

# **PUBLIC PETITIONS COMMITTEE**

Tuesday 24 June 2008

Session 3

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# **PUBLIC PETITIONS COMMITTEE**

## **12<sup>th</sup> Meeting 2008, Session 3**

### **CONVENER**

\*Mr Frank McAveety (Glasgow Shettleston) (Lab)

### **DEPUTY CONVENER**

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

### **COMMITTEE MEMBERS**

Bashir Ahmad (Glasgow) (SNP)

\*Claire Baker (Mid Scotland and Fife) (Lab)

\*Angela Constance (Livingston) (SNP)

Nigel Don (North East Scotland) (SNP)

\*Rhoda Grant (Highlands and Islands) (Lab)

Robin Harper (Lothians) (Green)

\*Nanette Milne (North East Scotland) (Con)

### **COMMITTEE SUBSTITUTES**

Jim Hume (South of Scotland) (LD)

Marilyn Livingstone (Kirkcaldy) (Lab)

John Scott (Ayr) (Con)

John Wilson (Central Scotland) (SNP)

\*attended

### **THE FOLLOWING ALSO ATTENDED :**

Jackie Baillie (Dumbarton) (Lab)

Janet Carson (Erskine Community Council)

Sam Coulter (Erskine Community Council)

Thomas Dallas (Clydesdale Befriending Group)

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP)

Alasdair Ferguson (A82 Partnership)

Karen Gillon (Clydesdale) (Lab)

Trish Godman (West Renfrewshire) (Lab)

John Hutchison (A82 Partnership)

Mervin Kehoe (Erskine Community Association)

Sandra Kozak

Stewart Maclean (A82 Partnership)

Christine McNally (Clydesdale Befriending Group)

Gil Paterson (West of Scotland) (SNP)

### **CLERK TO THE COMMITTEE**

Fergus Cochrane

### **ASSISTANT CLERKS**

Franck David

Zoé Tough

### **LOCATION**

Burgh Hall, Dumbarton

# Scottish Parliament

## Public Petitions Committee

*Tuesday 24 June 2008*

[THE CONVENER *opened the meeting at 14:00*]

### New Petitions

**The Convener (Mr Frank McAveety):** Good afternoon everyone, and welcome to the Scottish Parliament Public Petitions Committee's 12<sup>th</sup> meeting in 2008. We parliamentarians are in unfamiliar surroundings but we are delighted to be in the Burgh hall this afternoon. We welcome the members of the public who have been here for a considerable time. I hope that they will see the committee working on issues that interest not just the petitioners, but people in general.

As always, I ask anyone who has an electronic device that is switched on to switch it off, so that it does not interfere with the sound system.

We have apologies from three members who cannot be present—Robin Harper, Nigel Don and Bashir Ahmad. Another member, whom I hope will arrive shortly, is due to arrive from central Scotland.

Agenda item 1 is consideration of new petitions. As we have a full agenda, we will try to get through the petitions as effectively as we can. We felt it appropriate to come to Dumbarton because we have received several petitions in recent months that relate to the area. I hope that that development is positive for the petitioners. Some petitions concern the remit of organisations such as local authorities, but we are happy to consider issues that relate to national policy or over which parliamentarians might have influence.

I welcome several elected members who are here to represent constituency interests in relation to various petitions. I will introduce them at the appropriate time.

### A82 Upgrade (PE1140)

**The Convener:** Petition PE1140 is by Alasdair Ferguson on behalf of the A82 Partnership. It calls on the Parliament to urge the Scottish Government to begin phased improvements immediately to the A82 Tarbet to Fort William road to improve safety and bring that trans-European lifeline route up to a standard that is fit for the 21<sup>st</sup> century.

I welcome to our meeting Alasdair Ferguson. He is here with Stewart Maclean and John Hutchison, who are part of the A82 Partnership. You have

three minutes to amplify the petition, after which we will have a question-and-answer session.

**John Hutchison (A82 Partnership):** We represent the west Highlands and Islands with a petition that has achieved record support of more than 8,500 signatures in only four weeks—such is the strength of feeling. The map that we have circulated shows the strategic importance of the A82 corridor. We emphasise that the route from Glasgow to Skye is a designated trans-European route.

In the past, when local authorities were agents of the trunk road authority, the A82 was covered by Argyll and Bute District Council, Central Regional Council and Highland Regional Council, but the section of the A82 from Tarbet to Fort William was on the periphery of their interest. That part of the road did not serve councillors' seats, so they did not press for improvement. That is the fundamental reason why we are in the present situation.

The A9 is generally regarded as the main access route to the Highlands, but the A82 is fundamentally important to the west Highlands. The A82 also forms an important tourist circuit via the A9 and represents a winter alternative to the A9 for goods vehicles.

Tourism has a growth target of 50 per cent by 2015 and we must be able to cope with such growth. We were disappointed that the national planning framework consultation paper made little reference to the A82. In response, we recommended that the A82 should be made a national priority, as Governments have before made the A90 and the A9 national priorities.

Coach and other transport operators are forced to use the A84 through Callander to avoid the A82 by Loch Lomond, which increases diesel use and emissions on the M80 and on the M8. Alasdair Ferguson can describe a haulier's experience if members ask him to.

The economic appraisal confirms that the return rate on investment in the A82 is particularly good. Stewart Maclean will answer members' economic questions.

We are aware of the A82's accident record. People compare the A82 with the A9, but we must emphasise that the A82's accident record is much higher in each category, and especially with respect to serious collisions. From the west Highlands, it is difficult to understand the focus on the A9 and the calls to upgrade that road of modern construction when the record does not justify doing so. Of course, we understand that the A9 serves the political seat.

The A82 is frequently closed for five or more hours for investigations into serious accidents, and

there are lengthy diversions that generally add an hour or two to journey times.

The current transport projects review is only part of the answer. Only projects that have been identified so far will be reviewed. We need to do more. The A82 must be made a national priority.

Our petition's purpose is to express the frustration that exists in the west Highlands and Islands on the matter and to ask the Scottish Government to put in place a programme of improvements on the A82 to bring the entire route up to a modern standard. We need support across the parties for action through the committee system or in whatever way is appropriate.

**The Convener:** Thank you.

Two elected members whose parliamentary constituencies are served by the A82 are here. I welcome Jackie Baillie—indeed, perhaps she will want to welcome us to her constituency—and Fergus Ewing, who represents Inverness East, Nairn and Lochaber. We are at the beginning or end of the A82, depending on where one starts from.

Jamie McGrigor, who is a Highlands and Islands regional MSP, cannot attend today's meeting because of a mandatory requirement to attend another parliamentary committee meeting in Edinburgh, but he has asked me to read out a statement on the petition. I am happy to read his comments for the record before I invite committee members and other parliamentarians to ask questions. His statement says:

"As a resident of Argyllshire I have driven on the A82 since I first passed my driving test in 1968. The A82 is a gateway to my home county of Argyll & Bute; but more than that it is a gateway to the whole of the Highlands, a gateway which has been allowed to rust and corrode. In tourism terms the A82 is hugely relevant to Scotland's economy but it has been neglected for too long.

I would want to highlight the case of ... Highland Heritage, which has hotels in Crianlarich and Tyndrum but diverts people on the A83 all the way round through Inveraray because it considers the A82 stretch between Tarbet and Crianlarich too dangerous for passengers and vehicles alike ...

The accident rates for the road confirm it is one of the most dangerous trunk roads in the whole of Scotland ...

While the Scottish Government has recently indicated that improvement work at Pulpit Rock and a bypass for Crianlarich will be progressed by 2012, it is clear that pressure must be maintained to ensure that the A82 is a real strategic priority for Ministers."

He indicates his support for the petition and hopes that the committee

"will ensure that the petition goes forward and helps to get the much needed improvements ... on this key transport artery."

There will now be a question-and-answer session. I invite questions from committee members and other MSPs who have expressed an interest in the issue.

**Rhoda Grant (Highlands and Islands) (Lab):** I probably should declare an interest, as I live on the A82. I am aware of the accident rate on that road. When I hear a siren going past my house, I think "Oops." If I hear three sirens going past, I know that there has been an accident; if I hear more, it is really worrying.

I support the petition's aims, and listened to John Hutchison's opening statement with interest. He talked about hauliers and the like using the A82 instead of the A9 in the winter. Is it not the case that many hauliers use the A82 at all times of the year to serve places such as Fort William and the islands? How much does such traffic increase in the winter if there is bad weather on the A9? What are the problems on the narrow parts of the A82? Coach operators and hauliers have told me that their vehicles are often damaged on the narrower parts of the A82. Are those just stories, or is there any truth in them?

**Alasdair Ferguson (A82 Partnership):** I can answer several of those questions. I confirm that several hauliers from the islands use the A82 as their route going south, particularly if they come through Skye from Uig. In the winter months, if the A9 is blocked at Drumochter, all the traffic going south is diverted via the A82. A Highlands and Islands transport partnership report of 2004 and subsequent reports from Scott Wilson demonstrate that, on average, the A82 is 5.5m to 5.8m wide. The width of two trucks passing is 5m plus, so there is a fundamental width issue on the A82. That is one of the worst features. There are 30 or 40 bridges where two vehicles cannot pass without clipping or hitting each other. Those are serious issues on the A82. We have campaigned for many years for improvements to be made.

We recently produced a DVD, which the committee has a copy of, although I am sure that members have not had the opportunity to see it. The DVD demonstrates a normal day for visitors and motorists on the A82 and shows our concerns and issues.

**John Farquhar Munro (Ross, Skye and Inverness West) (LD):** Good morning, folks. Coming down the road this morning, I left the west coast a bit frustrated as I was trying to push on. I wondered what people are complaining about, because I came through about 12 sets of traffic lights where works were being done on the A82. I admit that they were not all serious works—some of the men were putting up road signs and some were doing a bit of ditching, with not much improvement to the road surface, but there was a lot of activity. However, I am well aware of the

problems on the A82, particularly on the section from here in Dumbarton up to Crianlarich. As you know, there have been long campaigns to try to improve the situation, not least the hold-up at Pulpit Rock, where there have been temporary lights for about 34 years.

My question is for Alasdair Ferguson. What is the main impediment on the A82? You talked about the narrow sections but, apart from the difficulty of trying not to damage vehicles that are coming in the opposite direction, how does the situation affect vehicles' overall running costs?

**Alasdair Ferguson:** It is a double-edged sword. Because of the width and the nature of the road, we divert vehicles down the A84 through Callander. There is no consistency in the width of the road—it goes from narrow to wide and the verges vary. As a small operation—we are only one haulier on the west coast—we divert lorries through Inveraray for Pan Fish contracts, taking fish and salmon to processing. The economics are such that hundreds of thousands of pounds per annum go into time, wages and fuel. We have to consider our carbon footprint and pressure on emissions, but because the A82 is substandard and not fit for purpose, we have to add on mileage. We are also subject to European Union regulations on drivers' hours, which limit us. From a commercial perspective, the impact could be in the region of £50 per daily trip for a vehicle. If there are 10 trips a day, it is not rocket science to work out that that adds up. The most important point is that, in the economics of the west coast, the cost has to be passed on to our customers.

We cannot avoid using certain parts of the A82. Those are narrow, which has a huge impact in relation to safety and damage. With heavy goods vehicles, even minor damage is a real issue. If a mirror is broken, the driver has to park and get people out to fit a new one, for road safety reasons. The biggest issue that we have is at Loch Lomond where, if commercial vehicles meet, they cannot pass and have to reverse. On a daily basis, commercial vehicles have to reverse on a trunk road to avoid each other. One issue with that is when a push bike or a motorcyclist comes in behind a commercial vehicle. The driver checks that it is okay one minute, but by the time that he gets back in his cab to reverse, somebody else could have pulled in behind. Nowadays, with awareness of health and safety, that is a real issue for us and our employees—our drivers.

14:15

**John Farquhar Munro:** That is very true. Someone such as yourself has had a lot of experience of the situation on the A82. If the petition is successful and achieves some financial support for the A82, where would be the most

appropriate section to undertake the first phase of improvements?

**Alasdair Ferguson:** The highest priority area is Loch Lomondside between Tarbet and Inveruglas, up to Pulpit Rock.

**Nanette Milne (North East Scotland) (Con):** I come from Aberdeen, so you will appreciate that I do not drive on the A82 very often, although when family go skiing at Aonach Mòr, I am always relieved when they arrive home safely and in one piece. I note that there is a current action plan for the upgrading of the A82. Is the plan sufficient as it stands?

**John Hutchison:** If you are not familiar with the road, you will enjoy the DVD.

The route action plan that has been produced identified £90 million of work, and it is a start. Of that, £16 million has been committed for works at Pulpit Rock, if the budget can stand it, plus the Crianlarich bypass and one or two other small improvements. Our main aim is to ensure that as much of the work as possible is included in the 2012 to 2022 strategic transport projects review. However, even if that is achieved, it will cover only about 4km between the Corran ferry and Fort William, which is a 15km section of road. So, although we would welcome the go-ahead for the entire route action plan, more must be done.

The route action plan covers only Tarbet to Fort William, but there is also the Fort William to Inverness stretch. We asked Transport Scotland—and we recommended this to the minister—to bring forward an economic appraisal and route action plan for the A82 from Fort William to Inverness.

**Nanette Milne:** Have you been able to meet the minister to put across your concerns? I know that your campaign has been very active, and I wondered whether that was part of it.

**John Hutchison:** That is part of our campaign. We have been trying to meet the minister for a couple of months now. I am pleased to say that I had a call this morning offering a meeting on 1 September. That is a good bit later than we hoped but, in a way, it could well be an opportune time, as it will be interesting to see when the draft programme comes out. We are grateful for the meeting and are looking forward to 1 September.

**The Convener:** I observe that a petition concentrates the mind. You got a call on the morning of your presentation on your petition. Well done to the minister and his staff for responding.

**Jackie Baillie (Dumbarton) (Lab):** Timing is indeed a wonderful thing.

I welcome the Public Petitions Committee to Dumbarton and hope that you will all return. I

register my strong support for the petition. The upgrading of the entire A82 badly needs attention. The A82 is not just important to the Scottish economy or tourism in our area, but to the people who live along its length. The number of accidents and fatalities is significantly higher on the A82 than on the A9, as we have heard, or on any of the other trunk roads in Scotland. Something needs to be done.

I note that the route action plan identified a sum of money in 2006 of about £16 million, but the big prize is the £74 million that will do the rest of the route more comprehensively. We need to secure that money.

I was sharing with my colleague, Trish Godman, the fact that we put a man on the moon 40 years ago, but the temporary lights have been up at Pulpit Rock for 30 years. Although I understand the real difficulties of having a loch on one side and sheer hillsides on the other, it cannot be beyond our engineers to sort out the A82, given what we have been capable of over the years.

I have two questions. Do the petitioners agree that the A82 should be a national priority and that we should call for the £74 million to be committed now? Also, I take up the petitioners' offer to comment on the economic impact. As I said, the road is critical not just to the west of Scotland but to the entire Scottish economy.

**Stewart Maclean (A82 Partnership):** You will note that an 84-page economic report is attached to the petition. I am sure that you have all studied it in great detail, but for those of you who have not managed to do that yet, I will summarise it quickly. First, it spends many pages explaining how difficult it is to put figures on the economic effect of road improvements. It then spends many more pages analysing industries and applying percentages. However, the most important thing is that it concludes by stating that bringing the A82 between Tarbet and Fort William up to a 21<sup>st</sup> century standard would benefit the overall, net Scottish economy by £313 million. That is the good news. However, the report gives 2019 to 2039 as the time period for that benefit. If the A82 is not brought up to a 21<sup>st</sup> century standard until 2019, the western Highlands and Islands will have little economic activity to benefit from the improvement.

The economic report tells us one story, but we should also consider the practical effects on business, social life and family life. Every time we make a journey on the A82—whether it is for an appointment or a flight, or to meet a customer's deadline—we have to accept that it will be a slow journey and build in a factor for possible hold-ups. For example, in coming to today's meeting, I am sure that we all built in an hour on top of the journey time. A recent incident closed the road for

12 hours. There are no simple diversions. In many places, there is no mobile phone coverage and no radio reception, so people do not get information on what is happening. Imagine that situation occurring on the M8 between Glasgow and Edinburgh, with all the lanes closed, no radio reception and the mobile phone network down. We live with such situations far too frequently.

I turn to the personal side. As John Hutchison said, a fatality causes the road to be closed for a minimum of six hours. In many cases, the investigators have a two-hour journey from Dingwall, and nowadays the location of the incident is treated as a crime scene, so we can bank on the road being closed for six hours. The DVD includes a comment from Northern Constabulary that a fatality costs more than £1 million purely in police and inquiry time. There have been 22 fatalities on the road in the past three years. The cost of those is a third of the sum that we are asking to be spent on the road, and if that money had been spent earlier, 22 lives would have been saved.

Those are examples of the immediate costs that we live with every day. As Alasdair Ferguson said, there are increased costs for the daily transportation of goods and services in and out of the western Highlands. There are increased costs for maintenance, insurance and additional fuel, and the time element is also important. You will find out from the DVD that Ian Cleaver, from the hotel in Tyndrum, diverts his vehicles so they take 25 minutes longer on every journey—50 minutes a day. He does that purely for the safety of his passengers and his driver. I ask the committee to consider the costs of that.

The main industries of the western Highlands and Islands are fish-related industries, tourism, timber, retail and haulage, all of which depend to a greater or lesser extent on transport. When I use the word "transport" in the context of the western Highlands, I am referring only to the road and to ferries, because we do not have an excellent, every-half-hour rail service. There are other restrictions on rail. It is obvious that the fishing industry requires fast and reliable journeys to market, as it needs to get its product there as quickly as possible.

There will not be a 50 per cent growth in tourism on the A82. Tourism requires safe and stress-free trips, which is what holidaymaking is all about. It is not about panicking on meeting one of Alasdair Ferguson's lorries on a bend on Loch Lomondside, particularly if you are an American who has got off the plane at Glasgow airport and is driving a right-hand drive car for the first time. The road is terrifying for those people. The timber and haulage industries require road infrastructure in order to comply with the working time directive,



as every minute is counted nowadays. Such issues feature every day in relation to the A82.

The population of the western Highlands and Islands has dropped by 4 per cent over the past 10 years, and it is forecast to drop by another 8 per cent in the period 2002 to 2018. Unless we do something, we will suffer both economically and from a population standpoint. There is a difference between accessible rural areas and rural areas. It has been proven that population growth in accessible rural areas increases at double the rate of the Scottish national average. In normal, inaccessible rural areas, population growth is pretty stagnant. There is demand from people who want to go to rural areas, but we on the west coast are not meeting it because of our infrastructure.

**Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** As the constituency MSP for Lochaber, I congratulate the campaigners on their petition to the Parliament, which I believe has attracted more signatures than any other. That is no surprise to me, because over the nine years that I have been the MSP for Lochaber it has been the most important issue for most people, with the possible exception of the Belford hospital campaign, which was successfully won.

I stress what John Farquhar Munro and others have said about the cross-party nature of the campaign. Dave Petrie, the former Conservative MSP, is here today; we are sorry that Jamie McGrigor is unable to be here. Jim Mather supports the campaign in his role as a constituency MSP, and Councillor Brian Murphy, our friend from the Labour Party—possibly the old Labour Party; I am not quite sure—is here. It is good that the petition has cross-party support, because the issue is so important for the west Highlands.

My worry is not just that the state of the A82 on north Loch Lomondside is a national disgrace, but that the temporary traffic lights to which John Farquhar Munro alluded have been there for 30 or 40 years. If they are there for much longer, perhaps Historic Scotland will try to have them declared as an ancient monument or an historic building.

I will focus on one area that I believe has not yet been covered, rather than revisit other areas: the importance of the A82 as the sole means of access by road to the west Highlands for health services. Those who need to travel from the Belford hospital in Lochaber to Glasgow, Raigmore hospital or the hospital in Oban have to go along the A82. If the road is blocked, as Stewart Maclean has highlighted, what do those people do? In Glasgow, there are—quite rightly—campaigns about the closure of hospitals that are a few miles apart, but we are talking about distances of hundreds of miles.

I raise that issue simply because the other issues have all been covered. You know me, convener—I do not like to be repetitious. I ask the petitioners what they have to say about the importance of upgrading the A82 to the health of people who live in the west Highlands and who need to use our excellent hospital services in Scotland's cities.

14:30

**John Hutchison:** It is interesting to note that the Scottish Ambulance Service has been an enthusiastic provider of data to us. It generally considers itself to be signed up to the campaign, as does the local national health service manager.

Stewart Maclean touched on the issue of community distress, in that the people who are killed or who are involved in serious accidents—or even slight accidents—on the road are known to us. Whenever the road is closed because of an accident, people inevitably ask one another, “Who was involved?” and, unfortunately, quite often they know the person. I realise that it is neither seemly nor appropriate to jostle for position over road accident records, but, as they say, facts are chieftains that winna ding. If we allow for traffic volumes, there were from 2005 to 2007 20 per cent more fatalities per mile on the A82 than on the A9. Moreover, according to data that have been gathered and official police statistics—I should point out that Northern Constabulary has been very supportive and has spoken to Strathclyde Police, Central Scotland Police, Tayside Police and so on about the issue—the A82 has had on a rate-per-mile basis five times the number of serious accidents and five times the number of so-called slight injury accidents.

I was interested to read over the last fortnight of the average speed camera pilot on the A77. After looking at a sample length of the A77 from Fenwick to Stranraer over a 10-year period and then taking those data back to a three-year period, I found that, roughly speaking, the traffic volume on the A77 is three times that on the A82; unfortunately, however, the A82 has, pro rata, about three times the number of accidents that the A77 has. I find that particularly sad.

As they say on television, I have just been handed a note by Mr Ferguson. Perhaps he should just speak for himself.

**Alasdair Ferguson:** The note was about the Scottish Ambulance Service. I simply point out that if the road gets blocked for any reason—say, by a serious accident—anywhere between Ballachulish to the south of Fort William to Spean Bridge to the north, ambulances have to take a 185-mile detour going south via Dalwhinnie on the A9.

**The Convener:** I am aware that we have a very full agenda. Your purpose in speaking to the petition is obviously to amplify wider demands for investment, but the committee needs to gather further information for its deliberations. As a result, we want to distil your evidence and find ways of taking forward your petition. We welcome the fact that you will have an opportunity to discuss the petition directly with the minister, and I hope that that will give you a chance to reaffirm what you have said this afternoon and to move the debate forward at a higher level. Of course, members might have their own views about the further information that we need to help our deliberations.

I am open to members' suggestions. I see that Jackie Baillie is keen to contribute. As she is on home turf, I will let her go first.

**Jackie Baillie:** Far be it from me to suggest what committee members should do—I am sure that their comments will supplement what we already have—but, given the evidence that the committee has heard, it might be helpful to write to the police and the Scottish Ambulance Service to establish the impacts that the petitioners have so clearly outlined. Perhaps the committee should also write to the Scottish Government to invite it to affirm that the upgrade will be a national priority in its strategic roads plan and to ask whether it will provide the £74 million for that work now.

**Rhoda Grant:** It is important that we write to the Scottish Government and Transport Scotland in the terms that Jackie Baillie has outlined. However, I wonder whether we should also ask for a timescale, because the work needs to happen sooner rather than later. We should also ask for the route action plan, which currently covers only the stretch of the road from Fort William to Glasgow, to be extended to cover the stretch from Fort William to Inverness.

In addition to the organisations that Jackie Baillie mentioned, we should also write to the various health boards; NHS Highland, for example, covers a lot of the area, so it will have experienced problems in getting people back and forth. Moreover, it would be good to hear from the relevant local authorities—after all, they deal with economic development and service provision and, as the petitioners mentioned, have given their support to the petition.

Other groups could provide useful information, such as the Road Haulage Association, Scottish Chambers of Commerce, the RAC, the Automobile Association, HITRANS and Strathclyde partnership for transport.

**The Convener:** Other than that, not many people, then.

**Rhoda Grant:** There could be a few more.

**Nanette Milne:** What about the organisation that maintains the roads in wintertime?

**The Convener:** Okay—TranServ as well. We now have a range of agencies and organisations to contact.

From their experience of running the campaign, the petitioners will know about the processes that we all have to go through. Fergus Ewing spoke about cross-party demands for further investment in the A82. We will gather responses together and discuss the petition again. You will be notified about that in advance, as will the MSPs who have expressed an interest in the petition. Depending on the responses, we might well consider having the minister in front of the committee to discuss the petition.

I am conscious of the time, but have the petitioners any final suggestions?

**Stewart Maclean:** I know that time is of the essence, but please take the opportunity to watch the DVD. It really is worth while—even if only to hear Runrig singing "Loch Lomond".

**John Farquhar Munro:** The point has been forcefully made that, even with the capital that has been allocated, things are moving a bit too slowly. In our correspondence with organisations, we should stress that the programmes—the ones that will use the capital that has already been allocated—should be accelerated. If we have to wait until 2017 or 2020, it will seem as if things will never happen.

**The Convener:** To hurry them up, we will threaten them with a full Runrig album. I will say that before Donnie Munro gets a haud o me.

I hope that today's meeting has been useful for the petitioners. You have seen that a range of elected members are keen to support you. I encourage you to maintain contact with them.

**John Hutchison:** Thank you for hearing us today. We know that you were not obliged to invite us to be present, but we thank you for doing so. Around 8,500 people are watching this with interest.

**The Convener:** Thank you.

Before we move to our next petition, I welcome people from Clydebank high school to the public gallery—although I am not sure whether this is what a teacher would call a treat. I used to be a teacher, so I know that there is a big difference between how teachers view the world and how students view the world. However, I hope that you will get some benefit from the serious parliamentary business that you will see this afternoon.

In Parliament, 90 per cent of the hard work takes place in committees and 10 per cent takes place in

the chamber. It is a bit like theatre, where much of the hard work is done in rehearsal and in preparing the stage for the performance, and 10 per cent is the performance itself.

I know that you might not be able to stay for the whole afternoon, but I hope that it will be useful for you to see a parliamentary committee in operation.

### **Local Community Libraries (PE1148)**

**The Convener:** Our next petition is PE1148, for which we welcome Sam Coulter to the committee. The petition calls on the Scottish Parliament to urge the Scottish Government to ensure the continued provision of local community libraries, with the vital social and educational role that they can have in local communities. Along with Sam, we welcome Mervin Kehoe and Janet Carson. All are from Erskine community council. As with the first petition, the petitioners will have three minutes in which to make an opening statement, after which committee members will have the opportunity to ask questions. I also welcome Trish Godman, who is the constituency MSP for the area.

**Sam Coulter (Erskine Community Council):** I used to be a shop steward, but I am getting too old for this kind of stuff.

The thing is, four libraries in Renfrewshire have been closed: Bargarran in Erskine, Gallowhill, Elderslie and Todholm. It is a perfect disgrace. There were two libraries in Erskine, but 17,000 people live there. It is a town, not a village. A lot of elderly people find that the journey to the library up at Bridgewater is too long, especially when the library in Bargarran was practically on their doorstep.

Bargarran library has now closed. I do not know whether Elderslie library is closed, but I think that it will close if it has not closed already. Todholm and Gallowhill libraries have closed. It is a disgrace to do that to people without even consulting them. It was all done behind closed doors.

As I said at the last meeting of the community council, Renfrewshire Council's administration is nowhere near as good as the previous one. It is closing the libraries. I do not know what it is getting up to. It is taking lollipop men and women off the street close to two schools and a nursery in Paisley. I know that I am going off the subject, but I am just trying to put you in the picture.

You have the minutes of the community council's meeting in March, at which two Scottish National Party and two Labour councillors were in attendance. Some teenagers asked me if they could come to that meeting, and I said, "Yeah, have your say." Everyone had their hands up and I had to work hard to control them—it was a good

meeting. The teenagers asked, "What are you going to do with the library?" and the councillors said, "Well, we're going to make it into a facility for the youth." When they heard that, the teenagers said, "But we don't need that! We've got a youth hut across the road. It's the library that we want."

I believe that our petition got around 2,186 signatures from the people in Erskine. What is Renfrewshire Council going to do next? That is all that I have to say.

**The Convener:** I think that your union meetings must have been quite interesting, Sam.

Would the other petitioners like to add to what Sam Coulter has just said?

**Janet Carson (Erskine Community Council):** The town of Erskine was designed as an overspill from Glasgow, but it has now expanded so much that it is, effectively, in two halves: there is Bargarran, where the library was, which also has the community hall and so on; and there is the shopping centre and the newer part of town.

The route from Bargarran to Bridgewater library is unsafe for children. There are no pathways apart from paths that pass through wooded areas. I think that it is bad for children to use those paths. We keep telling children not to walk alone and not to walk through woods. However, there are no pavements—everything in Erskine is pathways that cut through this, that and the next scheme. There are also main roads to cross. Unfortunately, in this day and age, you cannot always assume that a parent will be available to take a child to the library. It would be a shame for even one child to have an accident on the way to Bridgewater library. Bargarran was near to the children, and it also had computers.

14:45

**Mervin Kehoe (Erskine Community Association):** The Bargarran library was used by two nurseries and the school. Children were brought over and librarians told them all about libraries and books.

We had a meeting on 7 March, but the decision to close the library was made on 7 February, without any consultation. The whole thing was railroaded. At one of the meetings that I have had with councillors, we asked what they were going to do with the library, but the councillor who I was talking to could not tell me—and he is the guy who is making the decision.

It has now been decided that the library should be closed, which it did on 30 May. Some of the books have been taken away. About a fortnight ago, we were notified that the building might be used as a drop-in centre. I do not know why,

because, as Sam Coulter said, the young folk do not want that.

The whole thing has been railroaded. I cannot go any further than that. What else is the council going to do?

**The Convener:** I will allow committee members to ask questions before inviting Trish Godman to speak.

**Nanette Milne:** I note that the council has said that it will start up a mobile library service, which it thinks will go some way towards replacing Bargarran library. Has that started? If so, what have the reactions to it been?

**Mervin Kehoe:** As far as I know, the mobile library has started up, but I have not seen it yet. Bargarran library was open all the time, but the bus goes to three different areas at different times. According to the information sheet that I have with me, on Wednesdays, it is in one area from 1.30 to 2.15, in another area from 5.30 to 6.15 and in another area from 11.45 to 12.30. That means that people will have only a small amount of time to choose their books.

Admittedly, Bridgewater library is quite big, but there are a lot of old people in the Bargarran area. The librarians in the Bargarran library were not just librarians; they were friends of all the old people and the children. One young man at the meeting that we spoke about earlier joined the library when he was three, and he is 13 now. The poor guy was nearly crying when he heard that the ladies were leaving. The ladies in the library do not know what is happening to them, either.

**Rhoda Grant:** Was there any public consultation before the decision was made?

**Sam Coulter:** There was no consultation. It is a disgrace. There should have been consultation with the people to put them in the picture, but the decision was taken behind closed doors.

**Rhoda Grant:** As you have had no discussions with the council, you will not know what sort of library service it is obliged to provide to people.

**Sam Coulter:** That is right, I am afraid that we do not.

**Janet Carson:** We asked the secretary of our community council whether she had been notified by the council, which is supposed to happen—that is why we have a community council—but nothing had been received. The first thing that we knew was that the library was being closed, and that was the end of it, as far as the council was concerned. It was not prepared to listen to anything that we had to say, which is why we had the public meetings.

**Rhoda Grant:** Does the mobile library have computer facilities and studying facilities?

**Janet Carson:** No.

With regard to the mobile library, elderly ladies in the community have told me that they have only 15 minutes to get from their home to the mobile library, given its time slot in their area, and that is not always feasible. What is more, many of the roads are quite steep—how are disabled people supposed to get to the mobile library, especially in the winter? They will have no access to the facilities.

**The Convener:** I invite Trish Godman, the local MSP, to speak.

**Trish Godman (West Renfrewshire) (Lab):** Thanks, convener.

I have some quick comments to make about the mobile library. People have 45 minutes to get in and get a book. One of the pleasures of reading is having the time to sit and choose a book. The mobile library has facilities for disabled wheelchair users but, as has been mentioned, it has no computers. The predominantly older inhabitants of the area have to go up a hill to get to the mobile library. I have checked out the bus times and there is only one bus that residents can get, which they must catch from a bus stop where there is no cover. Believe me, it can be quite wet and windy in Erskine.

I fully support the lodging of the petition by constituents in that part of West Renfrewshire. I am aware that the committee has no remit to interfere in the operational decisions or actions of public bodies, including local authorities. That is right and proper; there are democratically elected representatives who have such a remit. However, it seems to me that the petition is a good example of the need to question the guidance on consultation. Bargarran library has already closed. I wrote to the council to ask it to delay its decision, at least until the petitions process had been gone through. The strength of feeling on the issue is made clear by the number of people who signed the petition. Whether they are large or small, public libraries are extremely important to communities such as that in the small area of Erskine that we are talking about.

The library was closed on the basis of scant consultation. I was not asked about the proposal—I was told that the library was to close. I was first informed of the decision, I think, by Sam Coulter, who was told of it through the community council. The fact that more than 2,500 people signed the petition is clear evidence of how strongly they feel about the fact that elderly people have been deprived of an important service.

I want to know about the guidelines that exist for consultation by local authorities. My view is that the consultation period should be sufficiently long to allow information to be gathered and then

presented to the Parliament's Public Petitions Committee, which—with another hat on—I know is a model that people who visit the Parliament from other legislatures, including Westminster, want to copy. What is the point of being able to lodge a petition if the decision has already been made by the time the petition is considered?

There should be a general rule that consultation should be seen to be eminently fair. That would benefit councillors and residents. In this case, the consultation process has not been fair. I want to know whether there are national criteria for consultation, whereby, at the very least, a community that decides to go down the road of lodging a petition, for example, has the opportunity to present evidence to the committee so that it can ask questions and reach a decision before the council takes its decision. It is appalling that the council decided to close Bargarran library and others in Paisley before any consultation had taken place and, in particular, before the Parliament's public petitions process had been completed. As soon as I got word of the council's decision to close the library on 30 May, I immediately contacted the council and said that the date for appearing before the committee was 24 June. It did not say, "Tough," but it might as well have done.

I suggest that the committee should ask the Scottish Government whether it has national guidelines for such consultations and what those guidelines are. It is just not acceptable that people are encouraged to read and to get involved in local communities and community councils but are not listened to.

**The Convener:** Thanks very much. Do members have any other questions?

**Angela Constance (Livingston) (SNP):** I was interested in what Janet Carson said about the walking routes for children to the library that is a mile and a half down the road from Bargarran library. Has the council made any efforts to make those walking routes safer? When issues to do with children walking to school have been raised in my area in Lothian, the council has sometimes had to undertake work to make walking routes more attractive and safer. As a community council, have you made any representations to the council to that effect?

**Janet Carson:** We have made representations to the council many times—not just because of the library closing, but because of issues such as the state of the roads and overgrown trees. It is difficult for children to walk to school in the winter. I admit that there are plenty of buses to take them to school—the problem is getting children down to the main thoroughfare so that they can catch them.

I return to the issue of the library. I am losing my sight and cannot read any more, so I have to use talking books, which is nothing like having a good cry at a good book. When I go to what is called a library bus, there is no lady to read the back of the books for me—I have to ask other people who are taking books out. When I went to the library, one of the ladies who worked there would do that for me, which let me know whether I had read the book. The closure of the library is a big difficulty for me, because I am losing my sight. The problem started only last November, so I am still getting to grips with it. If Sam Coulter is reading a book, I find it embarrassing to have to ask him what it says. The closure of the library is a great loss. No facility has been put in place in our area to make it easier for children to walk to school. If one child's life is taken, that is one life too many.

**Claire Baker (Mid Scotland and Fife) (Lab):**

The lack of a consultation process is clearly an issue. You made a good case for the library to be seen as a social hub of your community. Janet Carson described her experience of using the library, and you indicated that nurseries and schools have links to it. What do you think influenced the council's decision? Were there cost pressures? Have people stopped using libraries? Can the retention of a library be justified? Is the biggest problem the fact that you were not involved in the decision?

**Janet Carson:** We were not really involved. The council told us that the decision was not cost related but, as Sam Coulter indicated, no specific answer has been given.

**Trish Godman:** I should have indicated earlier that around 20,000 people are registered at the library. I was told that the financial settlement was the reason for the library's closure. However, the library in Ralston, which is used by far fewer people, has been left open. I will not argue against the retention of a library in Bishopton, in my constituency, but that library, too, is used by fewer people than used Bargarran library. The decision to close the library was down to money. It costs about £62,000 a year to keep it open. As you and I know, convener, that is a drop in the ocean in a local authority's budget. You and I also know that libraries are a soft budget line that is easy to cut.

**Mervin Kehoe:** Can I come in at this point?

**The Convener:** I have tried my best, but I cannae stop you. On you go, Mervin.

**Mervin Kehoe:** I asked a councillor whether the decision was based on finance, but he said that it had nothing to do with that. Now we are told that it did. God bless the Parliament for giving us free bus passes. Now we are told that we can go to Bridgewater library because we have bus passes. That is fair enough but, unfortunately, the bus stop

for the library is 200 to 300 yards away from it. Many old folk cannae make it—they are stuck. When I made that point to councillors, I was told “Tough luck.” They are not nice people.

**Claire Baker:** Trish Godman has indicated that cost pressures may have been a contributory factor. Given the involvement of nurseries and schools with the library, the decision to close it seems to be a bit short sighted. If the importance of the library to the community had been recognised, a better cost benefit ratio could have been arrived at. Did the council explore ways of building better links between the library and schools?

**Mervin Kehoe:** At our meeting with councillors, they talked about the number of people who use the library. When I asked them whether they had included the 60 or 70 other people who use it, they had no clue about what I was referring to. I told them that I was referring to the two nurseries that use the library. The next day, I walked out of the library as the kids were coming in. I told them that they had better enjoy the library while it was there, because the council intended to close it. The council did not know about the nurseries—it is just ignorant.

15:00

**The Convener:** I am aware that there are other items on the agenda, but we need to explore a number of issues that have popped up. One is about the national framework of criteria within which councils make decisions. They hold the funding for local libraries and so on, but obviously there may be broad guidelines. There is a broad duty to be cognisant of the need to provide such facilities, but there is no statutory duty to do so like the statutory duties in social work and education, so there is greater flexibility to enable council to be innovative or not in respect of libraries. Having been in the role in the past at local government level, I know that making decisions about libraries is difficult, but two issues worry me. The first is a lack of clarity about the strategy that was in place to find innovative ways of addressing the underusage of the library, if that was the issue.

I take on board Trish Godman’s comment about agencies such as local authorities or health boards, when a petition is going through the system, continuing in a direction that circumvents further consideration by the committee. The committee has no statutory rights on that, but we hope that public bodies will respect the committee process.

The second issue is the strategy for ensuring that there is parity in the library service throughout the local authority area. An inconsistency seems to have been identified by the petitioners and the

constituency member. We can take that issue on board, so it would be useful to raise those matters directly with the local authority to seek an explanation at least. The council may have valid reasons for its actions, but it does not seem to have given you any so far.

Secondly, we should perhaps contact the likes of the Scottish Library and Information Council. My ministerial duties covered public libraries, so I know that there is no real ministerial direction for public libraries. Whether there should be is a moot point and it is an issue that Parliament needs to explore. I make those recommendations. It might also be useful to get information from other local authorities that have been through what is a difficult process when libraries have historically been in one place but the geography and population of the place shift a bit. It would be useful to establish how the council has tried to address usage.

There are good stories in Scotland about libraries that have been turned into major social facilities, which are better than their original conception, through an extra wee bit investment here and there. It has sometimes been necessary to take an initial hit in usage in the knowledge that the audience for the library in the future is being grown through the use of information technology and various other things. We can certainly see that in my own constituency. In one of the poorest parts of Glasgow, we now have one of the highest library usages. The only library in Glasgow with equivalent usage is Hillhead, which would be expected to have higher usage of library services.

We can perhaps help to address those issues. I regret that the position is that the library has closed. Mervin Kehoe asked me prior to the meeting whether it is possible to get councils to rescind their decisions. I was trying to work out why I was asked that question and you have confirmed my suspicion. We want to try to progress some of the principles that you have raised. Even if you are not successful, you do not want others to go through what you have gone through.

Are there any other suggestions from committee members about what we can do?

**Angela Constance:** I am aware that the library has already closed. It is important that we make representations to the relevant local authority about how the local community could be better accommodated. For example, could bus routes be altered so that people are taken nearer to the library? If there are no bus shelters, could they be erected? If routes to a library are unaccommodating or unsafe for children to walk along, could that be addressed? Could the mobile library be more accommodating with regard to the time at which it visits the relevant community?

**Rhoda Grant:** I suggest that we ask the Government about the place of libraries in outcome agreements.

As well as consultation, should the provision of community libraries not be part of community planning? A lot of issues are involved, such as the playgroups and other groups that the petitioners talked about. It seems short sighted that the issue was not considered in the round and in the context of community planning.

**The Convener:** I suggest that we add Glasgow to the list of local authorities that we contact because it has changed its library provision during the past 10 years and is now one of the local authorities in Scotland that has seen an increase in library usage. It would be interesting to see its process, although I concede that that included closures, in case people come back and ask me that. However, in the longer term, it was about getting investment back into public libraries as a social facility within communities.

As Trish Godman does not want to add anything, I thank the petitioners—

**Sam Coulter:** Could I add something convener?

**The Convener:** I know that you are an old works convener, Sam, but I am entitled to the final word here.

**Sam Coulter:** Two minutes.

**The Convener:** I will give you half a minute, Sam; on you go.

**Sam Coulter:** A certain councillor came along to the community council meeting before last and said that it was done and dusted. I said, "It's not done and dusted at all. We are going to fight you on it." He just looked at me. That is the kind of people that we are dealing with.

**The Convener:** He has underestimated you, Sam. I am sure that you are in for the long battle. Thank you for your contribution this afternoon. Hopefully we can make progress on some of the issues that you have raised.

### **War Veterans (Health Care) (PE1159)**

**The Convener:** The next petition is PE1159, by Sandra Kozak, calling on the Parliament to urge the Government to provide NHS Scotland and other relevant organisations and individuals, including veterans of the gulf war in 1991, with all necessary information and facilities in order that veterans who were exposed to nerve agents and their preventive medications are assessed, advised and treated appropriately and fatalities are prevented.

I welcome Sandra Kozak to this afternoon's meeting. You have seen what the format is,

Sandra. You are on your own there, so it might be a lonely experience, but you have a few minutes to make a contribution on your petition, then we will take questions.

**Sandra Kozak:** I thank you, convener, and members of the committee for your consideration of my petition and for the opportunity to appear here today.

The subject of illnesses relating to service during the gulf war has long been contentious, and I fear that there will never be definitive answers about the specific cause or the effect on individuals. Although I will address a specific aspect—the nerve agent pre-treatment set tablets—I am not in any way suggesting that they are the sole cause of people's ill health experience. However, the reports referred to in my original submission show that, while the NAPS tablets were intended to be a defence measure by affecting the body only temporarily, it has now been shown that their effect is permanent and degenerative. The question that then follows is why not all veterans are ill, and why those who are display symptoms that differ in effect and intensity.

As our understanding grows of how DNA affects our individual physical responses to various chemicals, the spectrum will be more easily understood. Interestingly, although the Ministry of Defence initially refused to entertain gulf war veterans' health issues, and it continues to procrastinate over their causes, information about operation antler—the investigation into the use of human guinea pigs at Porton Down in the 1950s—shows that, even in 1953, the Government had indisputable evidence that there was wide variation in individuals' responses to organophosphate poisoning.

That is particularly relevant, because organophosphates are the main constituents of the nerve agents whose effect the NAPS tablets were manufactured to emulate. The Governments that are involved have not yet resolved the actual exposure of veterans to nerve agents during the war.

I could talk for a long time about the many reports that have been written; the televised "Critical Eye" documentaries entitled "The Dirty War" and "Quick War, Slow Death", which covered British veterans; and the various opinions that are held. The report of the independent inquiry that Lord Lloyd chaired could lead to hours of discussion, not least about why Malcolm Lingwood, the director of the veterans policy unit at the MOD, sent to almost 60 of his colleagues a letter dated 14 July 2004, which advised them:

"It is therefore not considered appropriate for any Government Minister, serving official or serving member of the Armed Forces to attend Lord Lloyd's investigation."

However, none of that provides the practical help that would assist veterans and their doctors in identifying any special considerations that are relevant to the treatment that they receive. A hospital in Glasgow is one of the few facilities that can offer the blood analysis that is relevant to the conditions that the veterans experience.

When debating any action, cost must—of necessity—be considered. I ask members to consider the United Kingdom Government's programme of research, guided by the Medical Research Council, into gulf veterans' illnesses. On 22 June 2006, a figure of £8.5 million was quoted as having been spent on that programme. If that is broken down over the—by then—15 years since the war and among the approximately 55,000 veterans who are involved, it equates to a very small cost per veteran per year. The sum is not large, considering the implications of any findings.

**The Convener:** You raise a particular issue that is different from that in other petitions. We will ask questions, to which I hope you can respond positively.

**Rhoda Grant:** You will be aware that the committee cannot deal with some of the issues that you raised, because they are reserved. However, health care and support fall within our remit. As a result of the petition, what would you like health care providers and the like to do to support veterans?

**Sandra Kozak:** I would like veterans to be identifiable by their general practitioners. It is now 18 years since the war. People leave the forces and go to other jobs. Their doctors might not be aware that they were in the armed forces, never mind that they served in the gulf war. If they were identified, doctors could say, "This man may need special considerations," so if blood pressure medication, warfarin or pain-killers did not work in the way in which they should and in which they are expected to work on you or me, that might be easier to understand.

People have a limited understanding of the effect of nerve agents and of the tablets that were taken. They tend to think that a nerve agent affects their memory and perhaps their speech or hearing. In fact, the chemical affects the on-off switch for the glands in the body and how they work, which upsets the whole structure of the physiological being. People need to be identifiable so that they are not given medication such as adrenaline, which could make their condition worse, and so that doctors know that if one medication does not work, they can try others.

15:15

**Rhoda Grant:** I am trying to bottom out how we do that. We could have a public information

campaign to tell people to inform their GPs that they might be part of the group involved. I understand that identifying people through testing and the like is complex.

**Sandra Kozak:** The problem is that some people are badly affected, whereas others are not, as I said. I am not a scientist or a medical practitioner. I understand that blood tests exist, but I believe that a guideline is needed with which to make comparisons, to determine how badly a person is affected.

The problem in relation to operative procedures specifically is that if a veteran has no identification, or anything to indicate that they served in the war and took those tablets or were exposed to nerve agents, they may be made much worse in an operating theatre, or they may not recover from anaesthesia at all.

**John Farquhar Munro:** Good afternoon. Just for clarification, were all military personnel who were involved in a conflict such as the Falklands or the gulf war given this type of vaccination or medication?

**Sandra Kozak:** Not in the Falklands. It was in the gulf war, which involved non-conventional warfare, that the tablets were used and issued for the first time. That was the first time that they were taken by healthy human beings, other than for a very short period of time when they were initially tested—at Porton Down, I believe. They were not actually licensed for use until 1993, which was two years after the end of the war. I do not know whether the contents of the licensed tablets are exactly the same as they were before.

**John Farquhar Munro:** In your petition, you express concern that when individuals are hospitalised or need medical treatment, there may be complications if they are given the wrong sort of medication. How does an individual know—or how can they be sure—what medication they received when they were serving in the forces?

**Sandra Kozak:** Those involved in the gulf war cannot, because the vaccination programme was very complex. Medical records were virtually non-existent; some were destroyed out in the gulf and were not even brought back to be held in personnel records. However, veterans know that if they were there, they will have taken the NAPS tablets—one every eight hours during the period in which they were in the theatre of war.

**John Farquhar Munro:** Were they aware of what the tablets consisted of?

**Sandra Kozak:** They were told to take them as a preventive measure against nerve agent warfare.

**John Farquhar Munro:** So it was a military instruction?



**Sandra Kozak:** There was informed consent every time.

**Nanette Milne:** Do you think that the Scottish colleges—the Royal College of Surgeons and the Royal College of General Practitioners—should put out guidance to their members? Should there be guidance to health boards on asking patients who are admitted to hospital if they are a gulf war veteran, as a routine question?

**Sandra Kozak:** I agree, particularly if the information is passed out to surgeons, because having “gulf war syndrome” or “gulf war veteran” noted against someone’s name does not mean anything, since the MOD will not clearly admit that there is a problem or give out information that would be pertinent to veterans’ treatment under the circumstances. It would be fantastic if the reports and the research pertaining to the matter that are accepted in America and other countries were made available through various health authorities, so that doctors could issue guidelines. There is no other way for doctors to be aware of the problems.

**Nanette Milne:** Is that the case in America?

**Sandra Kozak:** In America, hundreds of millions of dollars have been spent, and the ill health is now fully acknowledged. In some cases, the effect on wives and children is also being investigated. Of course, in America, there are veterans’ hospitals, whereas here the military hospitals have been closed to a great extent, and veterans rely completely on the national health service for their treatment.

**The Convener:** One of the issues in the papers that members have read is coherence between the information that the MOD holds and the information that may or may not be held by health boards, general practitioners or whatever. A guidance note has been produced by the Cabinet Secretary for Health and Wellbeing. Can you comment on whether that is effective enough? Secondly, where are there still gaps? If you can draw the attention of the Public Petitions Committee to those gaps, we can take up the issues on your behalf.

**Sandra Kozak:** I suspect that you are talking about the medical assessment programme to which veterans are sent, which was set up by the MOD.

Veterans can be referred to the medical assessment programme by their GP if the GP feels that that is necessary. However, although blood samples are taken and may be analysed, the assessment programme—I emphasise the word “assessment”—simply sends the results back to the doctor. There is no follow-up and no treatment is recommended. It is an informative exercise. The MOD has the details of the veteran,

what he may be suffering from and his blood test results, which are given to the doctor, but it does not offer any treatment.

**The Convener:** According to our papers, a House of Commons report on the issue states:

“cooperation is usually good, but we found that in Scotland it was often inadequate.”

Does that mean that the MOD was better down south than it is in Scotland, or is the co-operation between—

**Sandra Kozak:** I have no idea what that means. As far as I am concerned, if my suggestion was taken up, veterans in Scotland would benefit from the fact that the NHS in Scotland is devolved from Westminster and so doctors would be free to receive information from health boards, probably in a way that would not be possible in England.

**The Convener:** Forgive me for assuming that you had seen that report. It states that better co-ordination is needed. We will want to raise that issue, along with the concerns that you have raised this afternoon.

**Trish Godman:** Last week, we had a meeting to form a cross-party group in the Scottish Parliament on supporting veterans. The group could consider and pursue the issues in the petition, keeping in mind the point that Sandra Kozak made about the MOD probably having the bulk of the responsibility for the issue. The group would be interested in considering the issues further.

**The Convener:** As members have no more questions, we will pull together some of the issues that we have identified. We need to seek a range of information, so we will discuss that now. I am open to suggestions from committee members about how to proceed with the petition.

**Rhoda Grant:** Can we ask NHS Quality Improvement Scotland about the current information and advice that it gives to health boards on the issue?

**Nanette Milne:** It would be useful to communicate with the Gulf Veterans Association and with Erskine Hospital.

**The Convener:** As the report to which I referred mentioned information sharing, it would be useful to hear from the health department about what guidance is available to health boards. We can then write to various chief executives, perhaps in areas where there is a high concentration of recruitment to the Army. I imagine that the NHS Highland, NHS Greater Glasgow and Clyde and NHS Tayside areas have high levels of recruitment to the Army. We should ask those boards whether they engage with the MOD or are in discussions on the issue.

I see that Sandra Kozak is keen to add to the discussion.

**Sandra Kozak:** You will get a certain amount of information out of the MOD, but I remind you that it will be limited, purely and simply because if the MOD admits that there is a problem—and suggesting a treatment is admitting that there is a problem—it will make itself liable for the ill health of the veterans, which it has been avoiding doing for the past 18 years.

**The Convener:** You are giving us a wee bit of guidance on the sensitivities. I understand the legal framework.

**Nanette Milne:** We have not mentioned the royal colleges. It might be worth running the issue past them for comment.

**John Farquhar Munro:** We should contact the people who were at the coalface—the Gulf Veterans Association.

**The Convener:** I am happy to do that. Some of the issues that Sandra Kozak raises are a bit of a minefield—I do not want to extend the metaphor too badly—but the issues that we must consider are how to find better ways to support individuals and how to get a national strategy or recognition of what needs to be done through guidance and information exchanging. Once we get the responses back, Sandra Kozak will have a chance to come back to the committee to examine the progress that we are making. I hope that the meeting has been useful for her. I thank her for her time.

### Befriending Services (PE1167)

**The Convener:** Members have been patient. We will press on with our next petition.

PE1167, by Christine McNally, on behalf of Clydesdale Befriending Group and other supporting organisations, calls on the Scottish Parliament to urge the Scottish Government to recognise and promote the positive impacts that befriending services for adults with learning disabilities have on its “The same as you?” strategy and to ensure that adequate funding is provided to support befriending opportunities and promote social inclusion.

I welcome Christine McNally and Thomas Dallas. We met when the petition was handed over to the Parliament last week, so I know that Thomas is keen to make a contribution this afternoon. You have a few minutes to elaborate on your petition. The constituency member Karen Gillon, who was also present at the handover last week, has come along to support the petitioners.

Who will speak first?

**Christine McNally (Clydesdale Befriending Group):** That’s me.

**The Convener:** Will Thomas follow you?

**Christine McNally:** Yes.

**The Convener:** Good. We will leave the best till last, Thomas. [*Laughter.*]

**Christine McNally:** On behalf of the community of Clydesdale and the Befriending Network Scotland community, thank you for giving me the opportunity to speak to you in support of our petition. So much has been documented about the benefits of befriending, but what is not readily available is information on the impact of befriending on adults with learning disabilities and the communities in which they live. I therefore feel that it would be appropriate to give a synopsis of our community’s experience of befriending. I will also explain the journey that the community of Clydesdale has undertaken, which brought us here today.

In 2001, members of the Clydesdale community responded to pleas for social support from adults with learning disabilities who live independently in the community. The community rallied round and used the ethos of befriending to develop a support mechanism. Befriending offers supportive, reliable relationships, through volunteer befrienders, to people who would otherwise be socially isolated. Through sheer determination, and after four years of sweat, tears and toil, the community was rewarded in September 2005 with lottery funding for a two-year pilot project based on the principles of the strategy “The same as you?”. The project aimed to support individuals through a person-centred approach by encouraging personal development, promoting choice, and encouraging people to realise potential and independence by accessing community resources.

The demand for support outweighed the availability of staff, volunteers and financial resources, but despite those constraints, the project developed further learning mechanisms that saw entrenched, socially isolated adults become valued members of the community.

The benefits to individuals quickly became apparent. One example was a 19-year-old female who required little support to live in her own home, although her only social support was her elderly grandmother. One year on, with the help of a befriender, she is socially independent and has friends of her own age. By accessing community groups, she developed new craft skills and is looking to start her own enterprise. At the other end of the scale, a carer has greater confidence in his 42-year-old autistic son’s outlook on life. The carer told me how he felt when he saw his son smile for the first time in his life while attending group befriending activities.

In July 2007, we took a snapshot of professional views on the benefits of our befriending service. It was reported to us that our service adds structure to a person's week, broadens their social experience and gives them experience of relationships outwith a dedicated team. Staff had seen a particular individual gaining an additional social avenue and making progress. His wellbeing and his social skills had improved.

15:30

In August 2007, we were faced with closure due to insufficient funding. We depend solely on charitable grant aid support, for which the community is grateful. Despite a still outstanding grant application to the Big Lottery Fund, we were forced to implement a closing strategy. No other services that can offer similar support are available in the area. The distress that individuals and carers experienced was overwhelming.

In January 2008, we finally received our lifeline in the form of a three-year funding package from the Big Lottery Fund to continue to deliver and develop a service. Other charitable organisations—Lloyds TSB and the Baily Thomas Charitable Fund—also contributed.

Six months on, we continue to provide an ever-increasing service. Empowered adults have formed a focus group to ensure that they have a voice in the organisation and the community. Clydesdale Befriending Group became the first community group in Scotland to offer the gateway award to group members. The group fosters peer volunteering opportunities so that individuals can share experiences and contribute to their community. It can access community education links that offer opportunities to learn in the community. A further testimony to the benefit of befriending is that local organisations now approach the group to offer to support and encourage adults to join in their activities. The local heritage trust group has offered to support adults on a day out with it to Hadrian's wall and an archaeological society has invited interested individuals to join it in a local dig. Our members contributed to the local Lanimer day celebrations, and medieval festival organisers have requested help from the adults.

Petitioning the Parliament has been a positive experience. Adults with learning disabilities have not only become active and visible in the community—they have become interested in the democratic process, and are enthusiastic about learning more about it. Some have begun to notice Parliament on television and have approached staff for further information about what was being discussed.

Our befriending model of support is a useful tool for the social support of adults with learning disabilities. Befriending augments current legislation and strategies, and adds strength to our Government's aims and undertakings. Befriending adds value to life. As C S Lewis said:

"Friendship is unnecessary, like philosophy, like art ... It has no survival value; rather it is one of those things that give value to survival."

Adults with learning disabilities are now valued members of our community, and—more important—they feel valued.

To sustain the commitment of communities to supporting social inclusion for adults with learning disabilities, we require the funding provision for befriending groups to be considered to ensure that adults with learning disabilities have the same access to community resources that other members of society have.

**The Convener:** Thank you, Christine.

I invite Thomas Dallas to add to what has been said.

**Thomas Dallas (Clydesdale Befriending Group):** Hello. I am the secretary of Clydesdale Befriending Group's focus group, which is made up of befriendees, volunteers and carers. We discuss and arrange outings and activities that we are interested in. We have been to the big in Falkirk festival, Our Dynamic Earth in Edinburgh and Glasgow's People's Palace, and we are planning a trip to the Bo'ness steam train. I help to organise the friends on Friday club, and we have organised tombolas to raise funds for the outings.

I do not go to a day centre now. Before I joined Clydesdale Befriending Group, I just sat in my house watching television and listening to the radio. I was friendly only with Gary, Elizabeth and William, who lived next to me. I now have lots of friends from all over Clydesdale, which means that I can go to different places. I have learned to get on with other people, and other people have learned things from me.

I am a disco disc jockey, and I am going to teach other people how to become DJs. I helped out at Lanark's Lanimer day celebrations, and I am planning to help out at the medieval festival in August. I have been asked to go to Hadrian's wall with the town's historic society. I feel good knowing that I am helping the community.

If there was no befriending group, I would not have as many friends and I would not do as many interesting things. I would have to watch more telly or DVDs.

**The Convener:** Thank you very much, Thomas. That was very powerful. I am sure that what you

have said will concentrate the minds of committee members.

We will now take questions from members. Christine McNally and Thomas Dallas should both feel free to answer members' questions. Karen Gillon has expressed support for the petitioners, so I am sure that she will ask a few questions.

**Rhoda Grant:** Do you get any funding from statutory authorities such as local government?

**Christine McNally:** At the moment we get no funding from the local authority, apart from help to fund the Christmas party. We received a £5,000 seedcorn grant in 2003.

**Rhoda Grant:** It would be useful if you could provide us with examples of what you would use the funding for. You would obviously need a co-ordinator. Volunteers give their time free of charge, but is funding required to organise the visits that Thomas Dallas described?

**Christine McNally:** The funding that we receive from the Big Lottery Fund and various grants is used to pay for staff, accommodation, equipment, volunteers and supporting adults' participation in activities. We live in a rural area, so it can be expensive for someone to undertake an activity—it can cost someone who lives in Biggar up to £40 to go to the cinema for a day out. The funding that we are seeking would help to subsidise such activities. Adults with learning disabilities must meet their costs and the costs of the carer who takes them on the activity. If a volunteer takes them, we cover the volunteer's costs, which are substantial. We must also cover the use of the bus for monthly outings, which take people into the wider community and give them experience of activities that are not readily available in rural areas. Those expenses cannot be funded out of individuals' benefits.

**Nanette Milne:** You said that the Big Lottery funding that you have received is for three years. Is it possible that the funding will be extended beyond three years?

**Christine McNally:** We must reduce our dependency over time. We were fortunate to receive just under £250,000 from the Big Lottery Fund for three years. I do not think that the grant will be sustained at that level in the next term. We must identify other ways of generating income.

**Angela Constance:** Your petition mentions the social work department of South Lanarkshire Council. To be cautious, I declare an interest—I used to work for that department, albeit not in this area. There are interesting parallels between befriending services and advocacy services. Advocacy services are somewhat more formalised, as they are on a legal footing for some service users. Local authorities and national health

service boards have an obligation to provide advocacy services to people who are detained under the Mental Health (Care and Treatment) (Scotland) Act 2003.

Given that the main thrust of your argument is that befriending services for adults meet obligations under "The same as you?" and are in keeping with the spirit of that agenda, how could a more formal obligation be placed on local authorities or other agencies to fund befriending services? I note with interest that you say that South Lanarkshire Council's social work department is the major referrer to your service, but that it does not include befriending among individuals' support needs.

**Christine McNally:** The Chronically Sick and Disabled Persons (Scotland) Act 1972 provides individuals with a right to support for leisure activities such as going to libraries and going swimming, but such activities are not funded from the wider budget and are dependent on staff rotas and timings.

On the other hand, with the voluntary sector, such activities can be undertaken at the individual's convenience and at normal leisure times. Like you and me, the individuals in the befriending group go to day centres, colleges, school and work, but they still need help with leisure. The voluntary sector can provide that help. We get referrals from the social work department because it cannot provide the staff or the support to cover normal leisure times, the evenings or the weekends. We also get referrals from advocacy groups, which ensure that people's wishes are heard and progressed. If someone wants more leisure time and wants to undertake more activities, they come to us.

Instead of having to go and work in Iceland, one individual wanted to learn about and work in music, but no one could find him an outlet. However, after an open discussion with staff, we were able to solve the problem and match the young man, who was also in employment training, with a music teacher who was willing to teach him and improve his skills in the evenings and at weekends. As a result, the young man got an interview at Motherwell College. He did not get in, but he is motivated enough to continue practising and studying to get in next year. The beauty of the befriending group—and the reason why, I think, the social work department uses it—is that it has the flexibility to do things outwith normal working hours.

**Angela Constance:** It sounds to me as if you are looking for some kind of quid pro quo. Although the social work department and other organisations refer individuals to you for a service that improves their quality of life and enhances their wellbeing, no resource follows such requests.

I know that that sounds rather formal, but is that the case?

**Christine McNally:** That is right.

**Karen Gillon (Clydesdale) (Lab):** As you know, I very much support the petition. I cannot add much to what Thomas Dallas said, other than to point out that I have seen the work at first hand. There are seats outside my office in the middle of Lanark—

**The Convener:** That is one way of keeping an eye on your constituents.

**Karen Gillon:** I know. Three young men used to sit on those seats, and it was impossible to make eye contact with them, never mind engage them in conversation. However, after becoming involved with the befrienders group, they not only engage people in conversation but make demands on me as an elected member. For example, they now want various services to be provided, they want to come to the Parliament and they want to be involved in this process. They know—and I have seen—what they have got out of all of this.

As for what happened between August and January, we all know how traumatic it can be for voluntary organisations not to know whether lottery funding is forthcoming. That trauma can be doubled, trebled or even quadrupled for adults with learning disabilities, who have to face the uncertainty of not knowing whether there will be a service come January or whether they will, as Tommy Dallas made clear, find themselves stuck in their house again, unable to get out, socialise or do the things that the rest of us take for granted.

As someone who used to be a youth worker, I am well aware that we provide services for young people, places for them to go, staff to work with them and people to support them. However, we do not do the same for adults with learning difficulties. I would like the committee to find out how this service can be provided by local authorities throughout Scotland, whether through social work departments, education departments, youth learning services or whatever. We must ensure that the needs and requirements that we take for granted are also supported for adults with learning difficulties.

I have a question for Christine McNally and another for Tommy Dallas. Christine, in what ways other than through the social work department do you get your referrals? Moreover, has it been easy or difficult to find befrienders? Obviously, you cannot operate the service without them. Tommy, what would you say to the committee about what it should be doing and what do you think its responsibility is to you and people like you?

15:45

**Christine McNally:** Last year, the majority of our referrals—51 per cent—came from social work. The other 49 per cent came from supporting agencies such as Capability Scotland, Enable and the speak out advocacy project, and families.

However, I have seen a slight change in the past six months. People are coming through our door on a Friday evening who have heard about us from their friends at the Dale centre—I am sorry, I mean the Harry Smith complex. They have been talking to their friends who live in supported accommodation and they have been encouraged to come along. As a result, we now have a peer support category. People are telling one another and encouraging one another to come into the community.

A fortnight ago, two people walked in out of the blue. Their carers had dropped them off. When I asked them how they found out about us, they said, “We were sitting in the Harry Smith complex at lunch time and our pals were telling us about it. It sounded brilliant, so we decided to come along.” There is no better way of motivating people. People with learning disabilities are supporting other adults with learning disabilities to come into the community and get involved.

Karen Gillon asked how we get our volunteers. Word of mouth is very good. As the volunteers come in, they are trained. They benefit from that approach, which they find to be positive, and they tell other people. Our volunteers get something out of their involvement with the group. Last year, four of our volunteers, who were long-term unemployed, went on to study social care. Three of them got full-time employment in the area, and one went on to do a degree in social work. We are motivating the community to become vibrant, to change, and to become involved. Our volunteers are moving other people into volunteering, and making them take an interest in the community.

We do some marketing, but the majority of our volunteers come to us through word of mouth and through the colleges. We do work placements for students who are on the social care course at Motherwell College, and that is very good, too.

Tommy, it is your turn now. You are not getting out of it.

**Thomas Dallas:** Can you repeat the question? I did not understand it.

**Karen Gillon:** What do you want the Parliament to do?

**Thomas Dallas:** I cannot think of anything.

**Christine McNally:** Do you want the Parliament to help us to keep the group?

**Thomas Dallas:** Aye. Help us to keep the befriending group open.

**Christine McNally:** Would you like to see other people from all over Scotland benefit from it?

**Thomas Dallas:** Yes; worldwide.

**The Convener:** We will do Scotland first, Tommy, okay?

**Thomas Dallas:** Not just Scotland.

**Christine McNally:** Frank is asking if we can just start with Scotland.

**The Convener:** It would be good if we could start here and be the first.

**Thomas Dallas:** Aye; start here and work our way through it.

**The Convener:** Exactly. We can be pioneers.

**Jackie Baillie:** I serve as the convener of the cross-party group in the Scottish Parliament on learning disability, so I have an interest in the topic. Academic and practical evidence shows that befriending works at a time when there have been significant changes to services for people with a learning disability.

"The same as you?" has been in place for something like seven or eight years. Do you think that that was the right framework? Did it do enough? It set out where local authorities should consult local people in the planning of services for people with a learning disability. I am keen to know whether you think that that has worked, given that the majority of your referrals—but none of your money—come from social work.

**Christine McNally:** There has been a lot of concentration on getting the system to work and getting people out into the community. The system has been set up and people have become comfortable with it. Everyone is in their own home and they are all getting education, going to college, and taking up work placements. However, I think that it has been forgotten that we have to add value to people's lives. That issue has been sidelined. I am not saying that it has not been considered, but it seems to have slipped down the scale of importance a wee bit. We have to move it back up again.

To be successful in education and work, we must be happy and confident within ourselves, and to be able to undertake any task, we must have social skills. Befriending improves social skills and confidence, which allows people to take part in education, to train for work and to sustain their employment. Befriending takes a holistic approach. It adds value. Everything that is in place at the moment is wonderful, but now is the time to add value to what we have.

**The Convener:** That is a positive note on which to pull together all the ideas. Christine McNally, Thomas Dallas and other members of the Clydesdale Befriending Group have managed to come through today. From their enthusiasm last week, it was clear that there was a desperation to keep the group going and find better ways of securing guaranteed resources, rather than relying on lottery money, which can be uncertain.

"The same as you?" was meant to lay down the principles under which we could draw together policy and investment to ensure befriending capacity—not only in Clydesdale but across other parts of Scotland, as Thomas Dallas said.

The committee will have to find ways of taking the issue further on behalf of the petitioners. We will be able to raise the issues with some of the key folk who make decisions on the allocation of resources or on the priority that is given to befriending within support services. I am open to suggestions from committee members on how we can make progress with this very positive petition.

**Nanette Milne:** Should we contact a selection of local authorities to find out how other areas set up and sustain the funding of befriending organisations?

**The Convener:** Okay. I would be keen to learn about the dialogue with the Big Lottery Fund. I am not talking about exit strategies, but about strategies that can be adopted once the lottery contribution is reduced or taken out of the equation, and about a statutory footing or mainstream funding for befriending services. I would have thought that the long-term ambition would be for befriending to be one of a range of such services available locally.

It would be interesting to hear from the Big Lottery Fund about what dialogue, if any, can go ahead with the petitioners or with others on what happens after its contribution has kicked in.

**John Farquhar Munro:** I was going to suggest that we write to the Scottish Executive and find out whether it is prepared to make an annual grant available to befriending services, rather than just a one-off grant. That would be a guarantee that some funding at least would come from the Scottish Executive permanently.

**The Convener:** Obviously, debates have been taking place on outcome agreements. If money is being pulled together and packaged at local level, where does befriending fit into the range of services? We can raise that question.

**Rhoda Grant:** There is probably a network, so should we get in touch with other befriending organisations? That would allow us to find out where organisations in other areas get their funding from. We could also speak to the Scottish

Council for Voluntary Organisations about funding avenues that can be pursued in the voluntary sector. The SCVO may have considered the gap between lottery funding and mainstreaming. A lot of voluntary organisations find it quite easy to get lottery funding to start off with, but then find it difficult to get funding that sustains them.

**Karen Gillon:** One thing that has struck me is the core nature of befriending services. There are many voluntary organisations that I would want to support, but the core nature of befriending services for adults with learning disabilities, and the resulting ability of those adults to contribute as members of our communities, set befriending services apart. The issue is how we can move to a system of mainstream funding that can be supported throughout Scotland and which does not provide funds on an ad hoc basis.

It would be useful if the committee asked the Scottish Parliament information centre to analyse what funding is currently available, the costs of a system of mainstream funding throughout Scotland, and the benefits of such a system. Does such funding feature in the concordat and the outcome agreements? Have any local authorities or the Government flagged it up as an issue? Perhaps the relevant ministers could be asked in correspondence whether they will flag up the issue for future years and expect local authorities to bring forward outcomes in the years to come.

**Rhoda Grant:** Perhaps SPICe could consider the contribution that is then made as a result of funding. Thomas said that he now volunteers and helps others. That would have been impossible without the confidence that he has gained from befrienders. Any investment that is made will result in paybacks.

**The Convener:** I always worry when I see three colleagues in confab. I think that Jackie Baillie has a final suggestion.

**Jackie Baillie:** I have a point of information rather than a suggestion, convener. From the most recent meeting of the cross-party group on learning disability, I understand that there is not one target for learning disability services under the single outcome agreements. The committee might therefore want to encourage the setting of such targets in that area and in other learning disability services areas.

**The Convener:** Thank you for that suggestion, which we can take up.

I think that Enable Scotland should be consulted in light of the information and expertise that it can make available. I do not think that it has been mentioned.

We have reached the stage at which the petitioners have parked the wagon by telling us

about their concerns. We need to get information and consider it. Helpful suggestions have been made by members and parliamentarians who have expressed interest in and supported the petition. I hope that we can progress matters.

As convener of the committee, it has been a privilege for me to meet members of the Clydesdale Befriending Group. Last week, their enthusiasm for being in the Parliament and their sense that they are on a journey of continued improvement brightened up our otherwise dull lives.

**Christine McNally:** They are threatening to go back to it, because they want to see people working in the chamber.

**The Convener:** An amiable host could be your local constituency member. I understand that she puts on a nice wee purvey if she is asked nicely.

I hope that the petitioners have benefited from the meeting. We will progress the issue that they have raised on behalf of not only Clydesdale Befriending Group but befriending groups throughout Scotland. Thank you for your time.

We will take a brief break before we deal with the other petitions.

15:58

*Meeting suspended.*

16:09

*On resuming—*

### **Graduate Endowment Abolition (Scotland) Act 2008 (PE1166)**

**The Convener:** I thank everyone for their patience, particularly members of the public.

PE1166, from Elaine Ramsay, calls on the Scottish Parliament to urge the Scottish Government to amend the Graduate Endowment Abolition (Scotland) Act 2008, due to the unfair financial burden that it places on all graduates, particularly those who continued with postgraduate study after April 2007 to seek vocational training. Do members have any suggestions on how the committee should deal with the petition?

We have two options. First, we could close the petition on the ground that the Government has announced that it will not backdate the extinguishing of liabilities to include all those who have repaid or are liable for the graduate endowment due to the significant budgetary implications that that would have. Secondly, we could write to the Government to ask whether it would support the introduction of interest-free loans to students for the repayment of the

graduate endowment fee and whether it has the ability to set such an interest rate.

**Angela Constance:** Unsurprisingly, there are always problems with retrospective legislation, because it can be difficult to make things apply retrospectively. Such problems arise not only with the 2008 act but with other legislation. Nevertheless, I have no objection to the suggestion that we write to the Scottish Government in the terms that the convener suggested.

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

**Members** *indicated agreement.*

**The Convener:** We will take the second of the two options that I mentioned.

### **National Parks (PE1168)**

**The Convener:** PE1168, from Angus Macmillan, calls on the Scottish Parliament to urge the Scottish Government to amend the National Parks (Scotland) Act 2000 to remove local authority powers from national park authorities and establish them solely as advisory bodies and to remove such parts of the act to ensure that residents within the park boundaries have the same level of democracy as residents elsewhere in the country.

Do members have any views?

**John Farquhar Munro:** The Government has said that it will undertake a review of the functions of the national parks. Perhaps the petition could be discussed under that review.

**Rhoda Grant:** Can we copy the petition to the Government as part of the review? Can we do that and keep the petition open, or should we close the petition and copy it on?

**The Convener:** What is the procedure?

**Fergus Cochrane (Clerk):** Procedurally, it is acceptable to keep the petition open. I wondered about the appropriateness of the committee copying the petition to the Government as part of the review but, on second thoughts, it is probably okay to do that.

**The Convener:** Shall we take that course of action? We will keep the petition open because issues might well arise from the review and the petition might still be relevant.

**Rhoda Grant:** Do we need to keep it open? My reason for asking is that it is important that the petition becomes part of the review, but I imagine that the review will report to the Rural Affairs and Environment Committee, which will take the matter forward. I do not see that the Public Petitions Committee will have a locus again.

**The Convener:** Okay, so you are suggesting that—

**Rhoda Grant:** We should close the petition but ensure that it forms part of the review.

**The Convener:** Okay. We will ensure that that is the case. Thanks for your advice on that, and for the recommendation.

### **Magazines and Newspapers (Display of Sexually Graphic Material) (PE1169)**

**The Convener:** PE1169, from Margaret Forbes, on behalf of Scottish Women Against Pornography, calls on the Scottish Parliament to urge the Scottish Government to introduce and enforce measures that ensure that magazines and newspapers that contain sexually graphic covers are not displayed at children's eye level or below or adjacent to children's titles and comics, and that they are screen-sleeved before being placed on the shelf.

Gil Paterson expressed willingness to make a contribution on the petition. I thank him for his patience, because he has been here all afternoon.

**Gil Paterson (West of Scotland) (SNP):** I am sorry that I was a bit late and missed some of the discussion of the first petition. I was at another committee meeting and did not get here in time to hear it all.

To give the committee the rationale for my attendance, some members will know that I was formerly the convener of the cross-party group on men's violence against women and children. I should also declare an interest as I drew up a motion to the Parliament that addressed the matter.

The rationale behind the petition is that if children see pornographic materials when they go into stores to buy goods, that normalises such materials and lowers the threshold for children. In a way, it grooms children so that predators can reach them. If, in their daily routine, children see particularly women but increasingly men in such publications, they will be confused when they are approached. If they see such materials on sale in places where their mums and dads shop, they will be confused and think, "Is this normal? Is this okay?"

A lot of people thought that stores would do what the petition calls for voluntarily, but that has not happened despite years of asking, so some regulation needs to come into play.

The petition does not seek to prevent the sale of adult magazines, but it argues that children should not be exposed to them. The magazines should be out of reach of children and out of sight. That



would be fairly easy to achieve in big stores, but in smaller stores it would be more difficult. The way to achieve it in all stores would be to ensure that the magazines were put in a descriptive sleeve so that people could not see the magazine's cover. That would entail a cost for the stores, but I think that that cost would be minimal in these modern days of mass production.

16:15

**Rhoda Grant:** Would it be possible to require the publishers to sleeve the magazines, rather than asking a small newsagent to do it? If we are going to say that, in Scotland, such magazines should not be on display but should be covered so that children cannot see them, the commonsense approach would surely be to say that they should be sleeved when they are published.

**Gil Paterson:** I agree. The norm could be that the magazines are covered at source. If they are to be sold where no children have access, the magazines could then be de-sleeved. Covering the magazines at source caters for all eventualities.

If small operations did the sleeving, cost questions would arise—as would practical questions, such as where to obtain the sleeves. I therefore go along with Rhoda Grant's suggestion.

**The Convener:** Are there any suggestions on what further information we should seek? For example, we might want to seek the views of national retailers and find out whether there are guidelines.

**Nanette Milne:** I was thinking of the Scottish Retail Consortium and the National Federation of Retail Newsagents, for a start. We could also ask for comments from Scotland's Commissioner for Children and Young People.

**The Convener:** Cigarettes are going under the counter, and we live in a strange world.

Could some of the issues that are raised by the petition be reserved to Westminster? I am thinking of retail law, for example.

**Rhoda Grant:** We could write to the Scottish Government to ask whether it would consider regulation on this matter and whether that would be within its competence.

**John Farquhar Munro:** I see in our briefing that the creation of a Scottish offence of possession of certain materials is being considered. A debate must be going on.

**The Convener:** I think that Rhoda Grant is suggesting that if discussion on broader issues is taking place, the issue that is raised by the petition could be addressed as part of that. There would be a major debate on the effectiveness or

otherwise of any measures, and I imagine that retailers and publishers would express strong views. Some of the framework for legislation may well be reserved to Westminster, so we should find out whether debate is going on down there as well.

I thank members for their helpful suggestions, which will allow us to make progress on the petition.

### Colleges (Funding) (PE1170)

**The Convener:** Our last new petition this morning is from Maria Lynch. PE1170 calls on the Scottish Parliament to urge the Scottish Government to indicate, first, how it ensures that Scotland's colleges and universities deliver, through best-value public funding, relevant and quality further education courses as sought by local communities; and secondly, whether the standards of accountability should be reviewed to encourage better management of financial resources.

**Nanette Milne:** The issues that are raised by the petition are for the Scottish Government and the Scottish Further and Higher Education Funding Council. We could also contact the Association of Scotland's Colleges.

**Rhoda Grant:** We could also seek the views of the Educational Institute of Scotland and learndirect Scotland. Could we also contact the Scottish Trades Union Congress? The STUC has quite a big network of people who use colleges and the like, so it might be worth getting its take on the issues.

**The Convener:** I believe that a subject committee might have been discussing the organisation and accountability of further education institutions. I recall something about the accountability of FE college board decisions, for example. We could draw the attention of that committee to the petition.

**Members indicated agreement.**

## Current Petitions

### High-voltage Transmission Lines (Potential Health Hazards) (PE812)

16:20

**The Convener:** Item 2 is consideration of current petitions—those that have been in our system for a while. PE812, which was lodged by Caroline Paterson on behalf of Stirling Before Pylons, calls on the Parliament to urge the Government to acknowledge the potential health hazards that are associated with long-term exposure to electromagnetic fields from high-voltage transmission lines and to introduce as a matter of urgency effective planning regulations to protect public health. Do members have any strong views on how we should deal with the petition? The proposed course of action is relatively straightforward.

**John Farquhar Munro:** The petition is highly topical because of the proposed new transmission line from Beaulay to Denny. The situation is aggravated by the fact that there is a further proposal to build a new substation to accommodate all the new power that it is supposed will be generated. Two issues are causing concern: possible contamination from the overhead line and possible contamination from the static equipment in the substations. I do not know how we should proceed.

**The Convener:** When we have considered similar petitions before, our view has been based on the precautionary approach. Perhaps we should draw the issue that the petitioner raises to the attention of the Government and the responsible minister to find out what discussions are being held with local authorities to address the concerns in question.

**Nanette Milne:** The letter that we received from the Government took some of us to task for the comments that we made the last time we considered the petition, so maybe we should ask the Government whether and when it will undertake analysis of the broad conclusions of the current national and international scientific research. There was some dispute about that.

**The Convener:** It would be worth while doing that. Are we happy with those suggestions?

*Members indicated agreement.*

### Supporting People Funding (PE932)

**The Convener:** PE932, which was lodged by Stella Macdonald on behalf of the Citizen's Rights Action Group, calls on the Parliament to urge the Executive to review the supporting people funding

for services for vulnerable adults. Given that the petitioner has acknowledged that her meeting with the Scottish Government to discuss the issues that the petition raised produced a satisfactory outcome and that the Government has committed to continuing to work with her, I recommend that we close the petition. Let us hope that the discussions involving the relevant minister and department are positive. Do members agree to close the petition?

*Members indicated agreement.*

### Plagiocephaly (PE960)

**The Convener:** PE960, from Claire McCready, calls on the Parliament to urge the Executive to ensure that cranial abnormalities of babies are properly recognised and treated through evaluation of babies at birth and at six weeks; that appropriate advice, including advice on repositioning, is available to parents; and that cranial remoulding therapy is available free of charge from the NHS. We have received a letter from John Froggatt, who is deputy director of the child and maternal health division in the health care policy and strategy directorate. Do members have views on how to deal with the petition?

The petition deals with a highly specific but important issue. I suggest that we write to the relevant Government minister and the responsible department about when the revised version of "Ready Steady Baby!", which is to include information on cranial abnormalities, will be published and how it will ensure that families are aware of how best to protect new-born children in that regard. I am sure that people with recent personal experience of having babies would testify to the fears—

**Angela Constance:** Fear of my son developing cranial abnormalities was one of my paranoias—I kept putting him on his tummy when he was awake.

**The Convener:** Fantastic.

We should pursue the issue. I am happy for us to deal with the petition by writing to the Government in the terms that I have suggested.

### Home Loss Payment (PE988)

**The Convener:** PE988, from Ian Macpherson, on behalf of Harvieston Villas residents, calls on the Parliament to urge the Executive to increase the home loss payment. We should write to the Minister for Transport, Infrastructure and Climate Change to find out whether there are any proposals to review the existing arrangements. Indeed, we could invite him to give evidence to us after the summer on how the Government intends to progress the issue. Is that agreed?

*Members indicated agreement.*

### National Planning Policy Guideline 19 (PE1048)

**The Convener:** Gil Paterson has asked to address PE1048, by Kitty Bell, which calls on the Scottish Parliament to alter national planning policy guideline 19 to correct an anomaly in paragraph 21 and ensure that the precautionary approach that is mentioned there also applies to pre-school children and all children at play, thereby giving them the same protection from telecommunication masts that is available to their older brothers and sisters while they are at school.

**Gil Paterson:** At present, the precautionary principle ensures that children at school are protected from any emissions from a mast. The argument is that, although there is no proof that damage is being done, the precautionary principle should be exercised. The petition addresses the anomaly that arises because the precautionary principle in NPPG 19 does not apply to designated play areas that are used by children who are not yet at school—in other words, the siblings of the children who are protected. If there is a risk that the emissions from masts are damaging, the danger is greater to younger children.

**The Convener:** Do committee members have any comments?

**Nanette Milne:** The Government disagrees with the suggestion that an anomaly exists and says that the precautionary principle applies to pre-school children. As what the Government is saying is undoubtedly accurate, the petition would appear to be based on a misunderstanding of the situation. If that is the case, is there any point in keeping the petition open? However, if we close it, we should ask the Government to find a way of making it more obvious to people that there is no such anomaly.

**The Convener:** I suppose that the petitioners are asking for a belt-and-braces approach. However, given that a review of NPPG 19 is under way and that the Government's response tells us that the precautionary principle also applies to pre-school children, we need to determine what we want to do with the petition.

**Rhoda Grant:** Could we ask the Government to meet the petitioner during the review to discuss the concerns?

**The Convener:** That is a helpful suggestion.

**Gil Paterson:** That sounds good, but the review has been going on for a number of years. If the petitioner and I knew that an end date had been set for the review, we would be a wee bit more relaxed about the situation. However, I am not confident that the end of the review is imminent.

A second issue is that I am unsure—to put it

mildly—whether the people who implement the guidelines are aware of the Government's view. The Government may well say that there is no anomaly, but I can tell you that telephone companies and local authorities do not act as if they know that the guidelines also apply to pre-school children.

16:30

**The Convener:** Do members have any suggestions about what to do with the petition? We could close it on the basis that a review is under way and that the Government has clarified the situation—perhaps I trust the Government a bit more than Gil Paterson does—but, as the petition raises a genuine issue of concern, we should try to address it in some way. Do members have any suggestions about how we could do that?

**Rhoda Grant:** We could ask the Government to tell us what the timeframe for the review is, and also to let us know what guidance it is offering to telephone companies and local authorities on the precautionary principle. Perhaps that could be strengthened.

**The Convener:** I am happy with that suggestion. Does the committee agree to that recommendation?

*Members indicated agreement.*

### Edinburgh South Suburban Railway (PE1080)

**The Convener:** PE1080, by Lawrence Marshall on behalf of the Capital Rail Action Group, calls for the reintroduction of local passenger services on the Edinburgh south suburban railway. The petition has been in front of the committee in recent months. It is obvious that there are continuing issues relating to the campaign. Do members have any strong views on how to deal with the petition?

**John Farquhar Munro:** There needs to be more scrutiny of or more research into what has been proposed.

**The Convener:** Communications that we have received have raised the issue that it is the City of Edinburgh Council's responsibility to identify the views held by the south east of Scotland transport partnership and Transport Scotland on the Halcrow report, which is a major report. Consideration of the petition could be delayed until the council has done that and has published a further report on the Edinburgh south suburban railway. We could then seek an update from the Government and the council. The issue is whether we can activate things that are already in process.

**John Farquhar Munro:** We have to wait for the completion of the council's study.

**The Convener:** Obviously, the petitioners will be concerned about the timescale.

**Rhoda Grant:** I am not sure that the timescale is in our hands or that there is an avenue open to us through which we can speed up consideration of the petition. All the relevant authorities need to consider the issues.

Can we keep the petition open while we wait for updates from the bodies that have been mentioned? Can we write to them to tell them that the petition is open and that we are waiting for their views with bated breath?

**The Convener:** That is helpful. We should tell the key agencies that the petition is in our system and that we are keen to respond to the petitioners but have been delayed because other things must be done. We could ask them to give timescales for what they must do, so that we can respond constructively to the petitioners, who have invested a lot of hope in the committee being able to progress matters. Are members happy to accept those recommendations?

*Members indicated agreement.*

### **Neurosurgery (Merging of Units) (PE1084)**

**The Convener:** PE1084, by Walter Baxter, calls on the Parliament to urge the Government to take immediate action to halt the merger of Scotland's four neurological units and to give proper consideration to the impact on people in Aberdeen and the north of Scotland who have brain injuries or trauma and who would have to travel south for life-saving treatment.

**Nanette Milne:** I come from the Aberdeen area, where I have been involved in the health service, and I have supported the petition from the outset.

The outcome has been satisfactory in that neurosurgery will be retained on all four sites. I am particularly pleased that the petitioner will be involved in the on-going work on developing the managed clinical network for national neurological standards and services. As a result, I would be happy for us to close the petition.

**The Convener:** That is a fair call. The petitioners have had the chance to appear in front of the committee and debate the issues, and the minister and the department have responded. We should close the petition on the grounds that Nanette Milne suggested.

### **Cancer-causing Toxins (PE1089)**

**The Convener:** The next petition is PE1089, by Morag Parnell, on behalf of the Women's Environmental Network in Scotland. It calls on the Parliament to urge the Government to investigate any links between exposure to hazardous toxins in

the environment and the workplace and the rising incidence of cancers and other chronic illnesses.

It would be worth seeking further information on the matter from the Government. If there has been a rising incidence of cancers and other chronic illnesses as a result of such exposure, we could ask what action has been taken to address that and what investigations have been undertaken, and we could ask the Government to respond to the petitioner's call for a cancer prevention campaign, toxin reduction legislation and the establishment of a working group to consider and make recommendations on the issues that the petition raises. Are members happy to accept those recommendations to progress the petition?

*Members indicated agreement.*

### **Care Standards (PE1092)**

**The Convener:** PE1092, by Ronald Mason, calls on the Scottish Parliament to urge the Government to ensure that the long-term sick, elderly and disabled receive care on the basis of need and, in particular, that such care is provided seven days a week.

There is a lot of passion behind this petition but, given that local authorities have a statutory obligation to provide services for people who have been assessed as requiring seven-day care assistance, that services are being reviewed to meet that demand and that under the Scottish Commission for the Regulation of Care there are adequate procedures for monitoring and inspecting them, I recommend that we close our consideration of it. Do members have any views?

**Rhoda Grant:** We should emphasise the care commission's role if it is decided that the care provided is inadequate.

**The Convener:** Okay. Do members agree to close the petition?

*Members indicated agreement.*

## New Petitions (Notification)

16:36

**The Convener:** The third agenda item is notification of new petitions that have been lodged since the last meeting. They will be timetabled for consideration at the earliest opportunity.

Are members content to note the petitions?

**Members** *indicated agreement.*

## Petitions Process Inquiry

16:36

**The Convener:** The fourth agenda item is consideration of a paper on our inquiry into the public petitions process. We have already discussed the relationship that this committee should have with broader issues. This meeting in Dumbarton is an example of our work in that respect and I thank everyone who has managed to attend.

A petition that we received and considered has triggered a wider debate and a decision to hold an inquiry, which is the subject of the paper in front of us. I suggest that, if members have no general views to make known at the outset, we go through the paper page by page and consider any issues or recommendations that might require agreement.

Page 1 simply sets out background information. Moving on to page 2, I seek members' views on the recommendation set out in paragraph 10, which asks the committee

"whether it wishes its inquiry to focus on the wider issues that petition PE1065 raises or to relate only to the public petitions process in line with its remit under Rule 6.10.1(c)."

I am in favour of a broader remit, although the clerk looks a little fearful of that.

**Rhoda Grant:** We should not narrow down the inquiry at this point. It is important to have as broad a remit as possible because we might have to suggest changes to standing orders.

**The Convener:** So we accept the recommendation in paragraph 10 for a wider remit.

Unless there are any other pressing issues, I will simply go through the recommendations. Paragraph 12, which is the second recommendation, asks the committee

"whether it is content with the ... draft remit for its inquiry."

I suppose that paragraph 11, which is the draft remit, will need to be amended to take into account that we have just changed the intention set out in paragraph 10.

**Fergus Cochrane:** The committee might consider the remit to be wide enough to pull in the issues set out in PE1065.

**The Convener:** We will discuss the matter and ensure that we get something much more focused to consider the next time.

Paragraph 12 is self-evidently agreed. In paragraphs 16, 24 and 30, the committee is asked to agree various sets of questions on which we will seek written evidence. I have no problems with any of those.

In paragraph 38, the committee is asked whether research should be commissioned. Do members think that such a move would be useful? Given that it will add to our intellectual capital, I think that it is absolutely essential.

Paragraph 40 asks the committee whether we should begin the inquiry with a call for written evidence. I think that that is fine, and the timetable set out in paragraph 42 looks okay to me. I take it that members are happy to approve all the recommendations in the paper, subject to the slight amendment to paragraph 10.

**Nanette Milne:** I am happy to go along with what is proposed, but I am slightly concerned that we may be overwhelmed with responses, especially given the huge list of contacts on the Equal Opportunities Committee's database.

**The Convener:** I understand that stakhanovite medals for the committee's clerking team are being minted as we speak. What volume of responses can we expect?

**Fergus Cochrane:** Although there are 300-plus organisations on the Equal Opportunities Committee's database, experience indicates that only a fairly small number of those are likely to respond.

**The Convener:** With those famous last words, we accept the clerk's recommendation.

**Rhoda Grant:** I return to the issue of research. I vaguely recollect seeing some statistics on the geographical origin of petitions. Can we pull those out and commission research to bottom out why some places submit many petitions and others submit none?

**The Convener:** The problem is that there are too many universities in some places.

It would be helpful for us to commission such research. After the election last year, we said that we wanted to look at why some areas are dominant in submitting petitions and others have submitted none or a very small number. Rhoda Grant's concern is spot on.

Members have now approved the paper; the clerks will be happy to beaver away on its recommendations.

That brings us to the end of this afternoon's proceedings. I know that members have had to travel to today's venue, but I hope that the meeting has been of benefit to the petitioners. I thank people for their attendance. Our next meeting will be on Tuesday 9 September. Before I close the meeting formally, I thank everyone who has helped with the arrangements, especially local staff and staff who have come through from the Parliament. In particular, I thank Kay Smith and Sarah McFall from West Dunbartonshire Council

and Richard from Rigo's Bistro for the catering. I wish people a safe journey home. I hope that the A82 will be a bit quieter at this time of night.

*Meeting closed at 16:43.*

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