' dol air adhart aig amannan saor-làithean sgoile. Nuair a thig buidhnean sgoile còmhla, bidh cuid de sgoiltean air saor-làithean ach cuid eile nach bi.

A-rithist, tha cuid de dh'ùghdarrasan ionadail a' beachdachadh air atharrachaidhean nas fharsainge bho àm gu àm. Mar eisimpleir, tha Comhairle Baile Dhùn Èideann an-dràsta fhèin a' dèanamh conaltradh le pàrantan agus buidhnean sgoile a thaobh a bhith ag atharrachadh bliadhna na sgoile aca gus toirt a-staigh còig teirmean sgoile, far am bithear a' gearradh saor-làithean a' Ghearrain agus a' ceangal saor-làithean na Càisge gu bhith anns a' chiad cola-deug den Ghiblean gach bliadhna. Dh'adhbharachadh seo eadar-dhealachaidhean nas fharsainge buileach eadar Dùn Èideann agus sgìrean eile.

Chan eil mi ag ràdh gu bheil aon chomhairle ceart seach comhairle sam bith eile, ach tha mi den bheachd gum bu chòir don Riaghaltas an gnothach seo a ghabhail os làimh mus fhàs an suidheachadh nas troimh-chèile buileach. Mar sin tha mi a' cur ìmpidh air a' chomataidh na duilgheadasan sin a thoirt gu aire an Riaghaltais agus COSLA airson gum feuch iad rèiteachadh fhaighinn air cuspair saor-làithean sgoile na h-Alba gus am bi na soar-làithean sin san àm ri teachd cho faisg air a' chèile 's a tha comasach agus iomchaidh.

*Following is the simultaneous interpretation:*

Thank you, convener and committee members. The petition requests the Scottish Parliament to urge the Scottish Executive to work with COSLA to aim for standardised school holidays throughout the year in all local authorities in Scotland.

Scotland is a small country—32 local education authorities run local education matters. As I understand it, it is entirely up to the local authorities to decide on the school holidays for their district from year to year. That has resulted in there being different holidays in different districts, even in districts that are next to each other. For example, for this year's Easter holidays, the Dumfries and Galloway schools broke up on 26 March, but the Borders schools did not break up

until 2 April. Although the Western Isles and Highland schools broke up for Easter at the same time—on 26 March—they break up at different times in the summer. The schools on the islands broke up on 25 June, but in the Highlands, the date is 2 July.

Although a day or two of difference here and there is appropriate to take into account local holidays, it is difficult to understand why there should be a whole week of difference between districts, especially given that, to a great extent, pupils work on the same curriculum and they have national exams at the same times. The situation causes uncertainty and difficulties in different contexts. For example, difficulties arise for families in which children want to visit cousins and friends throughout Scotland during their holidays. In the Gaelic world, events such as the Royal National Mod and the local fèisean, or festivals, take place during school holidays, but when school groups come together, some of the schools are on holiday and some are not.

From time to time, local authorities consider even broader changes. For example, the City of Edinburgh Council is in talks with parents and school groups about changes to the school year so that it would consist of five terms. The February holidays would be cut and the Easter holidays would be fixed to fall in the first fortnight in April every year. That would result in even greater differences between Edinburgh and other areas.

I am not saying that one council is right and others are not, but I think that the Government should take the matter in hand before the situation becomes even more confused. I urge the committee to take the difficulties to the Executive and COSLA so that they can try to achieve a settlement on the subject of Scottish school holidays so that, in the future, the holidays are as close together as is possible and appropriate.

**John Farquhar Munro (Ross, Skye and Inverness West) (LD):** Madainn mhath, Iain, agus tha mi toilichte gu bheil thu a' toirt seachd nam beachdan agad ann an Gàidhlig. Is e rud ùr a tha seo, tha mi cinnteach, airson na comataidh agus tha e a' toirt mòran toileachas, chan ann dìreach dhòmhsa, ach dha mòran ann an saoghal na Gàidhlig.

Air a' cheist a tha thu a' togail, tha deasbad air a bhith ann bho chionn iomadach bliadhna, oir tha an cuspair seo a' dèanamh trioblaid chan ann dìreach eadar na sgoiltean ach eadar na pàrantan agus a' chlann tha a' dol dha na sgoiltean. A bheil thu a' ciallachadh gum biodh làithean-saora nan sgoiltean a' tuiteam air an aon latha aig a' Chàisg, aig àm na Nollaig agus airson nan làithean-saora samhraidh, no a bheil thu dìreach a' ciallachadh gum biodh e freagarrach nam biodh iad aig an aon àm aig làithean-saora an t-samhraidh, gun dad

sam bith a dhèanamh mu dheidhinn nan làithean-saora aig a' Chàisg agus aig an Nollaig?

*Following is the simultaneous interpretation:*

Good morning, Iain. The fact that you have expressed your opinions in Gaelic gives me and many people in the Gaelic world much happiness.

The issue has been debated for many years and it has caused trouble not just between schools, but between parents and children who go to school. Is it your intention that the Easter, Christmas and summer holidays would fall on the same days, or are you simply asking for the summer holidays—not the Christmas and Easter holidays—to be the same?

**Iain Macleòid:** Tha mi a' ciallachadh gum bu chòir, gu ìre mhòr, na h-aon saor-làithean a bhith aca fad na bliadhna. Tha cuid a bhios a' gabhail dìreach deireadh seachdain anns a' Ghearran agus cuid eile a bhios a' faighinn fad seachdain. Ann an aon suidheachadh, bha fèis againn ann an Dùn Èideann a mhair fad seachdain anns a' Ghearran, agus bha cuid ann an sgìrean eile air feadh na h-Alba nach b' urrainn a thighinn chun na fèise sin seach nach robh iadsan a' faighinn na h-aon saor-làithean. Aig amannan, bidh a' chomhairle ag atharrachadh nan saor-làithean gus am bi iad nas giorra, agus tha sin a' fàgail duilgheadas an uair sin: cuin a chumas sinn an fhèis anns a' bhaile mura h-eil fad seachdain againn? Mar sin, saoilidh mi gum bu chòir, gu ìre mhòr, na h-aon amannan a bhith aig na sgoiltean dheth—anns a' Ghearran, as t-samhradh, san Dàmhair agus aig àm na Nollaig.

*Following is the simultaneous interpretation:*

I meant that, as far as possible, the schools should have the same holidays all year. Some take only a long weekend in February and some get a whole week. In February, there was a fèis, or festival, in Edinburgh that lasted a whole week, but some children from other areas of Scotland could not come because they did not get the same holidays. Sometimes, the council shortens the holiday and, if the festival is a week long, that causes us problems with deciding when to hold it. All the schools should have the same holidays in February, in the summer, in October and at Christmas.

**John Farquhar Munro:** Tha thu a' tuigsinn gu bheil feadhainn dhe na sgoiltean anns an roinn phrìobhaidich. Leis an sin, dh'fheumadh iad a bhith a' tighinn a-staigh còmhla nam biodh atharrachadh a' dol a thachairt, agus dh'fheumadh na beachdan acasan a bhith air a thogail cuideachd, agus is dòcha gum biodh sin na dhuilgheadas.

*Following is the simultaneous interpretation:*

I understand that if there were to be a change, some of the private schools would have to come

on board. However, we would need to get opinions from them. That could cause problems.

**Iain Macleòid:** Bhiodh sin fìor ceart gu leòr. Cha do ghabh mi sùim dhe na sgoiltean priobhaideach. Bha mi dìreach a' sealltainn gu coitcheann ri sgoiltean na stàite air feadh na h-Alba.

*Following is the simultaneous interpretation:*

That is true. I did not really think about the private schools; I was thinking generally about the state schools throughout Scotland.

**John Farquhar Munro:** Tha mi cinnteach gu bheil ceist ann mu dheidhinn dè na beachdan a tha aig an Riaghaltas agus aig buidhnean mar ChOSLA. A bheil eòlas sam bith agad mu dheidhinn sin? A bheil thu air a' cheist seo a chur ri leithid ChOSLA no an Riaghaltas? Dè na freagairtean a bha iad a' toirt seachad?

*Following is the simultaneous interpretation:*

There is a question about the Executive's and COSLA's opinions. Has the issue been raised with COSLA and the Executive before now? If so, what answers did they give?

**Iain Macleòid:** Chan aithne dhomh gun deach sealltainn ris a' chuspair roimhe seo idir. Rinn mi fhìn beagan rannsachadh le bhith a' cur fòn gu naoi de na 32 comhairlean agus fhuair mi a-mach gun robh eadar-dhealachadh mòr eatorra. Is ann air sgàth sin a chuir mi a-steach an athchuinge, ach chan eil eòlas sam bith agam an deach sealltainn ris a' ghnothaich roimhe.

*Following is the simultaneous interpretation:*

I do not think that the issue has been considered before now at all. I did a little research: I phoned nine of the 32 councils and I found that there is a very big difference between each of those councils. That is why I submitted the petition.

**John Farquhar Munro:** Tha mi fhìn air a bhith a' cluinntinn bho chionn iomadach bliadhna gearanan mu dheidhinn nam puingeann a tha thu a' togail. Bha mi dhen bheachd gun robh còir aig rudeigin tachairt a bhiodh a' dèanamh ciall dhe na làithean-saora, gus am biodh iad a' tuiteam air an aon latha ge brith càit an robh an sgoil. Mar sin, tha mi a' cur taic ris na beachdan agad agus tha mi an dòchas gun cuir a' chomataidh taic làidir ris na beachdan a tha thu a' cur air am beulaibh.

*Following is the simultaneous interpretation:*

I have been hearing the same complaints over many years and am of the opinion that something should happen to make sense of the holidays and ensure that they fall on the same day regardless of where the schools are. Therefore, I support your opinion and I hope that the committee supports you strongly as well.

**The Convener:** In response to the question about whether the issue has been considered previously, I point out that, on 11 May 2001, there was a written answer from Jack McConnell, who was then Minister for Education, Europe and External Affairs, in which he said that he was considering further the detailed responses to questions that had been put to COSLA and the local authorities about the matter. There has been no progress since then, but the issue has been raised with the Executive before, and we should take that on board when we are considering the matter. We are three years on from a written answer on the point that Mr Macleod is making to us today and there is still no progress on it.

**Linda Fabiani (Central Scotland) (SNP):** I am concerned about the specific needs of particular areas. For example, when I lived in a holiday resort, the practice was that the summer school holidays were shorter but the October break was extended so that traders and their families could have a two-week holiday then.

**Iain Macleòid:** Tha mi a' tuigsinn gum faodadh atharrachaidhean mar sin a bhith ann air feadh na dùthcha, agus is e dùthaich gu math beag anns a bheil sinn beò. Aig an ìre seo, tha 32 comhairlean ann, an taca ri ochd mar a bha ann bho chionn grunn bhliadhnaichean air ais. Mar sin, cha robh an suidheachadh cho duilich aig an àm sin 's a tha e an-diugh. Saoilidh mi gum feumar sealltainn air a' chuspair agus feumalachdan ionadail a ghabhail a-steach far a bheil an leithid dha-rìribh ann. Mar a thuirt mi, tha mi a' tuigsinn gum biodh e iomchaidh gu leòr nam biodh latha no dhà de dh'eadar-dhealachadh ann bho sgìre gu sgìre, ach chan eil mi a' tuigsinn carson a dh'fheumadh làn seachdain de dh'eadar-dhealachadh a bhith ann tron bhliadhna.

*Following is the simultaneous interpretation:*

I understand that such changes could be made throughout the country. Ours is a small country and, at this point, there are 32 councils; some years ago, there were nine regional councils and the situation was not as difficult as it is today. We must examine the situation and consider local needs if there are any. I understand that it is appropriate to have odd days of difference from region to region, but I do not understand why there should ever be a week of difference through the year.

09:45

**Mike Watson (Glasgow Cathcart) (Lab):** The petition has set my memory racing. Although it will definitely date me, I can recall the time before the October holidays were standardised. I used to get the tattie howking holidays—the week in October for the potato picking. Although I did not live in a

rural area—I lived in Perthshire, just on the outskirts of Dundee—the city schools did not get the holiday.

I also remember the Easter holidays not quite coinciding with Easter itself; to some extent, those vagaries have lingered on. A friend of mine who was in Glasgow yesterday was surprised to see so many youngsters around the city. He had not realised that, although the Dundee schools do not finish until this week, the Glasgow schools had finished last week.

Your response to John Farquhar Munro's question dealt in the main with the subject of my question. There are benefits of having standardised summer, Easter and Christmas holidays and perhaps also of having a standardised week in October. However, do you accept the benefits of having localised weekend holidays?

I know that people from other parts of the UK—from England, for example—find it beneficial to come up to Scotland on bank holiday weekends because, due to our different bank holiday dates, places are not closed here. Surely a distinction needs to be drawn between weekend holidays and the main school holidays. I am 100 per cent behind your aim of standardising the school holidays throughout Scotland.

**Iain Macleòid:** Dh'aontaichinn leis an sin. Dh'fhaodadh làithean dheth Dihaoine agus Diluain a bhith ann aig amannan eadar-dhealaichte ann an diofar sgìrean. Ged a bhiodh sin fìor, chan eil mi a' smaoineachadh gun toireadh e cus buaidh air a' phrìomh phuuing a bha agam, gum biodh na prìomh shaor-làithean—as t-samhradh, as t-fhoghar, aig a' Chàisg agus aig àm na Nollaig—cho faisg air a chèile agus a ghabhadh a bhith. Ach, mar a thuirt mi agus mar a thuirt thu fhèin, dh'fhaodadh e a bhith comasach gum biodh eadar-dhealachaidhean fhathast ann—direach Dihaoine is Diluain, a' toirt a-steach deireadh seachdain.

*Following is the simultaneous interpretation:*

I agree that Friday and Monday holidays could be held at different times in different parts of the country. Even though that might be the case, it would not have too much of an effect on my main point that the main Easter, summer, autumn and Christmas holidays should be held on dates that are as close together as possible.

**Helen Eadie (Dunfermline East) (Lab):** I agree with Mike Watson's point that we should distinguish between main holidays and local bank holidays. When I was a Fife Council councillor, I received many representations from parents who were unhappy about the differences in school holiday arrangements between different local authority areas. For example, a husband who

worked in Fife might have holidays that were different from those of his wife who worked in the Lothians. It is very often the case in Fife that, by the time Easter arrives, the schoolchildren are back in school.

Have you discussed the issues at local level? Have you met councillors, the chairman of the education authority or the leader of the administration?

**Iain Macleòid:** Feumaidh mi ràdh nach do choinnich mi ri riochdairean ionadail sam bith. Tha mi dìreach mothachail air an t-suidheachadh a tha ann agus air an fhiosrachadh a tha agam fhìn air tachartasan ann an saoghal na Gàidhlig. Bha mi cuideachd mothachail air a' chonaltradh a tha a' dol air adhart ann an Comhairle Baile Dhùn Èideann a thaobh shaor-làithean, agus bha mi airson na draghan a tha agam a thoirt fa ur comhair mar chomataidh Pàrlamaid gus feuchainn ri rèiteachadh fhaighinn air an t-suidheachadh gu farsaing aig ìre nàiseanta.

*Following is the simultaneous interpretation:*

I did not meet any representatives at the local level. I am simply aware of the situation and the difficulties that arise as a result. I have information on events in the Gaelic world that are affected by holidays. I am also aware of the City of Edinburgh Council communication about holidays. In submitting the petition, I am trying to get some kind of settlement of the situation at the national level.

**The Convener:** I sense a general feeling of support for the petition. Mr Macleod has raised an issue of practicality that would help a lot of people. The Executive has considered the issue previously, but it is obvious that not much progress has been made. What should we do with PE747?

**Helen Eadie:** We could write to the Executive asking for its view on the subject. At the same time, we could write to the Convention of Scottish Local Authorities to seek its views on the issue.

**The Convener:** Are members happy with that suggestion?

**Members indicated agreement.**

**The Convener:** Thank you for bringing the matter to our attention, Mr Macleod. We will let you know what the responses are.

**Iain Macleòid:** Mòran taing.

*Following is the simultaneous interpretation:*

Many thanks.

### **Livestock Improvement Scheme (PE748)**

**The Convener:** Our next petition is PE748 by Netta MacKenzie, which calls on the Parliament to



urge the Executive to retain the livestock improvement scheme that is administered by the Crofters Commission on behalf of the Scottish Executive Environment and Rural Affairs Department. Netta MacKenzie is here to give evidence in support of her petition, accompanied by William Morrison.

Welcome to the committee. You have three minutes to speak, and then we will ask questions.

**Netta MacKenzie:** My colleague Willie Morrison is secretary of the North Country Cheviot Sheep Society. We thank you for agreeing to hear our petition.

I thank the MSPs who have highlighted the difficulties caused by the withdrawal of the livestock improvement scheme. We have decided to address the problem of the ram scheme because it was not fully discussed in the debate and the minister appears to have written it off very quickly on the basis of what we consider to be a flawed report, to which Mr Morrison will speak.

Our contention is that the sheep sector is of vital importance to the economy of the Highlands and Islands, especially in the areas where the burden of disadvantage is greatest, where the feasibility of doing anything other than farming sheep is limited, and where the uptake of rams from the LIS is greatest, namely Wester Ross, Skye, Argyll and the Western Isles.

Recently released Quality Meat Scotland figures show that there are about 600,000 ewes in the Highlands and Islands Enterprise area. In Scotland sheep account for 11 per cent of the gross agricultural output, but in the Highlands and Islands crofting areas, where the opportunities to diversify are more limited, sheep account for 32 per cent of the gross agricultural output. United Auctions in Lairg and Dingwall, and Highland Marts in Fort William, Portree and the Uists have told us that 50 to 55 per cent of their throughput derives from crofters. The Scottish Agricultural College report, "Review of the Crofters Commission Livestock Improvement Schemes", calls for value for money. It occurs to me that significant sums of public money have gone towards the building of new marts in Orkney, Dingwall, Fort William and Stornoway. Anything that threatens the viability of those ventures is to be deprecated. When the ram hire scheme closed in 1994, the number of rams sent out fell from a high of 1,800 to the 367 rams that the commission sold to crofters last year.

We therefore want to concentrate our efforts on the establishment of a ram purchase scheme that procures and uses recorded north country Cheviot and blackface rams bred by members of the Highlands and Islands sheep strategy—HISS. The SAC report points to the benefits of a scheme

such as that, which would allow some calculation of value for money to be made. Because of the considerable sums of public money that have been spent by SEERAD and the Crofters Commission on the purchase of rams over the years, it would be extremely wasteful to abandon the scheme at a time when members of HISS are in a position to supply recorded rams of high genetic merit.

At this point, I ought to declare that I am a member of HISS and I would like to put it on the record that, working in partnership with my husband, we have found it to be a most worthwhile scheme that has given the improved lamb weights and indices that we have included in our evidence.

Our sire reference group, which was formed in 2002, consists mainly of crofters in Assynt although there is also one in Skye, one in Caithness and a farmer in Wester Ross. Although it is not practical or feasible for all crofters to record, I am convinced that, were crofters and others to use recorded rams, significant gains would be made. Incidentally, Dr Annemarie van Heelsum of the SAC is in the process of researching a programme that could be used to monitor that. It is vital that the minister puts in place a scheme such as that which we propose.

**William Morrison (North Country Cheviot Sheep Society):** I express my thanks to the committee for letting us come here to present our case.

As the committee knows, the Executive is using the SAC evaluation report to justify the decision to end the ram purchase scheme. Members will have gathered from the papers that we submitted to the committee that we question the validity of the report.

Anyone who looked only at the summary and conclusions of the report could reasonably come to the same decision as SEERAD. However, taking the report as a whole there is no justification for closing down the scheme. There are clear indications right from the start of the evaluation report that its credibility is suspect. The basic background research is lacking and the methodology is a wee bit vague—there is no explanation of it and there is no indication of any cross-checking for data validation. The presentation also leaves a little to be desired. Most crucial of all, the weight of evidence in the body of the report does not lead to the conclusions that have been drawn.

I give some detail in my submission about the weaknesses of the report and I will not rehearse them now. However, I draw the committee's attention to one statement by the report's authors, in the discussion on ram scheme breeding policy

on page 86, which emphasises my point. They state:

“Undoubtedly the Scheme has benefited the crofting communities at a very moderate cost to the taxpayer.”

That is, to my mind, a pretty definite statement. However, that statement and similar ones are in no way reflected in the summary and conclusions—I certainly cannot find them.

In the light of that and the arguments put forward by Mrs MacKenzie, we feel that there is a strong case for reviewing the decision to terminate the scheme. We urge the committee to do all that it can to persuade the minister to change his mind.

A draft proposal for a possible revised scheme is included in our submission to the committee; I stress that it is very much a draft. If any scheme—new or revised—is going to be successful, it must have the confidence of the end users; therefore, all those involved in the industry should be consulted on any new scheme. The draft proposal is not only new ideas; it takes on board some ideas from the SAC report, which is not all bad. There is a lot of good stuff in it, but it just does not come to the front.

Certain key elements are essential to any scheme: it must be promoted effectively; good-quality rams, recorded where possible and of high health status must be used; there must be transparency in sourcing and procuring the sheep; there must be efficient management; and there must be on-going evaluation, both internal and external, to ensure value for money.

I have been a wee bit critical of the existing scheme in my submission, but I make it clear that I am in no way criticising those in the field who purchased the sheep at the sales in the earlier scheme—they did an excellent job, given the resources that they had. Farm managers are also exempt from any criticism that I might make of the Crofters Commission management of the scheme. If the committee can help to persuade the Executive to overturn the decision, I think that the industry could come forward with a workable scheme that would provide value for money. We think that some kind of grant scheme might be the way forward, but it would have to be discussed and considered.

**The Convener:** I thank you both very much. Members will now ask questions.

**Linda Fabiani:** The Deputy Minister for Environment and Rural Development sent a letter to Maureen Macmillan. I want your opinion on the bit of the letter that states that the ram purchase scheme was not effective and did not deliver measurable improvement or value for money. For how long did the scheme run? You may have mentioned that, but if so I missed it. Did it run for

long enough to see whether there would be effective improvement? Do you think that there was improvement and that it would have been worth while carrying on with the scheme?

10:00

**Netta MacKenzie:** We definitely think that it would be worth carrying on with the scheme. There was not the facility to monitor and measure improvements. I mentioned Dr Annemarie van Heelsum's research. Monitoring and measuring improvements could be done by measuring the lambs' weights or simply by considering the average of what the crofters received for their lambs at the sales and sorting out changes in value. That could be done, but has not been. It should probably be pointed out that improvement can be shown by using better quality rams and getting better lambs. I think that we have mentioned that the drive of the whole matter is to ensure that the lambs meet the specification for market needs.

**Linda Fabiani:** To consider the matter from the other end, what is the potential effect of not having such a scheme?

**Netta MacKenzie:** I think that the potential effect would be disastrous. A lot of money has gone into the marts. I have pointed out that the new mart in Dingwall is a fantastic facility, but its annual report shows that it made a loss of £8,000 last year. The effect of any reduction in the throughput of such marts will be considerable and we reckon that between 50 and 55 per cent of the stock that goes through those marts is from crofters. Furthermore, if we consider all the downstream industries that are associated with sheep, it is imperative that we preserve the sheep industry in the north.

**Linda Fabiani:** I am trying to understand the overall effect of the scheme, as I am not involved with the matter in my area. You are saying that if such a level of assistance does not go directly to the crofters, it will not then feed through the rest of the markets.

**Netta MacKenzie:** That is right.

**William Morrison:** I would like to add something about the effect on the crofters themselves, as well as on the sheep. Many crofters live in fairly remote communities and the ram sales are mostly on the mainland. Most crofters are part-time workers—they will work part time on the croft and will have other jobs. Going to a sale will certainly be a two-day job, or often a three-day job for them. Therefore, things are difficult for them.

**The Convener:** Jamie Stone has indicated an interest in the subject and has joined the meeting.

I invite him to make any comments or to ask questions.

**Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** I thank the committee for allowing me to join the meeting. I have some questions.

Mr Morrison and Mrs MacKenzie are constituents of mine and I entirely understand where they are coming from and I support them, but we have friends and neighbours up north who do not support what they say. Is one problem the fact that the scheme has clearly delivered and has been useful to crofting communities? Is the fact that the scheme was not properly marketed by SEERAD an issue? Could it have been better marketed? Could there have been more of a push to get it out more widely into the crofting community?

Secondly, can you give me a take on what Highlands and Islands Enterprise is saying? Surely it should take an interest in the issue—it must be concerned about the success and prosperity of crofting.

**William Morrison:** As far as I am aware, HIE has looked at the livestock improvement scheme, but most of its attention has been focused on the bull scheme, which is being continued in an altered form. To my knowledge, it has not shown a great deal of interest in the ram purchase scheme to date.

**Mr Stone:** What about marketing? Could the scheme have been better marketed? Is that an opportunity for the future?

**William Morrison:** Yes. One thing that we suggest for a revised scheme is its effective promotion so that clients, customers and crofters know exactly what is on offer. There is scope for improvement in that respect.

**Mr Stone:** On turnover, I presume that if more of the scheme is sold, that will make it still more cost effective.

**William Morrison:** Yes.

**John Farquhar Munro:** Good morning, folks.

Was there any advance consultation with the crofting communities on the proposals that have been made by SEERAD and the Crofters Commission?

**William Morrison:** There was very little. The Crofters Commission issued a consultation document on the whole crofting grant scheme in November or December last year, I think, to which we responded. We said similar things to what we are saying today.

We went to see the Crofters Commission in January. We were told then that the SAC was

about to conduct an evaluation. We expected that we might have been asked for our views as, along with the blackface sheep breeders, we are the main suppliers to the scheme, but nobody asked us for any comment. I did not get hold of the evaluation report until May and since then I have written again to the commission and to the Scottish Executive. I have had replies, but that is all that I will say about that.

**John Farquhar Munro:** I understand that part of the argument against the scheme was that it was not providing value for money and that there were no measurable improvements—I think that that was the wording. What measures were in place to determine if there were improvements in stock?

**William Morrison:** Perhaps that was a weakness in the scheme. The SAC report says that there were no measurable improvements, but that is not the same as saying that there were no improvements. The general perception in the farming industry is that the bull and ram schemes have both made a substantial improvement to the quality of lambs and calves from the remote areas. There is no doubt about that, and that is why the report's findings are so surprising to us.

**John Farquhar Munro:** It was surely remiss to make that statement if no trouble was taken to record improvements in stock quality over a period of years.

**William Morrison:** That is a weakness in the management of the scheme and is why, in future, there must be on-going internal evaluation to check that things are happening as they should, and external evaluation to ensure that from the Executive's point of view there is value for money. Any improvement would be more easily measured if recorded rams were used.

**John Farquhar Munro:** The point is that there were considerable improvements in stock quality to be seen if SEERAD had recorded them, which it did not. Is that correct?

**William Morrison:** Yes, exactly.

**John Farquhar Munro:** The other point on which I would like some clarification is the claim that the scheme does not comply with state-aid rules, which is part of the argument that has been presented against it, although as far as I know, there has been no legal ruling on that. Do you have any information on that point?

**William Morrison:** I must confess that I am not an expert on state-aid rules—I know absolutely nothing about them—but I take the view that rules are guidelines and it should not be beyond the abilities of our administrators and managers to find a way to counteract them.

**John Farquhar Munro:** In your view, if the ram scheme, which has supported the crofting

community over many decades, is to stop or be curtailed, what effect will that have on the well-being and viability of the crofting communities, particularly those that are trying to eke out a living from sheep husbandry?

**Netta MacKenzie:** It will be disastrous; many people will go out of sheep and will finish. Anecdotally, we already know of people who have done so, and as HIE figures show, the sheep numbers are going down year on year. I contend that we need this support for sheep production to help the industry and the spin-offs that we get from the industry. After all, the landscape and the activities that the tourists like are there because the land is managed. In many areas, especially Skye, where we have the virtuous circle that I mentioned, it is the landscape that comes from sheep rearing that interests tourists, who like to see animals and people in an area. If it is just swathes of green forests, it will not be half as interesting for tourists.

**John Farquhar Munro:** Thank you. At the outset, I should have declared an interest, because, in the past, I have taken advantage of the scheme that is under discussion.

**The Convener:** You surprise me, John.

**Helen Eadie:** I am interested in learning a little more about how your industry and the crofters association are structured. What size is the association? Are you representatives on an official executive of the association? Given that the state-aid rules are Europe-wide and that people in other European countries will be similarly affected by the issues, what discussions has your industry had with partners throughout Europe?

**Netta MacKenzie:** I do not represent a crofters association; I am simply a sheep producer in the Highlands who considers that a wrong decision has been made. It is vital that the issue is addressed and properly discussed. I am sure that the Crofters Commission had many responses to its consultation document on grants, but as Mr Morrison pointed out, there is nothing about the livestock scheme in the summary of responses to the consultation, although it must have been mentioned a lot. Everybody is supportive and considers that the decision ought to be reconsidered. However, I have not discussed the issue with people in other European Union countries and nor has the North Country Cheviot Sheep Society.

**Linda Fabiani:** I would appreciate clarification on one point, convener. The issue has been the subject of a members' business debate, but has the Environment and Rural Development Committee considered it?

**The Convener:** We do not think so.

**Linda Fabiani:** I have a suggestion, then. During that members' business debate, the Deputy Minister for Environment and Rural Development said that the Executive hopes to have firm proposals by the autumn. I think that the minister also said that the ram scheme would disappear by then. I suggest that we send the petition to the minister for consideration while the new proposals are being worked up, and also to the Environment and Rural Development Committee, which could inform the minister of its views. I see that the clerk is looking a bit worried about that.

**The Convener:** We do not tend to send petitions to committees until we know what the Executive's view is. In essence, we ask committees to consider the Executive's response to petitions.

**Mr Stone:** The matter is up to the committee, but I remind members that, in reply to an oral question, the Deputy Minister for Environment and Rural Development has said that the Executive has absolutely no plans to reinstate the scheme. That was not a helpful answer at all. The committee knows what the Executive's stance is. I am not a member of the committee, but I urge colleagues to send the petition to the Environment and Rural Development Committee urgently, because we have to shift the Executive.

**The Convener:** I do not mind, but we cannot do both.

**Linda Fabiani:** We should simply send the petition to the Environment and Rural Development Committee. If the minister has said definitively that the scheme will not be continued, that is worrying for all concerned and I would like that committee to consider the matter.

**Mr Stone:** I had to remind the minister what a tup was.

**Linda Fabiani:** Even I knew that.

**Campbell Martin (West of Scotland) (SNP):** I support Linda Fabiani's suggestion of sending the petition to the Environment and Rural Development Committee. The minister said in the members' business debate that the Executive is working hard to develop an alternative scheme, but he has ruled out returning to the old one.

**The Convener:** I have no difficulty with that.

I seek clarification from the witnesses on one issue. We will send all the information that we get this morning to whomever we decide to send the petition to. The petition asks for the retention of the livestock improvement scheme, but in your evidence this morning you suggested that improvements to the scheme may be necessary—although that might simply be my interpretation of what you said. As far as I understand it, the issue

is not about defending the status quo, but about seeking improvements along the lines that you suggest rather than those that the Executive suggests. Is that correct?

**William Morrison:** Yes, I think so. The previous scheme had good aspects that should be retained, but there is a case for a serious revision.

**The Convener:** If we decide to send the petition to the Environment and Rural Development Committee, that answer will be helpful because that committee will know exactly what the petition seeks to achieve.

10:15

**Helen Eadie:** The only question in my mind is that we have in our papers a commitment from the Deputy Minister for Environment and Rural Development, who stated in a debate on 19 May:

"We hope to have firm proposals, worked up in close consultation with the industry, by the autumn."—[*Official Report*, 19 May 2004; c 8582.]

Would it not be reasonable for us to ask the minister what progress has been made? If we wait until the end of the summer recess, it will be the autumn. Would it not be reasonable to ask for the petition to come back and then refer it to the Environment and Rural Development Committee?

**The Convener:** The clerk has just made that point to me. We are just about to go into recess. There will be two months during which the committee will not look at the petition, but we could get a response from the minister in that time. We could still get a response from the minister before referring the petition to the committee.

**Linda Fabiani:** I would be happy with that, if we are saying that we are taking the decision that the petition will go to the Environment and Rural Development Committee. Meanwhile, let us get a response from the minister. I do not want the petition to come back and be discussed again and not go to the committee.

**The Convener:** That is the point.

**John Farquhar Munro:** If it is agreed that the petition should go to the Environment and Rural Development Committee, will we suggest to that committee that, apart from scrutinising what has been proposed, it should take evidence from the department or the minister?

**The Convener:** It is not for us to tell the Environment and Rural Development Committee what to do with the petition. We are asking it to consider it and use the evidence that we have gained this morning to enable it to make a decision. However, what you are asking for will be noted by the committee. Whether it agrees to do what you suggest is a matter for it. We will not

instruct the Environment and Rural Development Committee to act in a particular way, but we will bring to its attention all the points that have been made.

Are members happy that we write to the minister, get a reply and send it, with the petition, to the Environment and Rural Development Committee?

**Members indicated agreement.**

**The Convener:** We will let the petitioners know the outcome.

That is our last evidence-taking session this morning.

## Pornography (PE752)

**The Convener:** Petition PE752, in the name of Catherine Harper, on behalf of Scottish Women Against Pornography, calls on the Parliament to define pornographic material as incitement to sexual hatred and to make such incitement an offence similar to that of incitement to racial hatred. The law on incitement to racial hatred is contained in part III of the Public Order Act 1986, which defines racial hatred as hatred that is directed towards a group of persons by reference to colour or ethnic origin. The legislation sets out a list of acts that are intended to or are likely to stir up racial hatred, including the publication of racist material and the showing of recordings of racist material. Contravention of the sections in part III is a criminal offence.

In January 2003, the Justice 2 Committee considered PE476—also by SWAP—which called for a review of legislation relating to the display of obscene material. It agreed to take no further action on the petition, following a commitment by the Executive to consider undertaking research on the links between violence and pornography. In a response to the Equal Opportunities Committee dated 7 May, the Executive stated:

"the Justice Department had agreed to consider whether it would be useful to commission new research on possible links between pornography and violence against women. However a literature review of the existing research in this area showed that for every study that purports to demonstrate a harmful effect associated with the consumption of pornography, there was another study which rejected any such effects. It was concluded in the circumstances that further research would not be a beneficial use of the limited Scottish Executive research budget. I am advised that the Justice Department has no current plans to commission research in this area."

Do members have views on the petition?

**Jackie Baillie (Dumbarton) (Lab):** I do not want to question the size of the Executive's research budget. The Justice 2 Committee agreed to take no further action on PE476 because the Executive was considering research. Now that we

have a reply from the minister saying that it will not undertake research, the next step is to write to Margaret Curran asking what is intended.

**Carolyn Leckie (Central Scotland) (SSP):** I agree. The issue needs to be debated in society. It is one of those contentious issues that people would rather bury than face. Material is freely available in newsagents that promotes the idea that women are sexual objects to be humiliated and degraded. The question is: how come that is acceptable when it clearly would not be acceptable on other grounds, whether religious or ethnic?

Anecdotal and research evidence—on the practice of tournante in France, for example—and qualitative investigations into young men involved in gang rape reflect concern that there is an association. It is not responsible to dismiss that, and it warrants further investigation. There are two issues here. First, is there a link? I believe that there is and that all that needs to be done is to prove it. Secondly, is the material acceptable? Is it wrong? There is a difference between pornography and erotica in terms of the associated violence, particularly against women. That is the debate that we should be having, which is not the same as trying to prove whether eggs are good for your health. This is about what is wrong and whether the political will is there to address the issue. The matter needs to be debated and investigated thoroughly, and it is unfortunate that the time has not been set aside so far to do that.

**Mike Watson:** I agree with Jackie Baillie's suggestion, but I am not clear about whether the Equal Opportunities Committee has agreed just to accept the minister's letter. I must have known Margaret Curran for more than 20 years and she is not someone who usually gives in to this sort of thing easily. She seems just to have accepted what appears to be civil service advice. I find that surprising. Has the Equal Opportunities Committee done anything as a result of the letter?

**The Convener:** My advice is that it has not taken any action on the response yet.

**Mike Watson:** But that was nearly two months ago—has the committee not considered the matter since?

**The Convener:** I am guessing that it is because the committee has not yet considered its forward work programme and has not had an opportunity to fit the issue in. The advice that we have at the moment is that the committee has received the response but has not decided on the appropriate action to take in view of the response.

**Mike Watson:** We should not leave it there. I agree with Carolyn Leckie. It is not just another round of research; it is very specialist, and we

should at the very least ask the Equal Opportunities Committee what it will do and encourage it to consider the matter further. It might be more appropriate for that committee to consider it than for us.

**The Convener:** There is no difficulty in asking the Equal Opportunities Committee what its intentions are, but it would be helpful to do as Jackie Baillie suggested and get the minister to tell us what she is doing.

**Mike Watson:** With respect, the letter of 7 May says what the minister is doing, which is nothing. I suggest that we should not accept that. I am not sure whether there is any point in going back to the minister at this stage, just two months after that letter. I do not think that anything will have changed as far as the Executive is concerned. Additional pressure from the Equal Opportunities Committee might help to bring some change about.

**The Convener:** Do we want to refer the petition straight to the Equal Opportunities Committee, given that it knows what the minister's response is and that we are discussing the petition in the context of that response?

**Helen Eadie:** I had a phone call yesterday from Elaine Smith, who had seen that the item was on the agenda. She is the gender reporter for the Equal Opportunities Committee and specifically asked me if I could encourage colleagues to refer the petition to the Equal Opportunities Committee. That would be helpful. I agree with everyone who has spoken this morning that we need to take the issue seriously and try to get progress on it.

**Linda Fabiani:** That is along the lines of what I was going to say. It seems like many years ago, but it is not that long since I was on the Equal Opportunities Committee and something similar to this came up, which I think is what started the discussion about whether the Executive would carry out the research. The petition should go back to the Equal Opportunities Committee straight away, because that is the natural forum in which the discussion of the broader issues should take place. Perhaps then it could be forwarded to the Parliament as a whole.

**The Convener:** Shall we formally refer the petition to the Equal Opportunities Committee?

**Members indicated agreement.**

**Carolyn Leckie:** We should convey the sense among committee members that the Equal Opportunities Committee should consider prioritising the issue.

**The Convener:** That would be included in our letter to the committee. Are members happy that we do that?

**Members indicated agreement.**

## Planning (Guidance on Consultation) (PE755)

**The Convener:** Petition PE755 is from Roger Knox, on behalf of the Ravensheugh Tenants and Residents Association. It calls on the Scottish Parliament to urge the Scottish Executive to review its guidance to local authorities to ensure that adequate public consultation is carried out on planning proposals such as the development of Musselburgh ash lagoons, which is a 400-acre site created as a repository for the ash from Cockenzie power station. In early 2003, East Lothian Council published a detailed plan based on recommendations by a consultancy firm for the development of Musselburgh ash lagoons, which involved a two-month public consultation period. The petitioners are concerned that the council subsequently approved a less detailed revised plan that they claim involved little consultation, gathered more than 100 objections and failed to include an investigation into the environmental impact.

In March 2003, the Executive published "Your place, your plan: A White Paper on Public Involvement in Planning", which set out its proposals for strengthening and enhancing public involvement in all stages of the land-use planning system and speeding up the application process. The proposed planning bill is to be introduced in this session, although the Executive has yet to confirm the exact timetable.

Do members have any views on the petition?

**Linda Fabiani:** We have had a lot of petitions on the planning process. Because consultations on the planning process are under way and a review of the planning system is being undertaken, I do not think that it would be worth while to do any more at the moment than to refer the petition to the Executive to inform that review.

**The Convener:** Do members agree with that recommendation?

**Members** *indicated agreement.*

## Maternity Services (Island and Rural Communities) (PE756)

**The Convener:** Petition PE756, by Dr Federica Warnock, calls on the Scottish Parliament to urge the Executive to review the provision of maternity services for Scotland's island and rural communities to ensure that the quality of services and current staffing levels are retained. The petitioners are concerned about the possible effects of proposals to reduce staffing levels at Lorn and Islands district general hospital maternity unit from a 24-hour on-duty service to a 12-hour on-duty and 12-hour on-call service.

In March 2004, the committee formally referred PE718, which also called for a review of the

provision of maternity services for Scotland's island and rural communities, and PE689, on the availability of consultant-led maternity services, to the Health Committee for further consideration. In April, the Health Committee agreed to include the issues raised in PE718 and PE689 in its inquiry into work-force planning for NHS professions in Scotland and agreed to conclude its consideration of the petitions on that basis.

Do members have views on what we should do with this petition?

**Helen Eadie:** We should refer it to the Health Committee. I serve on the Health Committee, which visited the Western Isles a month or so ago and has considered the issues that impact on the matter that is raised in the petition. I am sure that my colleagues in the Health Committee will take seriously the issue that is raised in PE756 as we make progress with our inquiry. Members of the Health Committee are seriously concerned about how the health service can cope with the various demands that are placed on it across Scotland.

**Jackie Baillie:** I was particularly concerned about Argyll and Clyde's review of maternity services, one consequence of which is the problem that this petition highlights. It is appropriate to send the petition to the Health Committee as it is dealing with the issue, which is part of a wider pattern of changes to health services that local people and many of us in the Parliament find it difficult to come to terms with. A closer examination of the issue would be helpful.

**Carolyn Leckie:** I agree with all of that. I refer to our earlier discussion about whether to send PE748 to a committee or the Executive. I am concerned about the fact that the changes are proceeding rapidly and we are about to go into recess. I wonder whether it might be a good idea to draw the attention of the Executive to the issue that the petition deals with and to ask for its comments. The move from a 24-hour on-duty service to a 12-hour on-duty and 12-hour on-call service could quite well take place before the Health Committee is able to investigate the issue.

I know that this committee is not supposed to deal with specific cases, but I think that this petition adds to a pile of evidence that we have that maternity services, in particular, are struggling. That problem will become more acute over the recess, which leads me to suggest that we should do what we did with the earlier petition and send PE756 to the Executive to ask for a response before sending it to the Health Committee.

10:30

**The Convener:** My only concern is that we cannot consider the specifics of the closure or the

changes that have been made at one particular hospital. We have to view the matter in the context of the overall—

**Carolyn Leckie:** The context is the wider issues that affect work-force planning, particularly in maternity services. Those issues are becoming acute. The problems need to be addressed through long-term investigation, and we should be considering the provision of services across the whole of Scotland.

**The Convener:** I take the point. Previous petitions have raised general concerns. We have referred them to the Executive, we have received responses from it and we have referred the petitions to the Health Committee. The best thing to do with the petition might be to refer it to the Health Committee for it to add to what it is already considering. The petition will highlight the specifics of the individual hospital concerned, which the Health Committee can take on board.

**Carolyn Leckie:** Can we copy our correspondence to the Executive?

**The Convener:** I do not think that there would be any harm in doing so, for the Executive's information.

**Carolyn Leckie:** That would ensure that the situation is brought to the Executive's attention sooner rather than later.

**The Convener:** Yes. That is fine.

**Linda Fabiani:** Although I agree with what Carolyn Leckie has been saying, I can see the potential difficulties and the precedent that what she has suggested would set. I suspect that individual MSPs covering the area concerned will already have written about the issue, so the Executive should be aware of it. Perhaps we could check that informally.

**The Convener:** There is no harm in our sending the petition to the Executive to make it aware of the matter, but it would be for the Health Committee to add it to the inquiry that it has initiated and to look into the issues that the petition raises. Are members happy that we do that?

**Members indicated agreement.**

### **Scottish Football (Management and Structure) (PE757)**

**The Convener:** Our final new petition this morning is on Scottish football. PE757 is from Graeme Pirie, on behalf of Fans for Football. The petition calls on the Parliament to urge the Executive, as a matter of urgency, to launch an inquiry into the management and structure of Scottish football, with the aim of restoring Scotland's standing as a leading football nation. The petition is prompted by the decision of the

Scottish Premier League on 1 June to deny Inverness Caledonian Thistle Football Club promotion, based on a stadium ruling. The petitioners believe that the Scottish Football Association should take control of the administration of all leagues in Scotland.

Inverness Caledonian Thistle won the 2003-04 first division championship, but its promotion was initially blocked due to ground-grading requirements. However, two SPL teams forced a second vote on the matter, and a proposal for Inverness to ground-share with Aberdeen Football Club was accepted by the SPL clubs on 22 June. The Enterprise and Culture Committee has appointed two members to investigate the current situation in Scottish football and will consider the conclusions of that work in due course. At its meeting of 17 March 2004, the Public Petitions Committee agreed to refer PE647, which called on the Parliament to investigate the SPL's decision to deny Falkirk Football Club promotion to the SPL, to the Enterprise and Culture Committee for it to consider in its investigation into Scottish football.

**Mike Watson:** I declare an interest as a director of Dundee United Football Club. I notice that the petition has 16,000 signatures. For my time on the committee, that is a record.

It is not quite clear to me what is being suggested. The petition says:

"Whilst we applaud the on-going investigation into the management and structure of the game".

I am not sure whether that refers to an inquiry into the structure of the game that was partly funded by the Executive and the SFA, which I think reported earlier this year. If that is the case, that inquiry is not on-going.

Although I can understand the widespread concern about the bad publicity associated with the case of Inverness Caledonian Thistle, I cannot see the Executive agreeing to establish another inquiry so soon after the one that it has just completed, which it spent a significant amount of money on undertaking. I would like some clarification from the petitioners.

Near the end, the petition says:

"We present in support of this petition, the online petition presented to those organisations mentioned above."

There is not an online version of the petition to us, is there?

**The Convener:** No.

**Mike Watson:** So that is a separate issue entirely. It would be helpful to ask the petitioners to await the response that they get from the various organisations that they have listed before coming back to us. We could then see whether any further action is appropriate.



**The Convener:** On your first point, the petition is indeed asking for another inquiry into Scottish football, following the original one. That has been made quite clear to us. The petitioners are concerned that the structure of Scottish football is not working to the best advantage of Scottish football, and they want that to be addressed. I take on board your other comments, too.

**Jackie Baillie:** Yes. I suppose that I should declare an informal interest as a Partick Thistle supporter. I agree absolutely with the terms of the petition, in that I think that people believe that there is a lot of institutional clutter in football—whether in relation to the SFA, the SPL or the Highland Football League—and that that lack of clarity has spilled over into some of the recent decision making. Having said that, I think that Mike Watson is right: I do not think that the Executive will necessarily invest in another review. However, I am aware that the Enterprise and Culture Committee has appointed two reporters—Brian Adam and Richard Baker, I believe—who are investigating the structure of Scottish football and will report back to the committee on a number of things. I suggest that we send the petition to the Enterprise and Culture Committee for information; write to the Executive as a matter of course, to get its position; and write to the SFA, because its view might be interesting.

**The Convener:** I do not see any difficulty with that.

**Carolyn Leckie:** I agree with Jackie Baillie, but if we are referring the petition to the reporters on the Enterprise and Culture Committee, I would like us to encourage the petitioners to contribute to the investigation and to be more specific about what their alternatives are. The petition calls for an investigation, but I would encourage the petitioners to think about what the problems are and what needs fixing. I have ideas about that.

**Campbell Martin:** I am happy for the petition to be passed to the Enterprise and Culture Committee. I would also like to ask the petitioners to clarify their aim of

“restoring Scotland’s standing as a leading football nation.”

When did it have that standing?

**The Convener:** That is a much bigger question. If we had the answer to that, we would not have had to listen to the English commentators on Euro 2004; we could have had our own.

**Jackie Baillie:** Does that mean that the convener supported Portugal?

**The Convener:** The convener supported Bulgaria; that was the kiss of death.

**Campbell Martin:** I am anticipating my next expulsion from the tartan army.

**The Convener:** The suggestion is that we send the petition to the Enterprise and Culture Committee, because it is investigating the subject; that we send it to the SFA and ask it for a response; and that we ask the Executive for its view on the current situation. Are members happy with that?

**Members** *indicated agreement.*

**The Convener:** If we all want to make individual contributions to the debate we can do so.

## Current Petitions

### Sex Offenders (Home Office Project) (PE486)

10:38

**The Convener:** Our next agenda item is consideration of current petitions, the first of which is PE486. The petition calls on the Scottish Parliament to note the progress of a Home Office project to help sex offenders to avoid reoffending and the work of the Scottish Quakers to apply the principle of the scheme in Scotland, and to consider the scheme's possible application in Scotland.

At our meeting on 28 April 2004, the committee agreed to seek clarification from the Scottish Executive of the timescale for the Home Office's comparative study on the circles of support and accountability projects. The committee also requested details of the proportion of sex offenders currently involved in progressive programmes in Scotland.

The Executive's response states:

"The Home Office has advised that a report is expected in March 2005 which will inform the future policy and funding of the projects in England and Wales."

Following a meeting with the Convention of Scottish Local Authorities on 23 April 2004, the Executive agreed to consider the evaluation of the pilots in England and Wales and said that it would be willing further to consider the scheme at that stage.

**Carolyn Leckie:** I am a wee bit disappointed by the Executive's response. The Executive is not able to tell us what proportion of sex offenders are in progressive programmes because not all sex offenders are subject to a period of statutory supervision. With all due respect to the Executive, those people are in custody, so I would think that information on whether they are in a programme of education would be recorded and could be collated. If not, why not? We need that information if we are to be able to assess, in response to the petitioner's specific request, whether enough is being done. I would like to get the petitioner's formal response to the Executive's response and we can take it from there. I envisage that I will want the petition to be referred to the appropriate committee.

**The Convener:** Shall we contact the petitioner and await a response before referring the petition to a committee?

**Members** *indicated agreement.*

## Institutional Child Abuse (PE535)

**The Convener:** Our next petition is PE535. The petitioner calls on the Scottish Parliament to urge the Scottish Executive to have an inquiry into past institutional child abuse—in particular, abuse of children who were in the care of state bodies under the supervision of religious orders. The petitioner also calls on the Parliament to make an unreserved apology on behalf of those state bodies and to urge the religious orders to apologise unconditionally.

At our meeting on 12 May 2004, the committee agreed to write to the Minister for Education and Young People, seeking an urgent response detailing any progress made towards conducting such an inquiry and any information on the timetable for such an inquiry. The committee also agreed to write to the First Minister expressing disappointment that the Executive had failed to respond to the committee despite a number of reminders since its initial request in March 2003. However, despite further reminders to the Executive by the clerks, the committee has yet to receive a response either from the Minister for Education and Young People or from the First Minister.

**Linda Fabiani:** I am really angry about this. The issue directly affects people whom I represent, on whose behalf I have been writing to the First Minister, separately from the committee, for months and months—I think that I said that when we discussed the petition previously. Not only has the First Minister not responded, he has not even had the decency to acknowledge that the letters have been received. When we compare that with the First Minister parading in a Sunday newspaper, saying that he was going to get the issue sorted out and promising an investigation, and with the fact that Ireland has managed to get an inquiry under way very quickly to the satisfaction of people who now feel that they are being listened to, we have to conclude that the Executive's behaviour is completely out of order.

The Public Petitions Committee—both the current committee and our predecessor committee in the 1999-2003 session—has tried to make progress on this issue, but I believe that a committee of this Parliament is being treated with absolute contempt, which is very worrying indeed. Is there any more that the committee can do, other than write yet another strong letter to the Executive expressing our disappointment at the lack of response? We should say, "Look, guys. Time's up. This is just not good enough. You have to start coming up with some answers."

**Mike Watson:** May I ask the clerks whom they wrote to or spoke to? Have letters been followed up with phone calls?

**Jim Johnston (Clerk):** A letter was sent to the Minister for Education and Young People on 19 May and a letter was also sent to the First Minister, as requested by the committee at the meeting on 12 May. Since then, we have had telephone conversations with officials, who have said that they hope to get a response to us. That has yet to materialise.

**Mike Watson:** I think it extremely unlikely that either the First Minister or the Minister for Education and Young People will have seen those letters. This is a civil service issue. When a letter goes to officials, I think that it goes from the clerks. May I suggest, convener, that you write—perhaps delivering the letters in person to the First Minister and the Minister for Education and Young People—to highlight the delays that have been encountered and the discourtesy that has been shown to this committee? I am sure that that discourtesy comes not from the ministers but from the ministers' officials.

**The Convener:** When letters are sent, I sign them off. They are sent from me to the ministers' departments. You might be right to say that the ministers do not actually see the letters, but they come from me.

Normally, we put a petition on the agenda when we receive a response, but this petition is on the agenda because we have received no response. However, I have spoken to the minister about the situation and he knows that I am not happy. He has apologised to me and has assured me that a response will be forthcoming. The petition was already on today's agenda when I spoke to him.

**Helen Eadie:** I am glad to hear that you have discussed this with the minister in person. This would be an unusual step to take—I do not recall that the committee has ever done it before—but if no reply is forthcoming, ready to be discussed at our next meeting, perhaps a meeting should be held with the convener, the deputy convener and the minister.

It is serious when a petition has been carried through from the previous session of Parliament into the current session. If our letters are not bringing forth responses—because of civil service tardiness or whatever—a personal meeting with the minister might help to focus minds and ensure that we get a response. Let us hope that there is a response in time for our next meeting.

10:45

**Carolyn Leckie:** I am certainly not in a position to judge why we have not received any response. When we write to ministers and the First Minister, it is their responsibility to ensure that there are systems in place to produce replies. From a trade union perspective, I am always a wee bit wary of

criticising employees without any justification; it is not for us to speculate about people's jobs.

Politicians are supposed to be accountable and they have to answer for their actions. If there are problems with systems, that is their problem, not ours. The lack of response is disrespectful to the committee, but more important than that are the delays. When people come to the Public Petitions Committee, they have a sense of hope that we will be able to get some movement on whatever issue they are pursuing. More than anybody else, it is those people who have been treated with contempt when even we, given the office that we are supposed to hold, cannot get replies from the Executive. It is unacceptable.

The letters that we sent should be copied and delivered in person, but it is ridiculous that we have to go to those lengths. If we still get no movement after that, we should find ways of airing the issues in Parliament if that is all that we can do.

**Linda Fabiani:** I am concerned that our convener has spoken to the minister yet again and has been told informally that there will be a response. Here we are in the last week of the session and we are talking about another two months going by. Not only did the matter come up in the first four-year session of Parliament; it came up again in the first year of the current session. A year has now passed and we will be into the second year before we get a response. It is absolutely not good enough. Does the committee have to rely on the good will of ministers for a response or is there anything else we can do? Can concern be expressed to any other parliamentary body about such a delay?

**The Convener:** I am listening to what everyone is saying. I want to hear all your views before I make a couple of points.

**Jackie Baillie:** Like Linda Fabiani, I represent a survivor of child abuse who was abused when she was in the care of a religious order. One cannot help but contrast what we have done—or not done—with the swift and comprehensive action that was taken in Ireland, where the decision has been a slightly more uncomfortable one. I would like to see a similarly swift and comprehensive response in Scotland.

I concur with Mike Watson absolutely—ministers do not see correspondence until it is time for them to sign it off. That might be an error and there might need to be changes to the system, but I suspect that that is what has happened in this case. That does not make it right, but it offers some background explanation as to why the correspondence has gone adrift. The fact that the convener has made the minister aware of the

situation suggests that the position will now be tracked, which is appropriate.

I will make a wider point. This is not the first case in which we have had to wait for responses from the Executive. In the recess, it might be worth while having a look at those other cases and finding out whether the problem of not getting responses in time is persistent. We could take that wider principle to the Executive for discussion as well as making progress on the individual petition.

**Campbell Martin:** This is an extremely important issue. We must remember that this is the Public Petitions Committee. When the public raise an issue it is totally unacceptable for ministers to fail to respond to the committee's requests.

Linda Fabiani said that we should not have to rely on the good will of ministers. Surely mechanisms must be in place in the parliamentary system to ensure that ministers and the First Minister can be held to account if they persistently ignore the requests of the Public Petitions Committee? With the greatest of respect, convener, it is not acceptable for you to have to say to a minister, "Come on, reply to the letter that we sent you a long time ago."

**The Convener:** I have listened to what members have said and there is nothing with which I disagree. I should make the following points, however. We have a six-week timescale in which we expect to receive replies to our communications with the Executive. The clerks inform me that the timescale is adhered to in the vast majority of cases. The problem is not widespread; we are talking about a specific issue and a specific problem.

The question is how we address the problem in this specific case. We are about to go into the summer recess, which means that there is an eight-week period in which one of two things can happen: either the response will be received and we can address its contents at our first meeting after the recess; or the response will not have been received by that time.

We can do something to pre-empt either situation: we can invite the minister to come before the committee at our next meeting. The item would therefore be on the agenda whether or not we receive a response. Either way, we can question the minister directly on the issue. If we do that, we will have taken action on the specific problem of PE535.

There is also the wider context of how we hold the Executive to account for any tardiness in its replies. The way to do that is to go to the Presiding Officer, who can discuss the matter with the First Minister. We might want to hold that option in reserve until we have had the opportunity to

question the minister and have received a reply from the First Minister outlining his views on the subject of responses from his ministers. I suggest that we should take that course of action. We can go to the Presiding Officer at some point in the future if we consider that the issue has not been addressed properly. What do members think of my suggestion?

**Linda Fabiani:** I completely agree. If it is not possible for the convener formally to make that proposal, I will do so. We should invite the minister to our next meeting—regardless of whether we have received his response. After we have questioned the minister, we can decide whether to ask the Presiding Officer to look into the matter.

**Carolyn Leckie:** I agree. Thinking further ahead, does the Public Petitions Committee get the opportunity to make a report to the Parliament?

**The Convener:** We can ask the Conveners Group for time.

**Carolyn Leckie:** I am not suggesting that we do that right now; I am just trying to figure out what the options are.

**The Convener:** The Public Petitions Committee had a debate in the first session of the Parliament. I think that it was on a health issue, but Helen Eadie will be able to keep me right.

**Helen Eadie:** It was on Blairingone and Saline.

**The Convener:** The Public Petitions Committee asked for a debate in the Parliament because a series of health issues had been raised. If we thought that an issue required to be debated in the Parliament, we could ask the Conveners Group to allocate one of the committee slots to the Public Petitions Committee. We can keep open that option. Are members happy that we invite the minister to our next meeting?

**Linda Fabiani:** I do not know whether I am happy, convener, but I will go along with the suggestion.

**Helen Eadie:** The issue touches on one of the petitions that we discussed last week. The same minister is involved and, again, we are waiting for a response, in that case in relation to the draft revised policy guidance on school closures. Two issues are causing us concern.

**The Convener:** We would have to take them separately.

**Helen Eadie:** I am not suggesting that we take them together. I simply wanted to highlight that we have on-going concerns about one Executive department.

**The Convener:** Are members happy that we invite the minister to come before the committee

after the summer recess? I know that members are not happy about doing so; I am just seeking members' agreement.

*Members indicated agreement.*

### **Local Archives (PE628)**

**The Convener:** The next petition is PE628. The petitioners call on the Scottish Parliament to consider the introduction of guidance to local authorities to establish best practice for the keeping, display and storage of Scotland's archives in an area of local relevance; to introduce proposals to publicise the archives; and to ensure that that heritage is not damaged or diminished because of the lack of a national policy.

At our meeting on 12 May 2004, the committee agreed to seek further clarification from the Scottish Executive on whether the Scottish public records strategy will include use of the internet and guidance on how the scanning of archives should take place and what processes should be used. In its response, the Executive states:

"Until the formal consultation process has been completed, it would be inappropriate for the Executive to give any definite commitment as to what guidance or other measures the Strategy will produce."

However, it also states that

"one of the main reasons for developing the Strategy at this time is the continuing development in technology"

and that

"accordingly, subject to the outcome of the consultation, the Executive expects that the Strategy will include the matters raised by the Committee".

**Helen Eadie:** Did we get a response from the Society of Archivists? According to the previous papers, we had not received a response.

**The Convener:** I am told that we received a response, which was on a previous agenda.

**Helen Eadie:** The briefing paper for members states that we have not received a response from the Society of Archivists. I wondered whether the position had been updated.

**The Convener:** Sorry, Helen. You are absolutely right—I was reading the wrong paper.

**Helen Eadie:** Would it be appropriate for us to write to the petitioners to ask whether they are happy with the response that we have received from the Scottish Executive?

**Jackie Baillie:** The petition was submitted by Christine Grahame MSP on behalf of the petitioners; therefore, one would assume that other channels will be used to make the petitioners' point to the Executive. I think that the Executive's response takes us as far as we can go. I really think that we should leave it at that.

**The Convener:** Are other members happy with that?

*Members indicated agreement.*

### **Scottish Environment Protection Agency (Main Board) (PE680)**

**The Convener:** The next petition is PE680. The petitioner calls on the Scottish Parliament to disband the Scottish Environment Protection Agency main board and allow the agency to reform its board without political interference.

At our meeting on 17 March 2004, the committee agreed to invite the views of the petitioner on SEPA's response, which is dated 3 February. In his response, the petitioner states:

"The majority view of individuals who have perused SEPA's response is one of disbelief. This organisation would have us believe 'all is rosy in the garden' and cannot/will not look inward and recognise its failings in the eyes of many people and their communities."

The petitioner claims that SEPA's chairperson has a conflict of interests as someone with a long career associated with the waste industry, which must be challenged and investigated in depth to ascertain an appropriate way forward.

The committee will recall that members of the SEPA board are expected to adhere to a code of conduct that the organisation is required to prepare under the Ethical Standards in Public Life etc (Scotland) Act 2000. The Standards Commission for Scotland has responsibility for investigating and applying sanctions relating to any breaches. The view is that, if SEPA has fallen foul of the existing codes, there is a course of redress for the petitioner. We have raised the matter with SEPA and it has responded.

The petitioner is obviously not satisfied with the response. However, he made no specific allegations; instead, he has raised only a general concern about the chairperson's previous occupations or involvements. If the petitioner has any specific concerns about actions that any individual on the SEPA board has taken, there is a course of redress for him to follow that is not through the Public Petitions Committee. Do members agree with that and that we should close our consideration of the petition?

*Members indicated agreement.*

### **Minority Sports (Funding) (PE699)**

11:00

**The Convener:** PE699 calls on the Scottish Parliament to review sportscotland's vision world class policy and to ensure the equal treatment of world-class athletes by sportscotland and the national lottery. At its meeting on 12 May, the

committee agreed to seek further clarification from sportscotland about who is responsible for setting the criteria in relation to priorities for funding sports and how priorities are decided. The committee also sought confirmation of the petitioner's claims that sportscotland has £13 million in reserve funds and agreed to invite the petitioner to comment on the points that were raised in the original responses from the Scottish Executive and sportscotland.

In its response, sportscotland said that the setting of

"criteria in relation to priorities for funding of sports ... is clearly explained in our Achieving Excellence strategy".

On the petitioner's claims that sportscotland has £13 million in reserve funds, sportscotland says:

"during the four years 2004-2007 we aim to invest an average of about £25 million a year in new Lottery categories ... However, £25 million a year can only be achieved by managing a significant reduction in our Lottery balances which we hold in reserve."

In his response, the petitioner says:

"For some years the Scottish Executive and Sportscotland have projected and promoted the theme of 'Sport for All'. It now appears that Sportscotland in particular have either dropped or shelved this theme."

Do members have a view on the petition?

**Mike Watson:** Sportscotland has clearly stated its position. The strategy that the Executive has adopted will not be to everyone's liking, but at a time when lottery money is reducing, it seems to be good management on the part of sportscotland to keep a balance in reserve. The organisation must keep an eye on its likely future income. I do not know what else we can do with the petition; the petitioner received a detailed response and I cannot see that further action would be appropriate.

**Helen Eadie:** I agree with Mike Watson.

**Linda Fabiani:** I wish that I had checked back on this, but I remember a discussion in the committee about referring the petition to the Enterprise and Culture Committee. Did we decide to wait for a response from the Executive before referring the petition?

**The Convener:** We did not decide on a course of action.

**Linda Fabiani:** I understand the petitioner's worries about—for want of a better phrase—minority sports.

**The Convener:** Are you suggesting that we refer the petition to the Enterprise and Culture Committee?

**Linda Fabiani:** I understand Mike Watson's point about the fact that the Executive and sportscotland have clearly set out their strategies,

which seem on the surface to be reasonable. However, I am worried about the achieving excellence strategy. Am I right in thinking that archery was mentioned at the time?

**The Convener:** Yes—archery is the petitioner's sport.

**Linda Fabiani:** I understand why there are concerns that some sports will be missed out, such as the non-sexy ones that are not often televised. I do not think that the Enterprise and Culture Committee should carry out an inquiry into the matter, but we should draw that committee's attention to the petition. It would be worth while to send that committee copies of the petition and the responses and to ask it to bear the matter in mind.

**The Convener:** We can do one of two things. Either we send the petition to the Enterprise and Culture Committee and ask it to address the matter, or we send it to that committee for information. If we do the latter, it will be up to the Enterprise and Culture Committee to decide what to do with the information.

**Linda Fabiani:** I would be happy to send the petition for information.

**The Convener:** The petition might fit in with other work that the committee is undertaking, but we will not request action on the petition.

**Linda Fabiani:** That is reasonable.

**The Convener:** We will send the petition to the Enterprise and Culture Committee for information.

**Carolyn Leckie:** I would probably agree with that. The Enterprise and Culture Committee is better placed to make a judgment on whether the strategy and the responses address the problems that the petition raises. Sportscotland was not specific about the amount by which its reserve will be reduced and there is no justification for not using part of the reserve to fund the sports that the petitioner mentions. I am not sure what the balance of funding is.

I am concerned about gender issues that arise when certain sports are promoted and funded. Members of the Public Petitions Committee are not qualified to make a judgment about those issues, so I would like the Enterprise and Culture Committee to address the matter. If the consensus in this committee is to send the petition for information only, I will accept that, but I am not sure that we are sufficiently informed—I plead guilty to not reading the background material properly—to be able to close the petition. We should refer the petition to the Enterprise and Culture Committee.

**The Convener:** I think that we could close consideration of the petition, but still send it to the Enterprise and Culture Committee. I do not see

what else we can do with it. We sought responses from the Executive and from sportscotland, which we got. We have also had a response from the petitioner, who is obviously not satisfied. There are funding issues, but we have had responses on them. If we send the petition to the Enterprise and Culture Committee for information, we can close our consideration; there is nothing else that we can do with the petition.

**Carolyn Leckie:** As long as it goes somewhere, that is fine.

**The Convener:** Can we close our consideration of the petition?

*Members indicated agreement.*

### **Gulf War Syndrome (PE709)**

**The Convener:** Our next petition is PE709, in which the petitioner calls on the Scottish Parliament to initiate an inquiry into the health aspects of gulf war syndrome and the other devolved matters that relate to it.

At our meeting on 17 March 2004, the committee agreed to seek the Executive's comments on the issues that the petition raises and to obtain an indication of whether it has any plans to conduct an inquiry of the nature that is proposed by the petitioner. Members expressed concern that some gulf war veterans appear to be having difficulties in accessing their medical records and, as a result, may not be receiving appropriate treatment for any medical conditions that they may have contracted. The committee requested comments on that and sought confirmation of what medical records on gulf war veterans are kept in Scotland. In spite of setting an initial deadline of 30 April 2004, the committee has yet to receive a response from the Executive. The clerks received a holding response from the Executive, which was dated 6 May, in which officials stated that they hoped to respond during May, if possible. Even though the committee issued a further reminder, it has yet to receive a response.

Rosie Kane has joined us. Would you like to make some comments, before we start to discuss the petition?

**Rosie Kane (Glasgow) (SSP):** I found out that the petition was on the committee's agenda on my way in, so I am ill prepared. I thank the clerks for giving me the paperwork when I came in this morning.

I want to draw the committee's attention to the motion that I lodged on gulf war syndrome—motion S2M-1397. Alex Izett is a Scottish veteran of the first gulf war who is known to the committee. Like many other soldiers, he received nine vaccines in 24 hours during preparation for

deployment. He now suffers from a number of illnesses, including autoimmune osteoporosis, which a court ruling in 2003 found was caused by a concoction of drugs.

I did not get a chance to speak to Alex Izett before I came in today, so I cannot relay a message from him, but I have spoken to him in the past. He asks how Parliament can assist his request for an independent public inquiry into all aspects of gulf war syndrome.

As members will know, Alex Izett went on hunger strike. He came off that strike because he felt that he was supported by the Scottish Parliament—he had had quite a positive response from some MSPs and my motion had received support. He also felt supported when an early-day motion was lodged at Westminster. However, he has suspended his hunger strike only until 1 July. I guess that I come here to plead on his behalf and to find out what positive news I can take back to him to encourage him not to go back on hunger strike.

**Helen Eadie:** I welcome the fact that Her Majesty's Government has announced that there will be an independent public inquiry.

**The Convener:** It is not the Government that has announced the inquiry.

**Helen Eadie:** There is certainly going to be a public inquiry, which I think will be independent. We are very pleased about that. When I was first elected in 1999, constituents raised the issue with me. A power of research has been done on gulf war syndrome. Right from the start, the fact that the health issues needed to be addressed was pinpointed. It seemed that there was a variety of responses in different health areas throughout the country. That is why I am pleased that there is going to be an independent public inquiry.

**Carolyn Leckie:** It is important to put on the record that the Government has resisted the inquiry, which has had to be organised under pressure from the Royal British Legion. The inquiry is not only independent; it has been organised independently. Therefore, the setting up of the inquiry is not an indication that the Westminster Government or the Scottish Executive intend to take the issue seriously.

This Parliament has authority over health and we have a duty to address the issue, because health professionals are out there grappling with and attempting to treat the symptoms that these veterans are presenting with. It is incumbent on the authorities to examine those illnesses and syndromes and to introduce guidelines that are similar to, for example, the Scottish Intercollegiate Guidelines Network guidelines for diabetes, and to set out best practice for treating them. The Government's intransigent refusal to recognise the

syndrome or combination of illnesses is holding back proper and efficacious treatment of veterans and puts health professionals in a difficult situation.

I am disappointed that, yet again, the Executive has provided no response to a politically difficult issue, which seems to have become the pattern. This issue has a real human cost, and Alex Izett does not want to hear the news that the Executive is rubber-eating us and slinging us a deefie. I believe that the members of the Public Petitions Committee are sympathetic to this petition and I hope that we will send Alex the message that we do not accept the Executive's lack of response, that we will harry it to ensure that it takes the issue seriously and that we will try to find some avenue to pursue these issues. I want to give Alex some hope that we are trying to pursue the matter.

**Mike Watson:** The fact that we have yet again received no response from the Executive is unacceptable, particularly as we received a holding response on 6 May. Have the clerks made telephone contact to chase the matter up?

**Jim Johnston:** Yes.

**Mike Watson:** But with no effect.

**Jim Johnston:** That is right.

**The Convener:** We have gone through the same procedures again. As members know, we are having this additional meeting to consider outstanding issues and to deal with them before the recess. We decided to put some new petitions on the agenda because we felt that they had merit. However, given that we had already highlighted petitions as being urgent, and that we had received no response to our questions, the clerks and I agreed that we should try to achieve something before the recess. If the petitions are being kicked into the long grass during the summer months, we have to act as a kind of lawnmower to cut that grass down a bit.

We must collectively reconfirm our view that the matter is urgent, that it should be addressed as quickly as possible and that we expect a response from the Minister for Health and Community Care to the very clear questions that we framed after hearing Mr Izett's views on the matter. We are not dropping the subject and will pursue it until we have a response. I agree with Carolyn Leckie—after all, Alex Izett has previously gone on hunger strike. As we cannot be seen to allow the situation to drift, we must seek clarification from the minister on when his response is due and what it will be. We must also make it clear that we need the response before our first meeting after the recess.

**Carolyn Leckie:** I am sure that it will be done anyway, but we should also write to Mr Izett to let him know that we have had this discussion, that

we are all very concerned about the situation and that we intend to pursue the matter. Indeed, I want the committee to send him the positive message that, even though the Executive has not provided a response, we are pursuing the matter vigorously. I do not think that any of us want him to resume his hunger strike on 1 July.

**The Convener:** Absolutely—we need to make that point. If signalling our intention to pursue the matter further encourages Mr Izett to take a positive attitude, we should do that this morning.

However, as parliamentarians, we must also hold the Executive to account, which is the primary purpose of putting the item on our agenda. We have to go back to the minister and ask him for a response. Are members agreed?

**Members indicated agreement.**



## Proposed Petitions

11:14

### **Sequestration (Compliance with Statutory Requirements) (PP1)**

**The Convener:** Our third item is consideration of proposed petitions. Members have already been briefed on these petitions, which we have been advised are inadmissible.

In PP1, the petitioner has submitted a proposal for a petition calling for an inquiry into compliance with statutory requirements regarding sequestration and heritable property vested in trustees. Are members agreed that the petition is inadmissible?

**Members** *indicated agreement.*

## **Justice 1 Committee (PP2)**

**The Convener:** In PP2, the petitioner has submitted a proposal for a petition calling for the disbandment of the Justice 1 Committee and the creation of a new committee. We need the committee to decide whether the petition is inadmissible. Are members agreed that the petition is inadmissible?

**Members** *indicated agreement.*

**The Convener:** Thanks, colleagues.

*Meeting closed at 11:15.*



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