

PUBLIC PETITIONS COMMITTEE

Tuesday 16 June 2009

Session 3

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CONTENTS

Tuesday 16 June 2009

	Col.
NEW PETITIONS	1855
Vitamin D Supplements (Guidance) (PE1259)	1855
Rosyth Bypass (PE1255).....	1866
Sports Facilities (Primary Schools) (PE1256)	1869
Court Reporters (PE1257)	1871
Voluntary Sector Mental Health Services (Funding Framework) (PE1258)	1872
CURRENT PETITIONS	1875
Independent Midwifery Services (PE1052).....	1875
Scottish Prison Population (Catholics) (PE1073)	1875
Local Museums (PE1083).....	1876
School Bus Safety (PE1098 and PE1223)	1877
Stewart Committee Report (PE1106).....	1878
Blood Donation (PE1135)	1879
Fire Service Boards (PE1147)	1879
Community Prisons (PE1150)	1879
Public and Voluntary Sector Services (Cuts) (PE1158)	1883
Befriending Services (PE1167)	1886
Social Rented Housing (Standards) (PE1189).....	1886
A90/A937 (Safety Improvements) (PE1236).....	1888
Middle East (PE1238)	1892
Same-sex Marriage (PE1239)	1894
Siamese Fighting Fish (PE1240)	1896
G20 Summit (International Development) (PE1242)	1896
NHS Services (Rural Areas) (PE1243)	1897

PUBLIC PETITIONS COMMITTEE

11th Meeting 2009, Session 3

CONVENER

*Mr Frank McAveety (Glasgow Shettleston) (Lab)

DEPUTY CONVENER

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

COMMITTEE MEMBERS

*Bill Butler (Glasgow Anniesland) (Lab)

*Nigel Don (North East Scotland) (SNP)

*Marlyn Glen (North East Scotland) (Lab)

*Robin Harper (Lothians) (Green)

*Anne McLaughlin (Glasgow) (SNP)

*Nanette Milne (North East Scotland) (Con)

*John Wilson (Central Scotland) (SNP)

COMMITTEE SUBSTITUTES

Claire Baker (Mid Scotland and Fife) (Lab)

Jamie McGrigor (Highlands and Islands) (Con)

Christina McKelvie (Central Scotland) (SNP)

Nicol Stephen (Aberdeen South) (LD)

*attended

THE FOLLOWING ALSO ATTENDED :

Richard Baker (North East Scotland) (Lab)

Malcolm Chisholm (Edinburgh North and Leith) (Lab)

Lewis Macdonald (Aberdeen Central) (Lab)

Alan McLaughlin

Ryan McLaughlin

David McNiven (Multiple Sclerosis Society Scotland)

John Park (Mid Scotland and Fife) (Lab)

Dr Sreeram Ramagopalan (University of Oxford)

Mike Rumbles (West Aberdeenshire and Kincardine) (LD)

Shirley-Anne Somerville (Lothians) (SNP)

CLERK TO THE COMMITTEE

Fergus Cochrane

ASSISTANT CLERKS

Franck David

Linda Smith

LOCATION

Committee Room 2

Scottish Parliament

Public Petitions Committee

Tuesday 16 June 2009

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

New Petitions

The Convener (Mr Frank McAveety): Good afternoon, everyone, and welcome to the 11th meeting in 2009 of the Scottish Parliament Public Petitions Committee. This is our final meeting before the summer recess.

We have received no apologies. I think that one member is running late as a result of other parliamentary commitments, but he expects to be here soon.

I remind all committee members and all members of the public that all mobile phones and other electronic devices should be switched off.

Agenda item 1 is consideration of new petitions. We have five new petitions for consideration today. All supporting information has been provided to members of the committee.

Vitamin D Supplements (Guidance) (PE1259)

The Convener: Petition PE1259, on which we will take evidence, is by young Ryan McLaughlin, whom I welcome. He is one of the youngest-ever petitioners to the Parliament; unfortunately, a wee boy in north-east Scotland who lodged a petition was six months younger than he is. He nearly had an accolade. The petition is part of a campaign that included a procession down the Royal Mile just over an hour ago.

The petition calls on Parliament to urge the Government to produce new guidelines on vitamin D supplementation for children and pregnant women, and to run an awareness campaign to ensure that people know the level of vitamin D supplement that they should take.

I also welcome to the meeting Alan McLaughlin, who is Ryan's father—he has been very supportive of the campaign—David McNiven, who is director of the Multiple Sclerosis Society Scotland, and Sreeram Ramagopalan from the university department of clinical neurology at the John Radcliffe hospital in Oxford. I apologise for mispronouncing Sreeram's surname; people have been mispronouncing my surname all my life. I met the witnesses earlier, when the campaigners arrived at the Parliament. I welcome the campaigners in the public gallery.

I invite Ryan to speak to his petition.

Ryan McLaughlin: I am here because my mum has multiple sclerosis and because I know about the devastating effects that that condition can have on individuals and families who live with it.

It is too late for my mum. We are waiting for a cure, but my shine on Scotland campaign aims to prevent hundreds and eventually thousands of people in Scotland from going through what we have had to experience over the past couple of years. It aims to help them.

Recent research on the genetic effects of vitamin D deficiency has shown a connection to the development of MS and has led many people to believe that vitamin D supplementation could help to prevent future cases of MS. The campaign's basic aim is to ensure that everyone, especially children and pregnant mothers, gets the amount of vitamin D that they need to stay healthy. We hope that that will reduce the number of new cases of MS.

We started the campaign because of MS, but we have been amazed by the amount of research and scientific evidence that is piling up that shows that vitamin D is crucial for general health and, potentially, in tackling a range of other common diseases, including cancer. We know that most people in Scotland are vitamin D deficient for a large part of the year. This is June, but we need only look out of the window to see that we are not getting much natural vitamin D today. The lack of vitamin D is clearly having an impact on the health of many Scots. However, the vitamin is safe and relatively cheap to supply. It would cost just a penny per child per day to ensure that every child in Scotland receives the vitamin D that they need.

There are guidelines at the moment, but the Scottish Parliament information centre's briefing points out that the awareness of the matter among professionals and the public is minimal. That is a disaster for our national health, although I am heartened that many thousands of individuals throughout Scotland, Britain and beyond have recognised that and supported my campaign.

I am also pleased to have received the support of many politicians already, as well as that of the MS Society Scotland and Revive MS Support. Running the campaign has been a fantastic experience, but I could not have got so far without the support that I have received from many people.

In summary, we do not believe that enough has been done to promote vitamin D, which is vital, and to ensure that everyone in Scotland knows about its health benefits and how to access the right amount of it. I hope that by putting the issue firmly on the political agenda, as we have been doing over the past few weeks and—crucially—

today, politicians will now take action and I can go back to supporting my mum and pursuing my goal of becoming a doctor.

Thank you for listening to me.

The Convener: Thanks very much, Ryan.

I want to say for the *Official Report* that Ryan's campaign, which has used social networking tools and involved young people, has been a remarkable achievement. We do not often receive petitions that have covered the whole range of ways of engaging with individuals. I do not say that lightly. Ryan has taken youngsters from the west end of Glasgow on his march, used YouTube and so on. That demonstrates what can be done to get a message across. His lodging a petition knowing that a massive challenge faces him and his family in coping with the impact of MS is a powerful message. I hope that we can, through our question-and-answer session and discussing what we can do with the petition, give him confidence that things can be more positive in the future for individuals and families who face what he is facing.

Ryan has opened the discussion, but any other individual at the top of the table can respond to members' questions. I invite Bill Butler, who is the constituency member, to ask a few questions before other committee members do so.

Bill Butler (Glasgow Anniesland) (Lab): I record my admiration for the initiative, hard work, resourcefulness and commitment of Ryan McLaughlin and the McLaughlin family. I have had the pleasure of meeting them on a couple of occasions, and I support the petition unreservedly.

However, before we start to think about what we can do with the petition, I have a couple of questions. My first question is for Mr McNiven. You are the director of the MS Society Scotland. Do you regard the aims of the petition and vitamin D supplementation as positive additions to the ways in which we, as a society, can try to combat the sometimes devastating effects of multiple sclerosis?

David McNiven (Multiple Sclerosis Society Scotland): Yes. MS Society Scotland is delighted to support the campaign. We also significantly part-funded the scientific study that came up with the findings that cause us to be here and that caused Ryan McLaughlin to pursue the campaign. Research has shown that there are significant benefits to be had from supplementation. Ryan will be able to give you the technical details of the study, which we fully support.

We ask for your support for the campaign and suggest that anyone who is thinking about starting a regime of supplements should get advice from their general practitioner and/or their pharmacist in

order to ensure that they take supplements safely. The benefits that people in various other countries derive from such supplements show that what the petition suggests is an excellent way forward.

Bill Butler: Thank you. My second question is for Dr Ramagopalan. Mr McNiven says that you are able to provide the committee with the technical details of the study. Please do so. Were the results of the study absolutely conclusive, or is the process still in train? We have still to see published a study that has been commissioned by the Scottish Government.

Dr Sreeram Ramagopalan (University of Oxford): The results of our study were conclusive. The study found what has been known for a long while—that there is a main genetic component to MS. There is a single gene that significantly increases the risk of a person's developing the disease. We have shown recently that that gene is under the control of vitamin D. That reinforces the role of vitamin D in preventing multiple sclerosis. We strongly believe—we have shown it in various studies and in our paper—that when a person is given adequate vitamin D, the gene performs to the normal level, while a deficiency of vitamin D leads to diseases such as MS.

Bill Butler: That seems to be very clear. That was all I wanted to ask. It seems that there is a good case behind the petition, and other members may have questions.

John Wilson (Central Scotland) (SNP): I have a couple of comments to make. I am similar to Alan McLaughlin, in that I have lived with a partner who suffers from MS for the past 25 years. I know the impact that MS can have on a family, and I know the issues that arise. I want to lay to rest the urban myth that my wife keeps telling me, which is that Scandinavian countries pay for some MS patients to go to the Mediterranean during the winter to get their dose of vitamin D in another way. As Ryan McLaughlin said, they do not get an adequate dosage of vitamin D naturally.

Mr McNiven mentioned some research that has been undertaken by the MS Society Scotland. The society's website also reveals that research in a number of countries throughout the world, especially in Scandinavia, has identified that vitamin D is beneficial for those who suffer from MS. The research in those countries says that vitamin D should be freely available to such people. Do you want vitamin D to be made available on prescription, or do you believe that it is up to individuals to purchase supplements?

David McNiven: We would seek evidence from researchers and take evidence from countries that have taken policy decisions on the matter.

As I am sure the committee realises, Scotland has, globally, the highest incidence and

prevalence of multiple sclerosis. The disease impacts very much on the basis of latitude—the further north of the equator people are, the higher their likelihood of getting multiple sclerosis. We would advocate best practice from countries such as France and Israel, which have taken policy decisions to provide supplements for children and pregnant women.

14:15

Robin Harper (Lothians) (Green): We are told that in these northern climes the best time for getting one's ration of sunlight is between 11 in the morning and 3 in the afternoon. That is when we get the most exposure to ultraviolet light. However, we have a tendency to have ever-shorter lunch breaks. In the early days of my teaching career, we took an hour for lunch or even an hour and a quarter. There was time for relaxation through school clubs. Businesses, too, in all our cities would see their employees flood out into the parks at lunch time. It seems that lunch times are becoming ever more restricted as a result of the misguided idea that it is somehow more efficient to keep people indoors at lunch time and to give them only half an hour's break. Is there room for reconsidering how we structure our lives and our working days in an attempt to give people more access to sunlight and all the other benefits—aside from vitamin D—of getting a proper lunch break?

David McNiven: I am sure that there are more benefits than just sunlight from people taking breaks at lunch time and participating in exercise, which improve people's lifestyles and hopefully prevent some illnesses. That is a health education initiative that the committee might want to support.

Dr Ramagopalan: There are a few other things to think about in terms of climatology. A certain wavelength of ultraviolet light is required to convert active vitamin D in the skin. In Scotland, you do not necessarily get the right wavelength of UV because of cloud cover and a few other things. You would need to speak to a climatologist to get more advice about that up front.

John Farquhar Munro (Ross, Skye and Inverness West) (LD): Good afternoon, folks. The evidence that you have presented in your petition is pretty convincing and quite alarming. It is alarming because the benefits can be gained quite simply: it is a pity that more has not been done to promote the concept. How much research has the medical profession undertaken in support of the claims that you are making for vitamin D?

Dr Ramagopalan: Vitamin D research has been going on for about 30 or 40 years—it has been a long process. We know how much a person can be given and how much it takes to provide benefits

in terms of immune function. Its role in MS was hypothesised by the chief medical officer in England about 40 years ago. A lot of work has been done.

John Farquhar Munro: Very little, however, is happening in the medical profession at present.

Dr Ramagopalan: Yes. The recommendations are dated—they date back to research from the 1950s and 1960s. Implementations were made in the 1960s and 1970s, but we now know a lot more. Ryan McLaughlin has brought the matter to the committee's attention to try to change the recommendations.

Alan McLaughlin: Our lifestyle in Scotland has changed over the past 30 or 40 years. We used to eat a lot more fish than we do these days—we typically had fish on Fridays and on a couple of other days in the week—and we all know that we can get vitamin D3 from fish. Also, working habits have changed as lifestyles have changed. As Robin Harper said, we do not get out for an hour-long lunch break any more, so our diet and eating habits have changed. Maybe 25 or 30 years ago, children also got a wee spoonful of cod liver oil every day, which is high in vitamin D. They no longer get that. If you were to try to give cod liver oil to kids today, the only thing you would see would be smoke from their training shoes. There is no way that kids today would take cod liver oil. We need to act.

The Convener: I think that you have just unleashed personal memories of cod liver oil among the people in the room. You should have seen the looks on the faces of the crowd behind you in the public gallery. I am sure that my mother loved me as she held my mouth open and poured it in. John Farquhar Munro goes back a wee bit further than that.

John Farquhar Munro: Aye.

What Alan McLaughlin says is interesting, because some of the documents and papers that we have suggest that there is a high incidence of MS sufferers in the north-west Highlands; living in the west Highlands, I think that statistic is probably correct. However, local discussions on the subject always suggest that the fear is that the diet consists of too much fish, so you take your choice.

Alan McLaughlin: I think that Ram has drawn attention to a study in Norway that shows that people in the north, who eat an awful lot more fish than people in the south, have a lower incidence of MS.

Dr Ramagopalan: That is right. It depends on the type of fish and the vitamin D content. Generally, people in Scotland do not eat as much fish as people in Norway, or as much of the right

type of fish. That is why supplementation is the way forward.

Nanette Milne (North East Scotland) (Con): When I was a child, I had a choice of cod liver oil and malt or straight cod liver oil—I must say that I preferred the latter, as I did not like the malt.

I, too, congratulate Ryan McLaughlin on his fantastic petition. He has done extremely well. I am awfully glad to hear that his voice has recovered from the march just before lunch time.

The Convener: We have soundproofing in the building, but the noise came right through, so well done.

Nanette Milne: My first question is not directly relevant to the petition. We know the effects of vitamin D on the prevention of MS, but does it have an impact on people who are already suffering from the disease?

Dr Ramagopalan: There is some minor evidence that vitamin D might help with the number of relapses that patients have. However, its role is more to do with prevention of the disease, rather than treatment.

Nanette Milne: The petition seeks clearer guidelines on supplements. Would the proposal have to go through the National Institute for Health and Clinical Excellence guideline process?

Dr Ramagopalan: I am not too aware of how policy changes are generated.

David McNiven: I cannot answer that, either, but it is a challenging question and I will find out the answer.

The Convener: We will take up some of the issues with the health authorities.

Anne McLaughlin (Glasgow) (SNP): I understand that the at-risk groups include people with darker skin, people who are housebound and people who are covered with more clothing. I have one question and one suggestion. My question is for Sreeram Ramagopalan, although I heard him being called "Ram".

Dr Ramagopalan: It is easier.

Anne McLaughlin: Is there any evidence that countries where women are required to be covered with clothing when they are outside have a higher incidence of MS? I ask that just out of interest.

Dr Ramagopalan: People need the genetic basis to give them MS. We have been showing the link between the genes and the environment. Unfortunately, Scotland has a high frequency of the gene that gives people MS as well as low levels of vitamin D. Places such as India and China do not have a high frequency of the gene,

but Iran does, and the incidence there is rising substantially because people are covering up.

Anne McLaughlin: My suggestion is that, if there is to be a public awareness campaign, the Government should take note that people who are housebound and those with darker skin are at greater risk and it should find a way to get through to such people. In some cases, although not all, there could be a language barrier, so it will be important to provide the information in different languages.

I just want to say to Ryan McLaughlin that he has done a fantastic job. The campaign has caught people's imagination, even down to the outfits and the name, shine on Scotland. That is the key—to find something that gets people's attention. I know that, as you said, you had lots of help, but you have done an incredible job. I am not surprised that it has been carried out by another one of the clan McLaughlin—you even spell it the right way.

The Convener: It is good to see some McLaughlins achieving well; others have darker pasts and become MSPs.

The petition is quite a modest proposal. This may be the wrong metaphor, but you are not asking for the moon. If guidelines are slightly out of kilter time-wise, they will need to be shifted. What issues would you like us to explore further on your behalf? How can we deal with the double whammy of the gene pool evidence and the lifestyle issues that have been touched on in answers so far? I am keen to get one or two suggestions from the witnesses of moves that could be made in the next 10 years. How can we improve policy or make stronger recommendations to address the evidence that we have received so far?

Alan McLaughlin: One problem that I have encountered while running the campaign is that in this country we have a slight tendency towards laziness. Last week, at MS Life, I questioned Professor George Ebers about the issue. It is probably a result of the lifestyles that we lead. We are all busy, are working longer hours and so on. Supplements will work initially, but in the long term people may forget to take them. If we try to get them into schools, teachers may say that they do not want to give kids supplement tablets.

One option that we may want to consider is fortifying of school milk. That would deal with the issues that the chief scientist and the chief medical officer have raised about calcium and vitamin D, and it would mean that we were attempting to protect the country and all children from various diseases. We cannot tackle everyone at the same time, but fortifying school milk would be one way of ensuring that every child in Scotland got

protection. For kids who cannot take milk for medical reasons, we could add vitamin D to a fruit drink or provide fortified water of the sort that is available in the Parliament's cafe, as I am sure members are aware. Supplementation, via fortification of school milk, may be a way of preventing the disease and reducing the number of sufferers in the long term.

The Convener: Can you suggest any other useful ways of moving the debate forward?

Dr Ramagopalan: Alan McLaughlin has said what everyone in the field is thinking. It is a hard issue. People cannot change their genes, so lifestyle is the main point on which we need to focus. As members can see, people will not be able to get much sunlight, so we cannot recommend that they spend more time outdoors. We need to consider how best to provide supplementation.

The Convener: Committee members have no further questions. Ryan McLaughlin has mobilised a very good campaign. Would you like to make a final comment on what youngsters who have been involved in the campaign hope to achieve at the end of it?

Ryan McLaughlin: I am sure that everyone from my school enjoyed their little trip to Parliament. I had not been to Parliament before I became involved in the campaign, which has really drawn children into the political process. I have nothing further to say. You have all been nice and helpful to me at most points and everything has gone smoothly. I could not ask for anything more than the support that I have received today. It is a tribute to Scottish politics. Thank you.

The Convener: Thank you for those comments. Today we published the report on our inquiry into the public petitions process, in which you and your family participated. Our aim is to ensure that the citizen's voice can be heard. There is understandable scepticism among the public about the role of the political process, but you have demonstrated the capacity to have your voice heard. I know that Bill Butler wishes to add something.

14:30

Bill Butler: I will make a few suggestions, if that is okay. I would be fibbing if I said that I have been convinced by what the witnesses have said—I was convinced before they even spoke. What we have seen here today is not simply Ryan's initiative, determination and organisation, but that of the whole McLaughlin family—Alan, Darren and Kirsten, too. It is a co-operative effort from the family, and it is not just about them and their

situation; it is about trying to push forward ideas that will be of benefit to all the citizens of Scotland.

I do not think that this is a tribute to Scottish politics, Ryan; it is a tribute to the citizens of Scotland. Your campaign has caught the public imagination, and rightly so. It is asking for things to be done that help the nation's health, that are not too difficult to do and that perhaps should have been done a long time ago.

In your evidence, you mentioned the sum of 1p per child per day. That is a very good political slogan. It would be a good investment—a great investment, in fact—in the health of the nation. I think that colleagues will agree to support the petition; I certainly think that we should support it. I believe that, as Dr Ramagopalan has said, the evidence is conclusive with regard to prevention. He said that help could be given with regard to the number of relapses, but the petition is really about prevention, and that is the main thing that we should be pushing for.

We should write to the Scottish Government to ask it whether it will produce new guidelines on vitamin D supplementation for children and for pregnant and breastfeeding women. We might have to ask "If not, why not?" but I hope that the Government will say yes. I hope that it will not refuse something as overwhelmingly logical as what the petition is seeking. We should also ask the Government if it will run an awareness campaign, which is another major part of the petition, to highlight the importance of vitamin D for everyone, especially those groups that are mentioned in the petition.

There are a few other things that we should ask. Will the Government provide free vitamin D supplements to all groups, and not just to those who are in receipt of benefits? How will it ensure that those who receive free vitamin supplements are aware of the benefits of taking them? That means an education programme to raise awareness and make people see that the supplements will be good for them. We could also include Alan McLaughlin's suggestion about finding a way to help people to take the daily dose. The idea of milk or fruit drinks for schoolchildren might be a way to go about it.

A further point to raise with the Government relates to a piece of NHS Health Scotland research that is due out this month. We should ask the Government what actions it will take in response to the recommendations of that research, which might tie in helpfully.

Those are just some suggestions. The shine on Scotland campaign has certainly made an impression on me, as I think it has on all the committee members and on everyone else who has heard about it or seen the effect it has had.

Although it is not a sunny day today, perhaps we can come to a sunny conclusion.

The Convener: I have the sense that we want to take the petition forward. Part of our purpose is to get evidence and information from all the various key agencies that would have an impact regarding the demand around this issue. We will take some further suggestions, and then we will come to a conclusion about where to take the petition next. There will be a chance to come back to the matter after the summer recess once the information that we seek has come in.

Robin Harper: We could write to the Food Standards Agency Scotland and ask whether it would like to review the advice that it currently gives on vitamin D supplements. Does it have a view about adding vitamin D to foods? Milk, in particular, has been mentioned.

The Convener: Are there any other suggestions from committee members? Nanette Milne referred to NICE, which is the organisation that assesses medications for the NHS, so perhaps we can ask it direct questions. We can also ask NHS Quality Improvement Scotland whether its work plan includes consideration of vitamin D.

Alan McLaughlin: Can I just add a couple of points? We realised that the political process can sometimes be a wee bit slow, so we tried to speed it up by ensuring that we contacted the relevant bodies. We met Dr Harry Burns, the chief medical officer for Scotland, and Dr Roma Armstrong, of the chief scientist office, who have more or less concluded that vitamin D supplementation is the way forward.

We also contacted the Scientific Advisory Committee on Nutrition, which has produced a small report on vitamin D. We want SACN to push the case for vitamin D supplementation, because it would be the team to advise the Food Standards Agency Scotland on the route to take. I did not have much luck in trying to contact the chair of SACN because he was away on holiday, but I will ensure that I keep on his tail. We will obviously keep pushing the issue from our end, but the Scottish Government and Parliament have been fantastic in helping us. We believe that vitamin D supplementation is a good move.

The Convener: Thank you.

Committee members have made constructive suggestions, and I thank all four of the witnesses for their participation and contribution—particularly Ryan McLaughlin, who has done incredibly well. We will now explore all the issues, Ryan, and consider the petition again at a later date. You will be notified of when the petition is due back in front of the committee. We believe—or hope—that we can make progress on the petition's modest demand. We hope that you will get the kind of

response that you have received today for the other initiatives that you have undertaken and that that will make a difference for the future. I thank you all for your time and wish you good luck with the petition over the next few months.

Rosyth Bypass (PE1255)

The Convener: The next new petition is PE1255, by Carol McKenzie, calling on the Scottish Parliament to urge the Scottish Government to commit to developing a Rosyth bypass to cope with any increase in the number of heavy goods vehicles diverted from using the Forth road bridge.

John Park has expressed an interest in the petition, so I invite him to comment on it.

John Park (Mid Scotland and Fife) (Lab): Thank you, convener.

I have followed the issue closely and encouraged Carol McKenzie to lodge the petition. As someone who has lived and worked in the Rosyth area for a good number of years, I recognise that the road that is currently used—the A985—is very congested, particularly when HGV traffic is diverted from the Forth road bridge to the Kincardine bridge. The Scottish Executive considered a bypass in 1999 and subsequently, but I stress that there have been a number of developments in the area since then—for example, the reinstatement of the Rosyth to Zeebrugge ferry service and Babcock's proposals to develop a container port on the west side of Rosyth, which would have huge implications for traffic going along the road there.

Having spoken to local residents, I believe that there is, without a shadow of doubt, 100 per cent support for the development of a Rosyth bypass. People recognise that the A985 is a heavily congested road that goes past three schools. Particularly in the winter months, it is very difficult for people to get around in their cars.

For people who walk to school or to the local shops, the air quality is extremely poor. The development of a bypass would have a hugely positive impact on the quality of life of the people who live in the area, particularly those who live around Rosyth, and I think that it would sit nicely with other developments, notably the new Forth crossing.

The petition has received a lot of support. I hope that the committee will consider entering into dialogue with Transport Scotland, the south east of Scotland transport partnership and some of the local groups, such as Rosyth community council, to find out more information. I know that the local community in Rosyth appreciates what the committee is doing to look into the petition, and I

know that Carol McKenzie appreciates the time that MSPs will spend considering it.

Marlyn Glen (North East Scotland) (Lab): You mentioned that schools are affected. Is it the case that schoolchildren are affected by the road and have to use the bridge?

John Park: Yes. The road goes past three schools. St John's school is set back from the road, but two primary schools—Camdean primary school and King's Road primary school—sit on either side of a junction on the main road. It is an industrial area, close to Rosyth dockyard and the former Lexmark factory. Walking to school along a road with lots of HGVs going past is a hair-raising experience for young children and their families.

Nigel Don (North East Scotland) (SNP): Forgive me, but I do not know the area. Can you give me some clues about how long the proposed stretch of road would have to be?

John Park: How long?

Nigel Don: Yes—of what length would it have to be?

John Park: It is proposed that it would be between 3 and 3.5km. The main spur takes traffic from the Pitreavie roundabout in Dunfermline down on to the M90 and on to the Forth road bridge. The new road would mean that the traffic would bypass not only Rosyth but the south of Dunfermline, which would have a knock-on effect on an area where there is quite a lot of development. There would be a knock-on effect for the local economy and small businesses.

I can understand why other roads, such as the Kincardine bypass and the new Kincardine crossing, were priorities in 1999 when the trunk road review was carried out, but recent and planned developments mean that a bypass is an investment that would have a huge impact not just on the quality of life in the Rosyth area but on the local economy.

Nigel Don: You obviously have some kind of drawing of the proposed road. Do we have an estimate of the cost? How big a sum are we talking about?

John Park: Figures of £15 million and £17 million have been mentioned. I understand that the Scottish Government is doing some work on that. I obtained those figures from public records, just as the committee might do.

Nigel Don: It is helpful to get an idea of the size and shape of the proposal.

Robin Harper: I know the area a bit, but I would like to clarify what the bypass would do. Would it provide a clear run from the road north all the way to Kincardine?

John Park: At the moment, someone who is travelling south down the M90 towards the Forth road bridge and who wants to travel west has to go through a densely populated area of Rosyth. A bypass would allow them to come off the M90 south of Dunfermline and north of Rosyth and join the A985 further along, slightly to the west of Limekilns. That part of the road is heavily used, but it does not have any houses next to it. It bypasses the village of Crombie and the west Fife mining villages.

14:45

Nanette Milne: I note the proposal for a Transport Scotland route action plan for the area. In among many other mitigating actions, consideration may be given to a bypass. Have you any indication of the length of time that it will take Transport Scotland to present the plan?

John Park: I have had no indication that the route action plan will address the section of the A985 that we are discussing. I understand that work has been designated under the strategic transport projects review to the section beyond Rosyth—the stretch of road that goes past Valleyfield towards Kincardine, which is notorious for overtaking. The section about which I am most concerned—the stretch just north of the Forth road bridge—runs through a densely-populated area of Rosyth.

The Convener: In any dialogue that the petitioners or local authorities have had with Government, have they heard that consideration will be given to the proposal in any review?

John Park: No, and that is part of the frustration for local residents, particularly given that the local authority and local politicians recognise a bypass as a priority. As I said, others are taking the lead. Babcock is in discussion with the Scottish Government on national planning framework 2, in which the Government has identified a container port at Rosyth as a priority. Obviously, any discussion on a container port would need to include discussion on access, given the increase in HGV traffic through Rosyth, particularly traffic from the east to the new port. Those coming from the west travel along the section of the A985 that goes past the west Fife villages. There is consensus that something has to be done. Part of the concern for local residents is that no one appears to be taking the lead.

The Convener: Okay. We have had a number of similar petitions for areas around Scotland. We go through this process quite regularly. How do members wish to progress the petition?

John Wilson: As John Park outlined, given the proposed development at Rosyth docks and other work that is to take place, it is clear that a review

of transport links into and around the area is needed. Having travelled on the road on a few occasions, I am extremely surprised that such a busy arterial road is still routed through an urban area. Traffic has to go past schools to reach the port.

We should write to Transport Scotland to ask what plans it has, if any, for the area. It might also be worth while to write to the Scottish Government. As John Park indicated, NPF2 gives a clear indication that development will take place in the area. It would be useful to discover whether consideration is being given to the impact of increased traffic into Rosyth and whether that can be addressed by the building of a bypass. That would divert traffic away from Rosyth, particularly the articulated lorries that travel the road on a regular basis. I am not certain of the frequency of those lorry journeys, but I am sure that the road is used heavily by HGVs. We should try to get those lorries off what is essentially an urban road and on to one that is more suited to that type of transport. That would avoid some of the issues that John Park raised, particularly that of articulated lorries passing three schools that are in a built-up area to the danger and possible detriment of the children there.

The Convener: That is helpful.

Nanette Milne: I suggest that we follow up on the route action plan. We should ask when it will be published and whether it will include a proposal for a Rosyth bypass. If that is the case, I would like to know where that fits with the Government's priorities for its transport projects in the area.

The Convener: There are two or three areas that we can explore that we hope will be beneficial to the petitioners, who will be kept fully apprised of our discussions today by the clerks. I thank John Park for his contribution on the petitioners' behalf.

Sports Facilities (Primary Schools) (PE1256)

The Convener: PE1256, from Jack Ferrie, calls on the Scottish Parliament to urge the Government to provide additional targeted funding to ensure that all primary schools have access to appropriate all-weather sports facilities to encourage an active, healthy lifestyle from an early age. Do members have any comments on or questions about the petition?

Nigel Don: I entirely support the principle of what is proposed. We must do our level best to facilitate a healthy, active lifestyle for our youngsters, as we would for the rest of the population. The petition's principal aim is good—I am sure that we all applaud it. We will run into the problem that the petition calls for targeted

funding—we all know what answer we will get if we ask for that—but that should not prevent us from asking the Government for its view on the subject and encouraging it to see what it can do.

It may be worth our finding out whether a survey has been done of the facilities that our primary schools enjoy. I suspect that some have good facilities; others, such as St Machan's, have a muddy patch out the back that is far from satisfactory. I wonder whether there is any information on the issue. If there is, it may be worth our gathering it together.

Robin Harper: I have no problem with the principle of ensuring that all our primary schools have a proper, usable, indoor area for dance, gymnastics and physical exercise, but I counsel a note of caution. It would not be particularly environmental to turn all our grass pitches into all-weather pitches. The first step in dealing with a field that

"becomes like a swamp and your trainers/boots etc sink into it"

is proper drainage. If that does not work, people may think in desperation of going for an all-weather pitch.

Bill Butler: I agree with Nigel Don and Robin Harper. We all accept the principle that appropriate, dedicated sports facilities should be available to primary school boys and girls. We should write to the Scottish Government with a number of questions, to which we will know some of the answers. Will the Government provide additional funding to ensure that all primary schools have appropriate, dedicated sports facilities? Will the review of the school estate strategy result in all primary schools having access to such facilities? How does the lack of adequate all-weather sporting facilities support the Government's commitment to provide a lasting legacy from the 2014 Commonwealth games? I suggest that it does not. We could ask the Government what it intends to do about that.

Nanette Milne: Given that finance is tight and that it is more than likely that all-weather facilities will not be available everywhere, I would like to know what alternative measures the Government and sportscotland are putting in place to ensure that children get an adequate amount of exercise per week. The current target is two hours, but I would like it to be even higher than that.

Marlyn Glen: I agree with Robin Harper's comments on all-weather facilities—we do not want to cover up grass. However, especially after the first petition that we dealt with this afternoon, it is important that we emphasise outdoor facilities. It would be good to have indoor facilities, too, but children need to play outdoors.

The Convener: I think that members are supportive of exploring the issues that are raised in the petition. We have had three or four good suggestions about what we should find out. We will do that and bring back the petition for consideration in due course.

Court Reporters (PE1257)

The Convener: PE1257, by Mark Hutchison, calls on the Scottish Parliament to urge the Scottish Government to ensure that solicitors who are acting as court reporters and who knowingly supply false information to a sheriff are not immune from prosecution, and that their reports are amended to correct any inaccuracies before the court makes a decision. Do members have any comments?

Bill Butler: I believe that the Scottish Government has commissioned research on the matter. We should ask the Scottish Government what concerns and reasons prompted it to initiate that research. We should also ask when the research will be concluded and what changes it will bring about that would address the petitioner's concerns. That is three questions to start off with.

Nigel Don: I concur with Bill Butler, but we must be clear that there are two issues. On the face of it, the issue is whether a solicitor who does something wrong can be brought to law. We must accept that for a solicitor who is acting as an officer of the court, the answer will be no, for some very good reasons. However, the issue behind that is about ensuring that solicitors who are appointed as reporters to the court, or in any other capacity to do with children, are trained to understand and work with children. As a society, we have an increasing understanding of those issues, but I am not sure that most solicitors do. The classic example that was quoted to me by a solicitor who works in the field is that, when a young child is asked why they do something, they think that they are being told off, because that is what parents tend to do. One has to understand that a child's logic and language are different from an adult's. Lawyers who are appointed by the court and who do not understand that could—in the best faith, never mind anything else—come up with wrong answers.

The first issue is the one that is on the face of the petition, which is about working out whether such people can be dealt with through the legal system. The other issue, which is probably more important, lies behind that first one and is about whether the Government is taking steps to ensure that solicitors who are appointed by the courts are trained in what they are doing and not just in the law.

Robin Harper: We should write to the Scottish Child Law Centre, which I am sure would be keen to give us advice. We should also write to the Community Law Advice Network and the Law Society of Scotland.

Marlyn Glen: I have a general point. Given the absolute importance of court reports for children and families, it is important that people have confidence in the reporters. Therefore, it is important that we consider the issue properly and ensure that the people who write the reports are trained properly, so that we can have confidence in the evidence that they give.

Bill Butler: We should also write to the Law Society of Scotland to ask for its view on the issues in, and objectives of, the petition.

John Wilson: When we write to the Scottish Government, we should ask how many complaints of such a nature have been made against solicitors who have acted as court reporters. If the petition arises from an isolated incident, we could deal with it as that, but it would be interesting to find out whether the Government has pulled together information on the issue or whether it regularly monitors the number of complaints that are made about the court process. I understand Nigel Don's comments about officers acting on behalf of the court system not being approached in relation to the advice that they give and not having legal action taken against them. However, if we discover that such situations arise frequently, a re-examination of the system must be done to ensure that court reporters or other court officials do not mislead the court in the evidence or reports that they provide for the court's consideration.

15:00

Marlyn Glen: Would it be suitable for us to put similar questions to Scotland's Commissioner for Children and Young People?

The Convener: That would be fine. A series of suggestions has been made.

Nigel Don: The Scottish Child Law Centre and another organisation, whose name eludes me, deal specifically with children and legal matters. We should ask the experts for their views on the petition.

The Convener: We will decipher all the suggestions that have been made. As always, we will follow the wisdom of the clerk in deciding what to do next.

Voluntary Sector Mental Health Services (Funding Framework) (PE1258)

The Convener: The final new petition is PE1258, from John Dow, on behalf of the organisation known as TODAY—Together

Overcoming Discrimination Against You and Me. The petition calls on the Parliament to urge the Government to introduce a fairer funding framework for all local, regional and national charities and organisations that support individuals with mental health issues and new guidance on the best value and procurement of support services. Members have before them material relating to the petition. A previous petition, PE1231, on the structure and funding of the voluntary sector, has been referred to the Local Government and Communities Committee. We can refer PE1258 or continue with it—I am in members' hands.

Nanette Milne: My instinct is to refer the petition to the Local Government and Communities Committee, given that the actions that we would take if we kept the petition open might be duplication of what that committee is already doing. Rather than risk wasting resources, it would be appropriate for us to refer the petition.

Bill Butler: I agree with Nanette Milne.

Marlyn Glen: I understand the reasoning behind the suggestion that we refer the petition to the Local Government and Communities Committee. However, mental health services used to be called the Cinderella services, and I would not like them to become an addendum. I would rather the petition had some independent status. We could ask the Scottish Association for Mental Health for its views on the petition. Many groups—social workers, for example—are involved in mental health. The petition is relevant to the Local Government and Communities Committee, but it also relates to health services, which fall within the remit of the Health and Sport Committee. I was pleased to see the petition, because it relates to mental health issues. I would like it to be given importance in its own right.

Nanette Milne: Are the two suggestions mutually exclusive? I accept totally the point that Marlyn Glen makes, but I do not want us to duplicate any work that may be under way.

The Convener: John Wilson is a member of the Local Government and Communities Committee. Are you aware of that committee's timetable for dealing with PE1231?

John Wilson: I am.

The Convener: Are you at liberty to disclose any of that information to us?

John Wilson: Yes, as long as I am not chastised by the convener of the Local Government and Communities Committee for doing so.

The Convener: He can be quite ferocious.

John Wilson: We have tied the petition into our inquiry into local authority procurement, which relates mainly to issues that arose from the "Panorama" report on home care. As other members have indicated, there are links between PE1231 and the petition that we are considering, which may be a useful addition. As Marlyn Glen suggested, we may want to write to the Scottish Association for Mental Health and one or two other organisations. However, I am not sure whether we can twin-track the petition by both referring it to the Local Government and Communities Committee and writing to organisations on the ground.

I know that in Lanarkshire contracts have been issued and voluntary sector organisations that have delivered services for a number of years have found that they have been undercut by other organisations or bodies.

The two petitions tie in, as there is a crossover of terms and conditions. However, as Marlyn Glen said, there are also specific issues about mental health service delivery, particularly with regard to contracts from NHS boards and other bodies.

Robin Harper: To follow on from what John Wilson said, there is general concern that councils and people who procure services should consider the true value of the services, rather than simply the costs. That is an important distinction, particularly with mental health services.

The Convener: I get the feeling that the committee would like to explore the issue a wee bit further. The summer recess is about to start, but if the timescale is adequate and we get reasonably swift responses, we could examine the responses soon after the recess and decide whether to refer the petition to the Local Government and Communities Committee. Members are right in saying that there are three issues: one is about the nature of the services that are mentioned in the petition; the second is about the best way in which to provide those services; and the third is a wider issue about the resources that are available from local authorities to the third sector. We should hold on to the petition for now—so we are choosing the "OR" option in our briefing on the petition—with the intention of referring the petition to the relevant committee if it is still exploring the issues at that time.

We will have a brief comfort break.

15:06

Meeting suspended.

15:13

On resuming—

Current Petitions

Independent Midwifery Services (PE1052)

The Convener: Agenda item 2 is consideration of current petitions. PE1052, by Jayne Heron, calls on the Scottish Parliament to urge the Scottish Government to promote the services of independent midwives and to ensure that such services continue to be available to pregnant women in Scotland. The petition has been before us on at least two occasions. Do members have any issues to raise or address?

Nanette Milne: There seems to have been a bit of arguing to and fro between various organisations. Has a meeting happened yet between the Government and the petitioner, as we requested?

The Convener: Not as far as we are aware.

Nanette Milne: In that case, would it be appropriate to wait until such time as that has happened? We have an indication that a meeting will be held, but we cannot make progress until we know the outcome of that meeting.

The Convener: Do members accept that recommendation and agree to ask the clerks to pursue the issue and find out whether a meeting has been arranged?

Members indicated agreement.

Scottish Prison Population (Catholics) (PE1073)

The Convener: PE1073, by Tom Minogue, calls on the Parliament to investigate and establish the reasons for the apparently disproportionate number of Catholics in Scottish prisons. The petition has been before us several times. Do members have any comments?

15:15

Bill Butler: I am informed that the Cabinet Secretary for Justice has said that the Government does not intend to do further research on the subject. However, perhaps the committee might consider asking academics who work in the area whether further research should be undertaken on what seems, on the face of it, to be a disproportionate number of Catholics and Muslims in the prison population and, if so, what the scope of that research should be. Such academics might include Professor Andrew Coyle and Professor Gill McIvor.

Nigel Don: I concur with Bill Butler. At Justice Committee meetings, we have heard interesting evidence from academics on sentencing issues, which are not totally unrelated to the petition. People out there might have something useful to tell us. Such a request might also excite academics who do not know about the subject. If we as a society do not know anything about the situation, we probably should do. The academics might well be the people to examine the subject for us.

The Convener: As is obvious, we face the summer recess. We can ask the clerks to discuss with SPICe the scoping of research and to come back to us. If we want to, we can make the decision in principle over the internet and then explore the options.

The key issue is putting the searchlight on the right areas. It has been easy to say, "We really don't know—a series of other social, environmental and economic factors results in the situation," but that is so wide that we cannot drill down. One or two folk in the academic world might be using new models of research, but you and I do not know that. We will discuss with research folk in SPICe who is worth approaching, on the principle of what is reasonable under SPICe's budget for research.

We are happy with that. I will ask Fergus Cochrane to communicate with committee members about what we can do next. If we have approval on that, we can pursue the matter. When we return after the recess, perhaps we will have a timescale for getting information back.

Local Museums (PE1083)

The Convener: PE1083, by John Arthur, calls on the Parliament to urge the Government to support the creation of local museums, such as the proposed Leith museum. Several individuals—particularly Malcolm Chisholm, as the constituency member—have taken a keen interest in the issue. I have managed to get it out of my clerk that he is a Leither, so he has had to make an informal declaration of interest.

I ask Malcolm Chisholm to comment on the petition, to which he has spoken before.

Malcolm Chisholm (Edinburgh North and Leith) (Lab): I hope that members will keep the petition open. Since the committee discussed the petition briefly about six months ago, quite a lot of progress has been made. Robin Harper, who I am sure will speak in a moment, and I were at a well-attended meeting in Leith recently at which detailed plans for the development of a Leith museum were presented. As members know from previous discussions, the hope is that the museum will be located in the Leith customs house. That

building is owned by National Museums Scotland, which has a clear connection with public authorities and the Government.

I know that the committee has written to the Scottish Government and National Museums Scotland before but, given the massive support in Leith for a museum and given that the plans for a museum have advanced significantly in the past six months, I hope that the committee will agree to keep the petition open and to remain in dialogue about it with National Museums Scotland and the Scottish Government.

Robin Harper: This is a sort of chicken-and-egg situation. To get funding, the museum must be accredited by the Scottish Museums Council. However, the Leith museum is still just an idea. Therefore, it cannot be accredited, so it cannot get funding from the SMC. Actors will know about a similar problem with getting Equity cards: they cannot get an Equity card unless they have a job, and they cannot get a job unless they have an Equity card.

I would like to keep the petition open, and I think that we should write to a small cross-section of councils across Scotland, including the City of Edinburgh Council, asking about their attitudes towards, and plans for, local museums in their areas.

The Convener: The suggestion is to keep the petition open and to explore those issues. Is the committee comfortable with that recommendation?

Members *indicated agreement.*

School Bus Safety (PE1098 and PE1223)

The Convener: PE1098 and PE1223 both relate to school bus safety. PE1098 is by Lynn Merrifield on behalf of Kingseat community council and calls on the Parliament to urge the Scottish Government to make provision for every school bus to be installed with three-point seat belts. PE1223 is by Ron Beaty and calls on the Scottish Parliament to urge the Government to take action, whether through amending guidance, contracts, agreements or legislation, to require local authorities to install proper safety signage and lights on school buses—to be used only when school children are on the bus or when necessary—and to make overtaking a stationary school bus a criminal offence.

One of the petitioners participated in the launch of the committee's report today, and I thank Lynn Merrifield for her contribution to the debate at lunch time, which took place with the media present.

We have had a chance to discuss these petitions in detail before, and I am looking for suggestions as to how to deal with them now.

Nanette Milne: We should certainly keep them open. I notice that the road safety framework was announced yesterday, and a number of the measures within it are very encouraging for both the petitioners. I saw that Mr Beaty was quoted in the local press this morning, saying that he is particularly pleased about the new signage that is being proposed for school buses, which was a major concern of his. It would be premature to close the petitions.

I am worried about the discrepancy in road safety measures across the country. I suppose that I am fortunate, in that Aberdeenshire Council is taking new measures on board, having piloted SeeMe bus stops. I have not heard the outcome of that pilot, but I presume that it has done well, given that the minister is progressing it. Moray Council is doing extremely well, too.

I spoke to Lynn Merrifield at lunch time, and she is most concerned that provision in Fife is nowhere near the standard that applies further north. We should be asking the Government how the measures that it is proposing will be implemented evenly across local authorities. How will the Government support and encourage local authorities to carry out the required measures? Can local authorities be assessed against the proposed new measures, with action encouraged as soon as possible?

The Convener: The suggestion is to keep the two petitions open and to explore the areas that Nanette Milne has identified. Are we happy to do that?

Members *indicated agreement.*

Stewart Committee Report (PE1106)

The Convener: PE1106, by Jamie Webster, calls for the Scottish Parliament to urge the Government to review those aspects of the Stewart committee's report, "Keeping Offenders out of Court: Further Alternatives to Prosecution", that relate to the rights of victims of crime to obtain information on the handling of cases.

The petition has been in front of us before. As the clerks have indicated, the Crown Office and Procurator Fiscal Service has confirmed that the review of the policy on the public disclosure of warnings is still on-going. The outcome of that review is expected to be available in September. I am not sure whether this is what Nigel Don would want to suggest, but the suggestion that is being made is essentially that we should suspend consideration of the petition until that on-going work has been undertaken.

Nigel Don: I do not think that we have been left with any option. We know what the question is; we know that it is being worked on; and until we get

the answer, we will simply have to wait. I am sure that the Crown Office and Procurator Fiscal Service is not being dilatory for the sake of it.

The Convener: Thank you very much.

Blood Donation (PE1135)

The Convener: PE1135, from Rob McDowall, calls on the Scottish Parliament to urge the Government to review existing guidelines and risk assessment procedures to allow healthy gay and bisexual men to donate blood. Do members have any suggestions about how we should deal with the petition?

Bill Butler: I have been informed that the Health Protection Agency in England is carrying out work on the exclusion of donors because of high-risk behaviour. As a result, I suggest that we suspend consideration of the petition until that work is completed.

The Convener: It might also be helpful to ask whether we are any further forward in examining good practice in and new medical evidence from France, Italy, Spain, Portugal and other European countries that have lifted these bans. We will suspend consideration of the petition as we await the outcome of the HPA's research and find out what is happening in Europe.

Fire Service Boards (PE1147)

The Convener: PE1147, from Mrs Annmargaret Watson on behalf of the fire reforms action group, calls on the Parliament to urge the Government to review current legislation on local authority representation on fire service joint boards. We have discussed the petition in substantial detail; representations have been made to the Government; and the Minister for Community Safety has responded that the issues have been identified. I think that we have done as much as we possibly can and the minister's response makes quite clear his role in this matter and the role played, quite rightly, by local authorities with regard to joint boards. Although the petition's message is clear, I do not think that we can add anything more and, as a result, I recommend that we close the petition.

Nanette Milne: Indeed. I also point out that, in a letter that she has sent to the committee, the petitioner reluctantly agrees that there is really no other option.

The Convener: So we will close our consideration of the petition.

Community Prisons (PE1150)

The Convener: PE1150, from David Wemyss on behalf of Aberdeen prison visiting committee, calls on the Scottish Parliament to urge the

Government to consider whether large prisons remote from prisoners' families offer the best way of rehabilitating offenders or whether, as an alternative, localised community prisons should be supported much more strongly to maintain genuinely easy access to family links and other community virtues.

There has been a lot of discussion about this petition and individual MSPs have expressed an interest in the subject. Indeed, two members, Lewis Macdonald and Richard Baker, are present this afternoon to comment on the petition. Perhaps we should hear first from one of the constituency members for Aberdeen.

Lewis Macdonald (Aberdeen Central) (Lab): I appreciate the opportunity to speak, convener. The committee's work on the petition has helped to flush out some of the issues, and I certainly think that an interesting analogy can be drawn with its work on the petition on the Aberdeen forensic science laboratory, which, partly as a result of the parliamentary scrutiny to which the proposal has been subjected—for which the committee should receive a lot of thanks—ministers have put off the decision to close.

Although the committee has also been helpful with regard to the proposal to close Aberdeen prison, ministers have not yet accepted the need to review that decision. I suggest that the case is similar to that of the forensic science laboratory. There seems to be a disjuncture between ministers' formal position, which, as has been made clear to the committee and set out in evidence, is support for the principle of community-facing prisons—something that I welcome—and the actual practice in Scotland's third city, where the proposal is to close a community-facing prison and replace it with a prison located at some distance from the city. I am very grateful to the committee for its inquiry into this matter, but I suggest that the petition remain open or that the committee take further action or give ministers' decisions a wider airing.

15:30

Richard Baker (North East Scotland) (Lab): I agree with Lewis Macdonald that the issues raised in the petition require further discussion. Indeed, given that Craiginches prison is still open, that the plans for HMP Grampian at Peterhead have not been progressed to any great extent, and that major questions remain about the detail of the proposal, I think that we have an important window of opportunity in which to discuss the matter. As ministers have been unable to answer the key question of how the proposal links into what is meant to be an overall strategy of community-facing prisons—a strategy that does not seem to have been followed in Aberdeen and the north

east—I feel that there are very strong grounds for the committee to keep the petition open or to do whatever it decides to ensure that the issues remain under discussion.

Nanette Milne: I agree that we should keep the petition open. I was very struck by the comment made last week by the outgoing chief inspector of prisons, Andrew McLellan, who was quoted in our local press as saying that

“family contact is essential to the rehabilitation process and that forcing visitors to embark on a 70-mile round trip to a new £140 million ‘superjail’ planned for Peterhead after Craiginches Prison is closed would have a detrimental impact”

on the rehabilitation of prisoners. Given Dr McLellan’s experience in prison services, we have to take such comments very seriously.

My instinct after speaking to a number of local people was that we should refer the petition to the Justice Committee, but I suspect that that committee has more work on its plate than it might be able to deal with.

The Convener: I greet that suggestion with fear and alarm. I was 6ft 8in when we began this discussion; look at the size I am now.

Nanette Milne: The other suggestion that was made locally was that, if we can secure time in the chamber, the committee should initiate a parliamentary debate on the petition to air all the issues—which is what, as Lewis Macdonald said, we did with the petition on the forensic science laboratory. I am interested in hearing what my fellow committee members think of that proposal.

Bill Butler: As the deputy convener of the Justice Committee, I have to say that Nanette Milne is absolutely right in thinking that we are full up at the moment. Seriously, though, I do not know whether referring the petition to the Justice Committee would serve any purpose.

However, before I heard Nanette Milne’s suggestion, I was going to say that we could take one last shy at the matter and write to the Scottish Government, asking whether the Rev Dr Andrew McLellan’s comments about family contact and rehabilitation might change its mind on the matter. As Lewis Macdonald and Richard Baker have pointed out, there is a perceived disconnect between the principle enunciated by the Scottish Government and the practice that it is following. That is certainly a matter for debate.

As a result, I endorse Nanette Milne’s suggestion that we initiate a full parliamentary debate on the petition to ensure that the different points of view are heard in plenary session, to give members more time to expand on their views and to give the ministerial team a chance to respond. That would not impinge on the Justice

Committee’s time and would be a way of progressing at least to the point at which the discussion can be had. I support Nanette Milne’s suggestion.

Robin Harper: I fully support that. Are we talking about a subject debate or a debate on a motion that is lodged on the committee’s behalf?

The Convener: I ask Fergus Cochrane to explain the situation. Any request for a debate, as has been suggested, would have to go to the Conveners Group, to which we have already suggested a debate. The question is how we manage the committee’s intention practically.

Fergus Cochrane (Clerk): An e-mail was sent in which bids were sought from committees for committee time in the chamber in September and at Christmas, so a bid has been made for a Public Petitions Committee debate on the committee’s inquiry report. The Conveners Group and subsequently the Parliamentary Bureau have still to consider committees’ bids. If the committee wants to bid for a debate on the petition, we will feed that in, too.

The Convener: What is the terminology for such a debate?

Fergus Cochrane: The debate could be on a motion, which I suspect would go along the lines of the petition. For a committee debate, the motion would be in the convener’s name.

The Convener: Does anyone who has not contributed want to comment?

Marlyn Glen: I support Nanette Milne’s suggestion, which is a good idea. It is important to try to have the debate early, so I suggest that we go for it in September rather than later.

We have not fully considered the issues. I would certainly like what is happening now to be sorted out, but I would also like more of a long-term vision for the future of Scottish prisons. Calling something community facing is not the same as having prisons in communities instead of large prisons to which people must travel. Many issues are involved. The Equal Opportunities Committee’s inquiry this year has been about female offenders, which fits in well with the subject that the petition raises. I support holding a debate.

The Convener: We have a key recommendation, which we will explore. We want to keep the petition open and to explore the practical option, which I ask the clerk to manage. The only caveat is about the role of the Conveners Group and appropriate timetabling. We can come back to the committee after the recess about the exact phrasing or terminology of a request. Is that okay?

Members indicated agreement.

Public and Voluntary Sector Services (Cuts) (PE1158)

The Convener: PE1158 is by Kevin Hutchens, on behalf of Aberdeen Trades Union Council. The members who represent that region or Aberdeen city are free to stay for the discussion.

The petition calls on the Scottish Parliament to urge the Government to review the funding that is available to local authorities for the provision of public and voluntary sector services. We have had a chance to hear from the petitioners. The petition's core does not differ much from that of PE1231 from the Scottish Council for Voluntary Organisations and others, but PE1158 is more local to the situation that has faced Aberdeen in recent months. The best course of action might be to close the petition or to refer it to the committee that is undertaking a broader review of funding mechanisms.

With caution, I invite Richard Baker to speak. I wanted to set out the stall, but I am happy for you to contribute.

Richard Baker: We always proceed with caution. Your suggestion of referring the petition to the relevant committee is sensible. Several issues are on-going in Aberdeen. The Accounts Commission has made its report, but the structural changes in Aberdeen City Council continue. Moreover, a number of inspectorate examinations of not only education but children's services are still being carried out. If the relevant committee—in this case, the Local Government and Communities Committee—can discuss those issues in that context, that, I hope, will satisfy the petitioners. It certainly makes sense to me.

The Convener: When we refer it to the Local Government and Communities Committee, we can highlight the broad areas of discussion.

John Wilson: Perhaps the clerks can clarify this for me, but what exactly are we referring to the Local Government and Communities Committee? As far as I understand it, we were asking that committee to look at the issue of remunerating staff who deliver services; however, this petition deals with the much wider issue of the funding available to voluntary organisations to deliver services. I think that we need to clarify which services we mean. After all, the Local Government and Communities Committee might think that it is carrying out some focused work on the earlier petition, which was about ensuring that people in the voluntary sector are paid the same as those in local government for delivering the same services; however, what I have heard suggests that the brief for the piece of work that we are asking that committee to take on could get wider and wider.

Nigel Don: Following on from John Wilson's comments and having considered the terms of reference, I wonder whether the petition should be referred to the Finance Committee rather than the Local Government and Communities Committee. After all, it is not about procurement but about the funding that is available. It is a fair, but very different question and, as I say, it probably has more to do with the Finance Committee.

The Convener: Fergus Cochrane thought that he had managed to pass on the petition, but he has been found out. I ask him to respond to John Wilson's question on what I think is an important nuance and Nigel Don's question whether the petition should be referred to the Finance Committee rather than the Local Government and Communities Committee. I point out, however, that we do not know whether the Finance Committee has any room to deal with the matter.

Fergus Cochrane: The committee previously referred PE1231 to the Local Government and Communities Committee. At the time, there was a discussion of the wider issues raised in the petition but, as I said at the time, a petition can be referred to only one committee. When I referred the petition to the Local Government and Communities Committee, I flagged up its existence to the Finance Committee and the Education, Lifelong Learning and Culture Committee, but it is obviously up to the Local Government and Communities Committee to decide whether it wants to seek the views of the Finance Committee or indeed any other committee.

Many of the same points appear to apply to this discussion. Whatever the wider issues in the petition are, the fact is that the petition can either be referred to the Local Government and Communities Committee—or the Finance Committee—or be retained for consideration by this committee.

Bill Butler: Although the petitions are not the same, there are enough similarities for us to refer this petition initially to the Local Government and Communities Committee. However, it would be up to that committee to say, for example, "Wait a minute—we'd like to hear from the Finance Committee and/or the Education, Lifelong Learning and Culture Committee about this." On that basis, I think that referring the petition to the Local Government and Communities Committee is still within the bounds of logic.

The Convener: We need to find some way through this complex issue.

John Wilson: Dare I say that there is another alternative?

The Convener: A third way, you might say.

John Wilson: Indeed. We could suspend consideration of the petition until the Local Government and Communities Committee reports its findings and we are able to determine whether its work covers what needs to be covered.

The Convener: The key issue is that the strong view from everybody in the committee is that we should not close the petition, so let us agree to that and consider options. I invite other committee members to contribute and I invite Lewis Macdonald to speak if he has a helpful suggestion.

15:45

Lewis Macdonald: I tend to the view that Bill Butler is right to say that the petition could usefully go to the Local Government and Communities Committee for consideration in the first instance. The petition is about not just central Government funding of local government, but the relationship between councils and the voluntary sector. The petition concerns a complex of relationships. I think that I am right in saying that such issues are arising in many places, so it is perhaps best that the petition is considered as part of a wider inquiry, if the Local Government and Communities Committee intends to do that for PE1231.

The Convener: I hoped that that contribution would be really helpful.

Bill Butler: I thought that it was really helpful that Lewis Macdonald agreed with me.

The Convener: From where I am sitting, however, I have now heard three suggestions.

Let us try to get through this. Do you have an even more helpful suggestion, Nigel?

Nigel Don: To achieve some harmony about Aberdeen, I am happy to go with Lewis Macdonald's suggestion. If members want to approach the issue from the local authority's point of view, that is fine. In that case, we should refer the petition to the Local Government and Communities Committee. Whether to examine the petition is up to that committee, but we can just say, "Here's another one that widens the boundaries slightly."

The Convener: From looking at people's reactions in the room, I think that the petition will receive a robust examination at that committee.

We will take the recommended course of action and we will draw attention to the points on which the petition might be broader than PE1231. I am sure that the convener and members of the Local Government and Communities Committee will be quick to tell us whether the referral is appropriate or whether the petition should go to other committees. I will listen with interest to that debate when it pops up.

I thank the members who attended to discuss issues that affect their areas.

Befriending Services (PE1167)

The Convener: PE1167, by Christine McNally on behalf of Clydesdale Befriending Group and other supporting organisations, relates to the impact of services for adults with learning disabilities on the "The same as you?" strategy and asks us to ensure that adequate funding is provided to support befriending opportunities and promote social inclusion.

Christine McNally and some individuals who were involved in her petition appear in the new petitions DVD that we have launched. I thank them for allowing us to include them when profiling the role that petitioners have played in the petitions process.

Having said that, I hope that we will be equally considerate about the petition by Christine McNally, on behalf of Clydesdale Befriending Group. We have discussed the petition before, but several of our questions have not been answered satisfactorily. I look for recommendations from committee members.

Robin Harper: We should continue the petition and write to ask the Scottish Government the following questions. What is its timetable for its research project to evaluate how 10 years of "The same as you?" has improved the lives of those with a learning disability and their families? Will the Government consult the petitioner on that? Will that research consider the impact of befriending services on people with learning disabilities and whether the Scottish Government should support and fund those services? "The same as you?" recommended the use of befriending services, but such services have not been implemented. Why not, and when will they be implemented? Quite a lot of questions need serious answers.

The Convener: Are we happy with those suggested questions?

Members indicated agreement.

Social Rented Housing (Standards) (PE1189)

The Convener: PE1189 is by Anne Lear, on behalf of Govanhill Housing Association. I declare a potential interest as the constituency member for Govanhill. The petition calls on the Parliament to urge the Scottish Government to conduct an inquiry into the responsibilities of private landlords, the level of social housing that is below tolerable standard, the impact that slum living conditions have on the health and wellbeing of residents and the wider community, and whether such conditions

should merit housing renewal area status and additional Scottish Government funding.

Do members have comments? Local residents and organisations made a strong presentation to us about the petition.

Anne McLaughlin: I know that things have moved on a wee bit, because the Government has said that it will work with Govanhill Housing Association, and reviews are taking place.

We have received from the housing association the statement from Oxfam about Roma people not getting public recognition as a different ethnic group, among other things, but that goes away from the petition. I wonder whether there is scope for us to suggest that it might want to lodge another petition that focuses on that matter, because that is not what PE1189 is about. As the constituency MSP, you are more aware of the issue than most people are, convener. A number of people have come to me as a Glasgow list MSP to speak about the problems in Govanhill and the specific issues that people in the Roma community face. We could write to the housing association to say that it might want to lodge another petition that focuses on the specific issue that I mentioned.

Bill Butler: There is a lot in what Anne McLaughlin says. The overall effectiveness of landlord registration will be reviewed in 2010, and the Scottish Government has said that it is willing to explore options with the petitioners and the local council on the extra support that it can provide. However, before we ask for another petition to be lodged, we should remember that a report that was commissioned by the housing association has still to find its way to the committee. Given that, and the fact that there are obviously complexities in and around the situation, to say the least—I think that 51 nationalities are involved in the area and the organisation—we should keep the petition open until we appraise that report. Once we have considered the report, we can return to Anne McLaughlin's suggestion. I would be loth to close the petition now, given that the committee has still to see that report.

The Convener: Obviously, I have a particular interest in the petition. There are three fundamental issues. The petition is specifically about the role of landlords and the challenges that the community faces as a result of lots of movement and population shifts in it. There is a much better joined-up partnership at the local level than there was at this time last year—that is the result of the efforts of local organisations and the fact that the committee has had the petition in front of it—but there are still outstanding issues.

I have asked questions of Government ministers about what we in Scotland can do with other agencies in the United Kingdom to deal with

issues relating to the impact on the community of its diversity. To be fair, we have received a good response from the Government in Scotland, which wants to open up dialogue.

I think that we should keep the petition open, await the report, and then see whether things are being pulled together. There was a good public meeting on the matter around a month ago. As ever, it was a stormy meeting, but it was still good, because people were feeling their way forward. The situation in the neighbourhood has been tough in the past couple of years, because of the big shifts that have occurred.

We could await the report and find out whether the local partnership group that has been established by the council and the Government makes any further recommendations. Are members happy to accept that recommendation? Shall we keep the petition open and follow things through?

Members indicated agreement.

A90/A937 (Safety Improvements) (PE1236)

The Convener: PE1236, by Jill Campbell, calls on the Scottish Parliament to urge the Scottish Government to improve safety measures on the A90 by constructing a grade-separated junction where the A937 crosses the A90 at Laurencekirk. Mike Rumbles, who is the constituency member, probably has his wee tent parked there to try to address the issue over the next period. I understand that he wants to speak to the petition.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Thank you very much indeed, convener. Jill Campbell is with us, as well.

The Convener: I welcome Jill to the meeting. I am sure that Mike will raise the issues of concern.

Mike Rumbles: The committee has received a letter from Transport Scotland. It is quite an astonishing letter—I have never seen one like it. There is absolutely no dispute about the statistics, which were obtained by Jill Campbell from Grampian Police through a freedom of information request; Transport Scotland included them in its letter.

The key to the issue is the map in the letter, on which you will see that there are three junctions to Laurencekirk: the southern junction, the central junction and the northern junction. I know that the committee has already considered the petition, but it is useful to remind people. The petition asks that a grade-separated junction be created at the southern junction. The idea is that the other two junctions should be closed.

You might find it astonishing that I say that there is absolutely no dispute about the figures. It is only

the final paragraph of Transport Scotland's response that I find astonishing. There are several boxes on page 3 of the letter. The present safety measures were implemented in 2005. Let us compare the accident statistics for the three most recent years—2006, 2007 and 2008—with those for the three years before the safety measures were put in place. In the three years before 2005, there was one serious accident. In the three years after the safety measures were put in place, there were five serious accidents. In the three years before 2005, there were four slight accidents. In the three years after 2005, there were eight slight accidents.

Table 2 shows the recorded casualty numbers. In the three years before the safety measures were put in place, there were three serious casualties. In the three most recent years, the figure has increased to five. More important, the number of slight casualties has increased from seven to 15 over the same period. You might say, "Crikey! The evidence is self-evident." The petition is about the fact that after the safety measures were put in, there has been a doubling, if not a trebling, of the number of accidents, as recorded by Grampian Police and acknowledged by Transport Scotland and the Scottish Government.

What is the issue here? Table 4 gives the accident statistics for the specific junction where the safety measures were implemented. It is true that there has been a decrease in the number of accidents at that location, but as we have said all along—this is what the petition is all about—if there are safety measures at only one of the three entrances/exits to Laurencekirk, that will have a displacement effect at the other junctions, where the number of accidents has doubled, if not trebled.

Neither I, nor the petitioner, nor any of the local communities has any problem with Transport Scotland's letter until we get to the final paragraph, which says that the

"appraisal process gave specific consideration to the case for the grade separation of the Laurencekirk/Marykirk junction. Further to the road safety measures introduced in 2005 ... which resulted in improved accident statistics at this location, it was not considered that grade separation was necessary".

My goodness; I think that it was Churchill who said that there are lies, damned lies and statistics. Transport Scotland is right. In the specific location where the safety measures were implemented, the statistics show that they have succeeded, but they have displaced accidents to the junctions that we want to close.

The purpose of the petition is to say, "Crikey! We have a real problem. If the Government doesn't take action, someone will die here." That is the real issue. I am not overdramatising the

situation. People have died, before 2005. That is the only statistic that has not increased but, in my view, that is only by the grace of God.

We have a situation in which the information is correct and the statistics are not disputed. We had a meeting with the minister, but we could not exchange statistics because, at the time, we had not received Transport Scotland's letter. What is the issue? The issue is that, technically, the statistics have improved at the junction at which the safety measures were installed, but overall at Laurencekirk, they have dramatically worsened since 2005.

16:00

The petitioner and I would like Transport Scotland to answer the question that the petition raises, and not to answer a question that we did not raise. Nobody disputes Transport Scotland's statistics, and they are serious. However, Transport Scotland must consider all the statistics around Laurencekirk, and then tell us whether it thinks that a request for a grade-separated junction is reasonable. I ask Transport Scotland not to answer a question that we did not ask. I implore the committee to write to Transport Scotland to ask it to answer the question that we actually asked.

Another small point arises. An accident investigation and prevention study is going on at the moment; it is due to report at the end of June, so we have not yet received the statistics.

Bill Butler: Mike Rumbles makes a number of telling points. We should write to Transport Scotland to ask whether the safety measures put in place since 2005 are suitable to cope with the steadily increasing volume of traffic at the junction.

Mr Rumbles mentioned the accident investigation and prevention study at Laurencekirk, and we should ask Transport Scotland when the results will be made public. We could also ask about the steps that will follow the completion of that study.

We should emphasise the point that Mr Rumbles made about the statistics being right but being misapplied, with the wrong conclusion therefore being drawn. A number of points are extant, and the committee should pursue them.

Nigel Don: Like Mike Rumbles, I know this road reasonably well. On the map in Transport Scotland's letter, there are quite a few dots on a stretch of road, between the northern junction and the central junction, that ought not to represent a significant hazard. Can you enlighten us?

Mike Rumbles: The 50mph zone is at the southern end and not the northern end. I would therefore guess that the problem is caused by

traffic slowing down or not adjusting to the difference in the speed limit.

The petitioner has always asked for a grade-separated junction and for the closure of the other junctions around Laurencekirk. Problems have been caused by displacement.

Nigel Don: I entirely understand that point, and I am right with you. I was just trying to work out why accidents were happening away from the junctions. However, if people are changing speed because of the 50mph sign—the consequence of a previous intervention—that sounds like a perfectly reasonable explanation for why there have been accidents.

Mike Rumbles: That is what I assume has happened.

Nigel Don: When we write to the Government for further information, could we ask about traffic flows on the road, for which I am sure there will be statistics? Laurencekirk has grown and is still growing, but I would have to defer to the local member on the areas east and west of Laurencekirk. They may have grown too, so the total volume of traffic in the area may have risen over the past few years. Growth has probably been significant, and I imagine that the projections are for further growth. We would have to ask the local councils to advise us on that.

There may be a degree of ambiguity about the present statistics—that may be a generous interpretation—and we should ask what account is being taken of the fact that traffic is likely to get busier.

Nanette Milne: I agree with everything that Mike Rumbles has said about this junction. I crossed it fairly recently and I can see exactly what local people are talking about. I will ask Mike Rumbles a question, if I may, before making a suggestion. Do you think that it would make any difference if the length of the road that is subject to the 50mph speed limit were to be increased, to include all three junctions, at least as an interim measure?

Mike Rumbles: I think that that would make a difference, as an interim measure. The reason why it is not being done is that Transport Scotland is reluctant to reduce the speed limit to 50mph over a very long stretch of a major trunk route. That is why it agreed to do so only around the one junction; it will not do it for the longer distance.

Nanette Milne: I still think that the suggestion might come from the committee—we could ask Transport Scotland if it will do it.

Mike Rumbles: It would help.

Nanette Milne: It might focus Transport Scotland on the three junctions, instead of just the one.

Nigel Don: There was a 50mph limit on the same road, down by Montrose. I might be going back a decade or more, but there was a 50mph limit for a significant period. I am sorry—it was around Forfar.

Mike Rumbles: Transport Scotland's objection is that the A90 is the major dual carriageway—

Nigel Don: Yes, but that was just further down the same road—further south, by Forfar, there used to be an extended stretch, passing through at least two junctions, where the speed limit was reduced to 50mph. Whether that worked or not is another matter, but that was done.

Robin Harper: The case has been clearly made, and I think that the petition should be continued. There are a number of questions that we need to ask. I have travelled along that road many times. Having what is essentially a high-speed road with three junctions in relatively close proximity is a very poor idea. That is clear from the figures.

The Convener: Members have made a series of suggestions. Does Mike Rumbles have any final comments?

Mike Rumbles: Members might not be aware of this, but the Aberdeenshire local plan indicates that the area is a growth corridor. Lots of housing is about to be approved for Laurencekirk. Expansion has already taken place, and the railway station has just opened, which is great news. Laurencekirk is a vibrant, growing community, and there is therefore an awful lot more traffic.

The Convener: Committee members have made a series of suggestions. We wish to pursue some, if not all, of the matters that you have raised, Mike; I hope that that will be of satisfaction not just to you, but to the petitioners. Members have also identified a couple of additional areas that we wish to explore. I hope that we can take some measures to get responses to those other questions. The petition will return to the committee in due course. Thank you for your time.

Middle East (PE1238)

The Convener: PE1238, from Deryck Beaumont, on behalf of the Scottish Palestine Solidarity Campaign, calls on the Parliament to urge the Scottish Government to urge the UK Government to expel the Israeli ambassador from the UK until Israel shows that it is prepared to accept that it is not above international law. We have had communication back from the Scottish Government in relation to the petition, and I invite comments from members.

Bill Butler: The Scottish Government is absolutely correct in its view that expelling the

Israeli ambassador from the UK would not serve the prospects of a long-term peace in the Middle East. I want that to be stated on the record. The petition is mistaken. Like many members, I certainly support United Nations resolution 242 and the twin-state solution, but we should not, simply because of that, say that the petition has any merit in the short, medium or long term. I think that such an action would simply exacerbate the situation.

I do not want there to be any mistake or shilly-shallying: the Scottish Government is right and the petitioner is wrong, and I think that we should say so—and I have just said so. I think that we should close the petition.

Robin Harper: I agree absolutely with everything that Bill Butler has said. I am a member of the cross-party group on Palestine, whose aims and objectives I support.

John Wilson: I agree with Bill Butler and Robin Harper that we should close the petition, but not in the terms that have been expressed by Bill Butler. He might have a disagreement with the petitioner, but the right of the petitioner to submit the petition and have it dealt with is correct. The debate has been allowed to take place.

Announcements as recently as yesterday show that there is movement in Israel with regard to recognising the Palestinian state, which must be welcomed. We hope for more moves along those lines. The petitioner has brought a very important issue to our attention.

Anne McLaughlin: I agree with John Wilson. The petitioner, the Scottish Government and—I think—the committee all want the same end; the issue is how to get there, and the Government does not believe that the measure that the petitioner proposes is the solution. I agree with that, and Bill Butler has said that he agrees with that. However, John Wilson is right that we should always encourage people to submit petitions, whether or not we agree with them.

Bill Butler: Heaven forbid that I, as a member of the Public Petitions Committee, should discourage people from submitting petitions. I will make myself very clear. I think that the petitioner had every right to submit the petition. The long-term aim for a two-state solution is correct, but what the petitioner is proposing will not advance that one iota. It is as well to be frank and to say that, which is what I have done.

The Convener: Okay, that is loud and clear. I recommend that we close the petition.

Members indicated agreement.

Same-sex Marriage (PE1239)

The Convener: PE1239, from Nick Henderson, on behalf of the LGBT Network, calls on the Scottish Parliament to urge the Government to amend the Marriage (Scotland) Act 1977 to allow two persons of the same sex to register a civil marriage and a religious marriage if the relevant religious body consents. Shirley-Anne Somerville is here to discuss the petition, which has been in front of the committee previously.

Shirley-Anne Somerville (Lothians) (SNP): I draw the committee's attention to a sentence in Nick Henderson's most recent submission that sums the matter up. He says:

"something that is separate, no matter how much it mirrors or is similar to something else, is not equal."

That gets to the heart of the petition.

Two areas in the Scottish Government's response jump out. First, it says that "a significant legislative process" is required for the issue. The petitioner wonders whether that is the case. It would be useful if the committee sought more information on that, because I am not entirely convinced that it is that significant.

The other issue in the Government's response is that there may be some constitutional difficulties. Given that the equality agenda is shared by both the UK and Scottish Governments, I am not convinced that those difficulties are insurmountable and cannot be worked through in partnership.

The petitioner has submitted a proposal for the committee to consider. He favours the adoption of a rapporteur approach. I leave it entirely in the hands of the committee to decide what it thinks is the best way forward. However, I suggest that the submissions to date have provided sufficient grounds for further investigations, whether by this committee or another. The petition deserves to remain open.

The Convener: Are there any comments or observations on the petition?

Bill Butler: There are some difficulties with the petition. No one is saying that it will be easy, but perhaps some further investigation will prove fruitful. I do not think that this committee should take the petition forward. I suggest that we refer it to the Equal Opportunities Committee to explore the issues that still have to be explored.

Marlyn Glen: As a member of the Equal Opportunities Committee, I will not comment on whether we give it the work.

I want to know what the timescale is for the test case that is pending in the European Court of Human Rights. That is important. I understand that it might be quite a lengthy process but, as I think I

said previously, this is something that will eventually happen—it is just that we have to time it properly. I can understand why people want it done sooner rather than later.

16:15

Anne McLaughlin: We should certainly keep the petition open, and I would prefer to keep it with the Public Petitions Committee. I would not object too strongly to our sending it to the Equal Opportunities Committee, but I think that we should move it forward a bit first. I have heard similar arguments about the civil partnership, but we need to remember that this issue is about people for whom a religious ceremony is extremely important, and to deny them the opportunity to have one is to deny them equality.

I know that the Government has said that the matter is not a priority for it, but the point of people sending petitions to the Public Petitions Committee is to try to change the priorities of the Government. The petitioners have put a lot of work into the petition.

I would be interested in finding out whether it is possible to appoint a rapporteur to steer the issue through and perhaps set up working groups, so that we are not simply sending letters and getting responses but ensuring that people sit down and discuss the matter in more detail. I do not know whether that has ever been done before.

Fergus Cochrane: To my knowledge, it has not been done by this committee. However, I know that other committees have appointed rapporteurs.

A petition with almost the same wording is on the e-petitions website at the moment, and it will probably come before the committee in September. I could prepare a briefing note on the process of appointing a rapporteur, if that is an option that you wish to consider.

The Convener: We could dovetail this petition with the new one. Obviously, because of the parliamentary timetable, that cannot be done before the summer recess. When we have both petitions before us, we can decide whether we want to consider using a rapporteur model or whether it might be more appropriate to pass the petitions to another committee.

John Wilson: We have received a number of responses from religious organisations. Did we write to the Church of Scotland or receive a response from it?

The Convener: I think that we have written to it, but we have not had any formal response.

There have been a couple of suggestions about how we should handle the petition, but I think that

we should keep it open until the clerk gets back to us with information about the rapporteur proposal.

Anne McLaughlin: There appears to be a bit of disagreement between the Scottish Government and the Equality Network. The Scottish Government says that the process of changing the law would be too complex, but the Equality Network says that that is not the case. It would be interesting to get a bit more information from both sides of that argument.

The Convener: We can pursue that in correspondence and see whether that information influences what we want to do with the petition.

Marlyn Glen: Will we also follow up the European Court of Human Rights case?

The Convener: Yes.

Siamese Fighting Fish (PE1240)

The Convener: PE1240, from Chris Law, calls on the Scottish Parliament to urge the Scottish Government to take measures to ban pet retailers from keeping Siamese fighting fish in small and restrictive tubs of water in their shops. We had an extensive discussion of the petition previously, which received interesting coverage.

We have received responses from the Ornamental Aquatic Trade Association and a number of local authorities. The responses indicate that pet shops that sell such animals adhere to the Animal Health and Welfare (Scotland) Act 2006. Further, there is no evidence that the species in question does not receive adequate care from pet retailers.

On those grounds, I suggest that we close the petition.

Members indicated agreement.

G20 Summit (International Development) (PE1242)

The Convener: PE1242, from Mark Buchan, calls on the Scottish Parliament to urge the Scottish Government to lobby the Prime Minister, as leader of the G20 host nation, to take urgent action to address extreme poverty and deprivation in Africa and to reduce the debt of African countries.

We received this petition when we were in Fraserburgh, and I thank Mark Buchan and his colleague Jenna McDonald for talking about that event for the Public Petitions Committee's DVD.

Responses that have been received from the Scottish Government and the Department for International Development deal with approaches to tackling poverty and deprivation. The Scottish

Government also says that it is committed to Scotland becoming a fair trade nation.

Mark Buchan has written to say that he feels that we have explored the issues in the petition as much as we can. He also says that his experience in appearing before the committee was very positive, and that he hopes that he has made a contribution to the issue.

Do we therefore agree to close the petition?

Members indicated agreement.

Anne McLaughlin: In closing the petition, we should again congratulate Mark on the excellent contribution that he made—we all still talk about it. Ryan McLaughlin's contribution earlier today was also good, and I am sure that we will remember how good both of them were, as well as the contributions of the two girls who were with Mark.

Nanette Milne: We should also record our appreciation of his writing to us again with his views on the responses.

The Convener: Absolutely.

NHS Services (Rural Areas) (PE1243)

The Convener: Our final petition today, PE1243, is from Jenna McDonald and Fiona Henderson. It calls on the Parliament to urge the Scottish Government to consider how we can ensure that funding of local hospitals in rural areas is increased to ensure that they are properly equipped and staffed so that they can treat more local people, thereby better meeting the needs of the local population and ending the need for patients to undertake long journeys for treatment.

Again, we heard from these young petitioners when we visited Fraserburgh.

Do members have any views on how we should deal with the petition? The issue is complex, and we know that it is utterly dependent on national funding and local health board allocations.

Nigel Don: I must confess that I am not entirely sure what we should do with the petition. However, I have a feeling that we have gone as far as we can. The issues have been well aired, and the Government understands the issues, which have been talked about elsewhere. Therefore, it might be best to close the petition.

Robin Harper: The Public Audit Committee has done a lot of work on various aspects of the NHS. Would it be in order to ask that committee whether it is considering examining the issues that are dealt with in the petition?

The Convener: The clerk is indicating that he does not think that the Public Audit Committee has anything like that in its work programme for the rest of the year. Anne, as you are a member of

that committee, are you aware of what is coming up?

Anne McLaughlin: I do not want this in the *Official Report*, but I get mixed up between the two committees. I cannot remember whether it was this committee or my other committee that was talking about the issue. However, I do not think that the Public Audit Committee is considering doing work on the issue that the petition deals with.

The Convener: I do not think that the Public Audit Committee plans to consider the issue, Robin. Nigel Don has suggested that we reluctantly close the petition on the basis that we are dealing with the issues through broader debates around the health service and that health boards and the Government are addressing the issues.

Bill Butler: I do not think that we should close the petition yet, as there are a few questions that we could usefully ask the Scottish Government. For example, how is the Government ensuring that appropriately skilled staff are available in rural hospitals to provide the range of treatment that is required? Also, what support is the Government providing to allow NHS boards to provide enhanced diagnostic and community care provision? I remember the two young women asking about access to e-health initiatives. We should write to the Government to ask what measures it intends to introduce to ensure that all rural hospitals have access to the latest e-health initiatives.

Given that the petitioners were very good when they appeared before us, we should ask those questions on their behalf, see what responses we get, and then consider whether we should close the petition.

The Convener: We have two different recommendations.

Anne McLaughlin: Let us vote.

The Convener: We have not yet had to divide.

I suggest that we continue the petition, explore the issues that Bill Butler has raised and come to a final view on what to do with the petition in September. Would Nigel Don care to courteously withdraw his suggestion?

Nigel Don: My instinct is that we are asking the civil service to write one more letter that does not need to be written, but I will not force the point.

The Convener: I understand, but it is a burden that the clerks are happy to take on.

Nigel Don: I was thinking of the civil servants, not the clerks. Of course, I think of the clerks all the time.

The Convener: Do we agree to write to the Government to ask the questions that Bill Butler has raised?

Members *indicated agreement.*

The Convener: Our next meeting, which will be sooner than you anticipate, will be on 8 September. I am sure that a period of reflection during the recess will re-energise us for the future.

Meeting closed at 16:25.

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