

MEETING OF THE PARLIAMENT

Wednesday 27 October 1999
(*Afternoon*)

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Scottish Parliament

Wednesday 27 October 1999

(Afternoon)

[THE PRESIDING OFFICER *opened the meeting at 14:30*]

Time for Reflection

The Presiding Officer (Sir David Steel): Our first item of business is time for reflection. I remind members that, from this week, this will usually be the first item of business every week. It will last for a maximum of four minutes, and will be recorded in the *Official Report*. Those present in the chamber are asked to refrain from opening and closing the doors during this time and to remain silent. I ask members and those seated in the galleries to respect the time for reflection.

Our time for reflection leader today is the Reverend Dr Graham Blount, the Scottish Churches parliamentary officer.

The Reverend Dr Graham K Blount (Scottish Churches Parliamentary Officer): I will now read some words from Psalms, which express the common ground of Christian and Jewish faith, and from the new hymn book that celebrates the common ground of faith shared by the Scottish Churches:

"If the Lord does not build the house, the work of the builders is useless; if the Lord does not protect the city, the sentries stand guard in vain. In vain you get up earlier, and put off going to bed, sweating to make a living—since he supplies the need of those he loves."

"Let us build a house where prophets speak
And words are strong and true;
Where all God's children dare to speak,
To dream God's reign anew . . .

Built of hopes and dreams and visions . . .
Revealed in time and space;
Built of tears and cries and laughter,
Prayers of faith and songs of grace.

Let us build a house where all are named,
Their songs and visions heard,
And loved and treasured, taught and claimed
As words within the Word.

Here the outcast and the stranger
Bear the image of God's face;
Let us bring an end to fear and danger
All are welcome, all are welcome in this place."

Let us pray. Living God, the creative spark of your love set our world spinning, and brought us to life; your determined love, your commitment to us, took shape in the back streets of Bethlehem, and soon got entangled in politics; the lively power of your spirit is here and now, lifting us out of ourselves, to new horizons.

O Lord, all the world belongs to you, and you are always making all things new; at this time to reflect on a new beginning, we put our trust and our hopes in you; you know what we are made of, and you have trusted us with daunting responsibilities.

Strengthen us to meet that challenge—we cannot do it on our own; give us wisdom to understand our nation, its people and their problems; give us compassion to feel their pain and their hopes, and integrity to respond bravely and honestly; let a hunger and thirst for justice be the passion of this place.

God of grace, as Parliament, we pray for the people of Scotland, for their common weal and their personal needs, celebrating their rich diversity and knowing that many are hurting. Today especially, we pray for folk caught up in the horror of domestic violence, that we may see beyond words and really make a difference.

As people, here and beyond, we pray for our Parliament, offering our faith and our vision, that this may be a place where folk can come when they have no one else to turn to, a place of listening and of healing and of hope. We pray for one another, for folk we see as friends, rivals, colleagues and opponents, aware of the pressures and the failings and the possibilities we share.

So may the peace of Christ, which goes beyond our understanding, keep us close to one another and to our God; may the grace of our Lord Jesus Christ, the love of God and the friendship and fellowship of the Holy Spirit go with us now and always. Amen.

Meningococcal C Immunisation

The Presiding Officer (Sir David Steel): The next item of business is an emergency statement by Susan Deacon. The minister will take questions at the end of her statement, so there should be no interventions during it.

I draw members' attention to the fact that the promised timing clocks have been installed during the recess and will operate during the statement and debates this afternoon.

14:36

The Minister for Health and Community Care (Susan Deacon): I am grateful to have the opportunity to inform Parliament of the arrangements in Scotland for the introduction of a new vaccine to protect our children against meningitis C. The new vaccine programme is good news for parents and children across Scotland and is a huge step towards conquering one strain of a potentially life-threatening infection.

Meningitis, one form of meningococcal infection, is an inflammation of the lining of the brain and spinal cord. It can be caused by a number of different types of viruses and bacteria. Meningococcal infection can cause long-term damage and can be fatal. The new vaccine will protect against meningococcal group C bacteria, which account for about half of all cases of this infection in Scotland.

A particularly frightening aspect of meningococcal infection is the speed with which it can take hold of a young life. Without early detection and swift treatment, the consequences can be fatal or permanently harmful. It is an infection that many parents live in fear of and, sadly, whose consequences some have experienced. Last year in Scotland, around 160 people developed meningitis and blood poisoning because of meningococcal group C bacteria. Tragically, 10 of them died. Others were left with long-term health problems such as brain damage, deafness and amputations.

It is of added poignancy that the infection affects mainly very young children and young adults: young lives are blighted; potential is lost; and families are stricken with grief. That is all caused by this disease, which attacks health with speed and stealth. Science has given us the opportunity to do something about that: to save those young lives; to realise that potential; and to spare families the agony of loss. This Executive was not prepared to ignore that opportunity.

The development of this new vaccine, which is called MenC, is hugely welcome. It has become available a year earlier than anticipated because

of unexpectedly swift progress in research and development. Last week, the first manufacturer received a licence from the Medicines Control Agency for the supply of the vaccine. Further licences are likely to be issued over the coming months, which will enable the progressive implementation of a major immunisation programme.

Scotland—together with our partners in the rest of the United Kingdom—will become the first country in the world to introduce a routine national programme for this vaccine. As our Minister for Health and Community Care and as a mother of a young child, I am pleased to make that announcement today.

However, we should make no mistake—introducing a new vaccination programme targeted at more than 1 million babies, children and teenagers presents a major logistical challenge. We are determined to meet that challenge. Earlier this summer, I set up an implementation group to advise on and plan the arrangements that should be made to ensure optimum use of the initial vaccine supplies.

I am grateful to Professor Lewis Ritchie of the department of general practice at the University of Aberdeen for chairing the implementation group, which includes representatives from public health, pharmacology, information technology, the Scottish general practitioners committee of the British Medical Association and the education sector. Through their work, and with the help and support of health care professionals across Scotland, I am confident that we have put in place sound arrangements for Scotland to benefit quickly and effectively from this major advance in public health protection.

In identifying the priority target groups and the progressive implementation programme that we should adopt, we have followed closely the implementation group's advice. As a result, we will see the new vaccine established as an integral and vital component of our childhood immunisation programme in the coming months.

Of course, now that the vaccine is available, we want to ensure that all our young people reap the benefits of its protection. I am, therefore, pleased to confirm today that—as a result of this Executive's commitment to child health—every pre-school child and every school pupil in Scotland should be offered immunisation against meningococcal C infection in the next 14 months.

That will be a huge exercise and it will also be a huge achievement. In securing that achievement, I am conscious that demands will be placed on general practitioners, community child health doctors, health visitors, school nurses, practice nurses and other national health service staff, as

well as on head teachers and their staff. Every effort has been made—and will continue to be made—to support those people in that task. I am confident that they will join us in this national effort to protect our children against the threat of meningitis C. I am sure that MSPs will join me today in expressing gratitude to them at the beginning of this important national initiative.

The delivery programme, which has been shaped by the work of implementation group, will start in November. It will focus initially on the most vulnerable groups. First, from 15 November it will focus on young people aged 15 to 17 and secondly, from 29 November it will focus on young babies.

The first group will be targeted through a school-based programme. Babies will be reached through GPs and local health clinics. Thereafter the programme will roll out in the course of next year to include all children aged up to 14 as more supplies of the new vaccine become available.

We are mounting a high-profile publicity campaign to ensure that parents are aware of the availability of the vaccine and that they receive details of the programme being put in place to immunise their children. The Health Education Board for Scotland has produced a range of materials including an information leaflet for parents, a video and posters. There will also be press advertising during November.

Health professionals and schools are already being supplied with the information that they need to ensure the successful implementation of the programme. In addition, the NHS helpline will be briefed to provide any additional information parents or others may require.

Through this comprehensive and co-ordinated programme, we aim to vaccinate all young people under 18 in Scotland by the end of 2000. Sufficient quantities of the vaccine have therefore been made available this autumn to ensure the offer of immunisation to all full-time first-year students in Scotland.

Today, I can give an assurance that we have spared no effort in ensuring that the new vaccine will be used to maximum effect as supplies come on stream. I would, however, like to take this opportunity to ask parents to play their part as well. I will make three points in this respect, which are also explained in the HEBS leaflet and other publicity material.

First, I would like to say to the mothers of pre-school children that appointments at their local GP surgeries or community health clinics will be arranged and details will be sent to them. Those mothers should wait until they receive details of that appointment and should then ensure that they take that opportunity to attend.

Secondly, the parents of schoolchildren will receive a consent form from their children's schools, along with the information leaflet. My message to them is to return that consent form quickly.

Thirdly, all parents should remain vigilant and look for the signs and symptoms of meningococcal infection. The MenC vaccine, significant and welcome as it is, is not a protection against all forms of meningitis. It will not give protection against meningococcal group B bacteria, which are another major cause of meningitis.

The Executive's commitment to safeguard and protect the health of our children is absolute. Immunisation remains one of the most effective ways of protecting our children from serious disease. The introduction of the meningitis C vaccine is therefore a significant addition to the immunisation armoury. However, this huge new programme does not come cheap. Over the next three years, the Scottish Executive will invest £31 million in this new initiative—£14 million in the current year, together with the £17 million announced by the Minister for Finance on 6 October over the next two years. It is money well spent and we do not begrudge a penny.

I have repeatedly said in this Parliament and outside that one of my priorities is to improve child health in Scotland. That means tackling both the lifestyles and life circumstances in which our children find themselves. However, meningococcal C infection can strike a child down before he or she has the chance to grow and develop, regardless of who they are or where they live. We need to give them that chance.

This campaign must mark the beginning of the end for meningococcal C infection in Scotland and the opening of a new chapter in our national child immunisation programme. I am pleased to be able to make this statement today and I look forward to taking forward this important new development, which will benefit young people and families throughout Scotland.

Kay Ullrich (West of Scotland) (SNP): I welcome the minister's statement and the fact that it involves a timetable. I acknowledge that ensuring that everyone who is at risk receives the new vaccine will be a huge task.

What steps have been put in place to ensure an adequate and uninterrupted supply of the new vaccine? That question is particularly important in light of the problems experienced this year by students who had been promised immunisation before the start of the new term, only to find that no vaccine was available.

Susan Deacon: The first licence for the new meningitis C vaccine has been approved in the past week. We expect further licences to be

granted in the months ahead. We hope that that will enable the programme that I have outlined today to be rolled out.

It is important to recognise that the supply and production arrangements of different vaccines vary. We should not generalise about problems of vaccine supply. It does not follow that there will be problems in the supply of vaccine in one area because there have been problems in another area.

It is important to clarify the situation as regards students. The vaccine that has been made available to students recently is the polysaccharide vaccine, which is not effective on babies and young children but which can be offered to older people. Students were seen to be a high-risk category and that vaccine was offered to them to ensure wide coverage.

The arrangements that were put in place during the summer months ensured that students across Scotland could get access to the vaccine before they went to college or university, or from the medical centres of the colleges or universities.

Mary Scanlon (Highlands and Islands) (Con): Conservative members, too, welcome the minister's statement.

It takes three months to build up immunity to meningitis C, but the vaccine was not available to students before they went to university. I raised that problem in a written question on 10 September—seven weeks ago—after constituents in the Highlands told me that they feared that their children would be vulnerable to infection when they went to university. I would like to know why my question was not answered. I would also like to point out the concerns of students who were vaccinated in freshers' week and will remain vulnerable to infection for the next three months. Moreover, does the minister have plans for the vaccination of second-year and third-year students? They are just as vulnerable as first-year students.

The advice that I have been given by GPs is that it takes one minute to vaccinate and five minutes to complete the administration. We all welcome the new initiative but, given the case load that will result, will the administration for GPs be reduced to a minimum to assist the swift implementation of this programme?

Susan Deacon: I do not for a moment want to deny Mrs Scanlon's right to put questions to me today. However, I am somewhat disappointed to receive such a qualified welcome for a very important announcement. Most of the points that Mrs Scanlon raised, as I indicated in my answer to Mrs Ullrich's question, do not apply to the meningococcal C vaccine, which is the subject of the announcement today. I have already given

assurances on the polysaccharide vaccine that has been made available to students. That is a separate matter.

On the issue of the vaccination programme for meningococcal C, I made it clear—not only in relation to our approach to this vaccination programme, but in relation to our approach to the delivery of other major health initiatives throughout Scotland—that we have not drawn up this implementation programme in a vacuum. We have worked closely with practitioners, not only in the NHS in Scotland, but in education; we have also worked with health care practitioners, not only in our hospital environments and GP practices, but in our communities. We have done that so that we can make effective arrangements to deliver this dramatic new improvement for the health of our children. I had hoped that members of all parties would be able to welcome that and would recognise the scale of the task and of our commitment.

Mary Scanlon: Conservative members welcome it very much; there should be no doubt about that. I ask respectfully whether the minister will answer the three questions that I raised. Those concerns are not mine alone; I have consulted widely, and the concerns have been expressed to me by general practitioners.

Susan Deacon: I feel duty-bound to repeat my answer to the previous question. I am interested to hear that Mrs Scanlon has somehow learned of concerns from GPs about the planning arrangements for this vaccination programme—those issues have not been raised through the proper process and in the proper forum. If Mrs Scanlon's information suggests that there is any weakness in the implementation programme, or if GP representatives have any such suggestion, I would be pleased to hear about it, as would Professor Ritchie, the chairman of the implementation group.

I repeat the assurance that I gave earlier: vaccinating more than 1 million young people in Scotland during the next 12 months is a major logistical challenge and we have made every effort, in a process of dialogue with health care professionals, to carry out that monumental exercise effectively.

Robert Brown (Glasgow) (LD): I offer an unqualified welcome for the minister's announcement. To set up this programme within a week of the licence being granted is to set a standard that Susan Deacon's ministerial colleagues will find difficult to follow.

I would like to ask for elaboration on one or two points. First, the minister said that support had been given to doctors in the exercise of carrying through this programme. Will she give me a

breakdown of what the money has been spent on and the nature of the support that has been given to doctors by the Executive? A fairly considerable work load will be involved in this, on top of existing pressures.

Secondly, on the vaccine that has been given to students, will the minister advise the chamber whether there is, in practical terms, any significant difference between the effect of the vaccine that has been offered to people in that age group and the effect of the new vaccine? Is there any requirement for students to be revaccinated, now or in the future?

Susan Deacon: There are several different parts to that question and I shall take the last point first. The vaccine that is being given to students is different in its effectiveness—individuals who receive it require to be vaccinated again within three to five years. It is also different, as I indicated earlier, because it is not suitable for babies and young children. I hope that that addresses that point.

On investment, the figures that I cited represent the global sum required for the implementation of the programme, which covers the cost of the vaccine, the payments that will be made to GPs for each immunisation and additional elements of implementing the programme, including the extensive information and publicity campaign. I am pleased to say that that investment means that every child in Scotland will be immunised free of charge.

Dr Richard Simpson (Ochil) (Lab): I am sure that health professionals in Scotland are ready to play their part in this important and ambitious campaign, but what does the minister propose to do to promote caution in relation to meningitis B? Does she intend to work with the National Meningitis Trust, whose campaign has been so helpful in continuing to promote caution?

Susan Deacon: The MenC vaccine will not tackle every cause of meningitis, which is precisely why I said in my statement that we must remain cautious. We hope to use the implementation of the vaccination programme to continue to get that message across, as well as the good news about the vaccine and its impact. I continue to support measures to raise awareness of the signs of meningitis, which—as too many people know all too well, and as I mentioned in my statement—is an infection that can develop rapidly. I stress that the Scottish Executive works with and, in some cases, funds organisations that are involved in raising awareness of the issues.

Mr Duncan Hamilton (Highlands and Islands) (SNP): I add my voice to the universally warm reception that the announcement has received. I would like the minister to clarify two points. First, I

understand that the new vaccine may prevent people from becoming carriers of group C bacteria, although research into that is on-going. Will the minister elaborate on current thinking on that research, tell us what funding has been put behind it and when we can expect to hear the results? Secondly, will she confirm that this announcement deals exclusively with vaccination? Does she have any proposals for the rehabilitation of those suffering from the effects of meningitis or related illnesses?

Susan Deacon: Mr Hamilton's first point is well made. Research must continue in this area and we continue to support such research. The Medical Research Council spends £1.2 million per year on meningitis-related research. On his second point, the fact is that there are many variants of the disease and the impact of the condition can vary greatly. Therefore, there is no universal answer to the treatment of sufferers of meningitis. However, I stress that our commitment to providing the highest quality services to people across Scotland, irrespective of their condition, is very real.

Mr David Davidson (North-East Scotland) (Con): I welcome today's announcement and add my congratulations to Professor Ritchie and the pharmaceutical companies who have worked so hard to bring the vaccination into production so quickly. I hope that the minister will try to answer my questions and will not treat me as she did Mrs Scanlon.

The Minister for Finance has already come before the chamber, but the Minister for Health and Community Care has now announced support for a two-year programme. Can we have a commitment to an on-going programme, which will presumably be funded from new money? If it is not to be funded from new money, will the chamber be told what will be pushed aside?

I am concerned that the vaccine is very much connected in people's minds with students, but it would also be useful to young people entering places of work, such as shops and factories, and sports clubs. Does the minister propose to extend the polysaccharide vaccination programme to all young people up to the age of 21, particularly as she has just stated that there is a need to top up the vaccine every so often?

To take up Dr Richard Simpson's point about meningitis B, what commitment is the minister prepared to make to a programme to look further for a solution to that problem?

Susan Deacon: I will deal first with the issue of resources and be crystal clear on the Executive's financial commitment to the programme. The sum of £14 million has been allocated in year 1—the current year—to ensure that we can move ahead

speedily and effectively in supplying the vaccine now that it has become available ahead of schedule. This is about priorities. Given that the vaccine has become available ahead of schedule, we have looked long and hard at the health budget this year to ensure that we prioritise this so that our children are properly protected.

I was delighted that the Minister for Finance was able to confirm in his financial statement that additional new moneys—a total of £17 million—would be made available for years 2 and 3 of the programme. Our commitment to resourcing this programme is very clear.

On extending the existing polysaccharide vaccine programme that has been made available to students, I stress that any decisions on vaccination programmes—not least the MenC programme that I outlined today—have to be taken on the basis of reaching those groups that are at greatest risk. The groups of students that have been targeted this year are those that have been identified as being at greatest risk. The fact that we have been able to offer that vaccine across the country this year is a major step forward. Of course, we continuously review and develop our vaccination programmes, always aiming to have the maximum possible impact on the groups that can most benefit. Similarly, as I said, research continues. I am delighted at this breakthrough and at this step forward, but we will keep moving forward.

Mr Lloyd Quinan (West of Scotland) (SNP): I, too, thank the minister for her statement. It is tremendous to know that Scotland will be the first country in the world with complete immunisation.

In her statement, the minister makes regular references to full-time first-year students. There appears to be no reference to part-time students who, as is obvious, attend the same university and college buildings as full-time students. Is there any provision for the vaccination of part-time students?

Susan Deacon: I do not recall making references in quite that way when I answered the question. Let me clarify again what has been offered to students this year, not in relation to the new MenC vaccine, but in relation to the existing, available vaccine. Students in their first year at college or university, who as such have been identified as being at increased risk, have been offered that vaccine. They have been offered it before the start of the new college or university term. For those who have been unable to get it through that route, we have put arrangements in place to make the vaccine available on students' arrival at college and university.

I am conscious that points have been raised about the student programme; if members want to raise wider points about it, I am more than happy

to investigate them fully. However, I am keen today to ensure that we are clear about the new vaccine programme that is being introduced and the target groups that we are going to reach—notably our children and young babies—through it.

Mr Brian Monteith (Mid Scotland and Fife) (Con): I, too, will join the universal chorus of welcome for the minister's announcement, not least because I am the father of two 11-year-old boys.

Having heard the minister, I take it that she is quite confident when she assures us that the MenC vaccine will be readily available. If that is indeed the case, why is it that—well into October, after term has started—Mary Scanlon has yet to receive an answer to a question that she asked on 10 September, before term started, about the availability of such a vaccine? The only answer that she has received has been through the statement today. Surely it is proper for a member to expect an answer on such an important issue, where time is of the essence, within seven weeks. Even now, she has not received the answer.

Susan Deacon: If there are outstanding parliamentary questions to be answered, I am happy to look into that, as any member studying the *Official Report* will be able to see. Along with my colleagues, I receive a considerable volume of parliamentary questions. I am not aware of any outstanding questions, but I am happy to check. However, to avoid confusion among the people whom we represent, I should clarify the fundamental fact that these are two different vaccines. It is very important that we do not confuse the public as a consequence of our political debates in this chamber.

Euan Robson (Roxburgh and Berwickshire) (LD): I join in the welcome for the minister's announcement.

Would a 17-year-old who is a student be better advised to take the MenC vaccine at home or to take what is available through the university authorities? If that question cannot be answered here, could some advice be given?

Susan Deacon: That is an important question. I have stressed from the outset that the logistical exercise that we are embarked on is, to say the least, significant. School would be the normal place for 16 and 17-year-olds who are at school to receive the vaccine; the issue of 16 and 17-year-olds who are no longer at school is one that the implementation group is actively considering. I fully expect there to be further information and advice on that very point in the near future.

The Presiding Officer: We will have a very brief last question, from Brian Adam.

Brian Adam (North-East Scotland) (SNP): In

that case, I will skip my welcome.

Is the usual incentive arrangement for payment to GPs in place to increase the uptake of this extremely welcome new vaccine? I am aware of such arrangements for the measles, mumps and rubella vaccine, for example.

Susan Deacon: Probably more than anyone here, I am mindful of getting my facts right when talking about GPs. I am happy to give a detailed written response on the precise payment arrangements in this case. As some members will know, GP payment arrangements vary in complexity. I can assure members that GPs will receive a payment for every vaccine given under the new MenC programme.

The Presiding Officer: That concludes the time allotted for the statement.

Domestic Violence

The Presiding Officer (Sir David Steel): The main debate this afternoon is on the motion on domestic violence and the amendment. Members wishing to speak should press their buttons now. The opening speakers know the times that have been agreed for their speeches, and the clocks will be operating. In view of the number of members who wish to speak in the debate, there will be a time limit of four minutes for back-bench speeches. The clocks at the sides of the chamber and behind me will register the actual time used by the speaker.

15:08

The Deputy Minister for Communities (Jackie Baillie): I am delighted to move the motion on behalf of the Scottish Executive. I am especially pleased that once again the Parliament has an opportunity to debate a topic that is rightfully one of the top priorities of the Executive.

Many members will recall the members' business debate secured by Maureen Macmillan on 2 September—indeed, such was the interest and commitment that a motion was passed to extend the debate for a further half hour.

What struck me then—and I think that those who attended the debate will agree—was the enormous amount of cross-party support in our Parliament for the important work being developed by the partnership to improve the range and standards of provision in Scotland for women and children experiencing domestic abuse.

In that same spirit of consensus, the Executive will accept the Opposition's amendment. The amendment outlines the exact work programme of the Scottish Partnership on Domestic Abuse, and we have no difficulty in supporting its sentiments. However, I want to make a plea that, when we talk about these issues, we move on from campaigning rhetoric to discuss the reality of the strategic action that the Parliament and the Executive are beholden to take. That aside, I am pleased to accept the amendment.

All of us continue to be shocked at the extent of domestic abuse and at the real and disturbing effect that such violence has on children who are caught up in it. However, domestic abuse is not peculiar to Scotland, nor is it a modern-day phenomenon. Sadly, the problem has been rooted in society for centuries and has an international dimension. We have an opportunity—indeed, a responsibility—to create a climate in Scotland that will not tolerate violence, particularly domestic violence.

Many years before coming into Parliament, I

worked in a voluntary capacity for women's groups and I was, and still am, a great supporter of organisations such as Women's Aid, Rape Crisis and the Zero Tolerance Trust. The services provided by some of those organisations are often an oasis in a desert of despair and hopelessness for many women seeking to escape. Today, I would like to extend my support and thanks to all those volunteers who do such a marvellous job. [Applause.]

We are all too well aware that many women's groups experience difficulties. Women's Aid, in particular, has expressed its concern that there is no consistency of approach and therefore no security on offer to allow it to plan for the future and to improve the quality of services and expand their range. Those matters have exercised the Executive's mind and I hope that today's announcement will both produce acceptable arrangements to improve the current position and provide tangible and necessary support to develop the work outlined by the Scottish Partnership on Domestic Abuse.

On 27 September, I attended the most recent meeting of the Scottish Partnership on Domestic Abuse, at which the main topic of discussion was its draft work plan, which had been widely circulated for consultation. The final version was submitted to Scottish Executive ministers on 14 October. I am pleased to announce that the Scottish Executive has approved the work plan and has invited the partnership to proceed with the many tasks that the plan contains.

I take this opportunity to pay tribute to the partnership, chaired by Anne Smith QC, for the work that it has done so far. I was able to see at first hand the committed and professional way in which those involved go about their business, and I have full confidence that the next important phase of their work will be delivered with the same commitment and professionalism.

During the debate on 2 September, Maureen Macmillan highlighted the plight of women in rural areas. It is clear that women in outlying islands and other remote areas face the greatest difficulty in gaining access to the services that are vital to their needs.

We know that there are gaps in provision and that there are inconsistencies in the way in which such services operate. That is precisely why the work of the partnership is so important. With regard to service provision, the bases of statutory services are generally found at a range of locations throughout rural areas. Nevertheless, the very size of such areas means that many communities will be distant from outlying services, which makes access to emergency services extremely difficult for women who experience abuse.

Community issues such as lack of privacy and lack of confidentiality bring other problems. I am very concerned that in some of the remote and rural communities, there is often an acceptance and tolerance of domestic abuse, which frequently results in the isolation and marginalisation of those who attempt to address the problem. I am pleased that the partnership will specifically address the wide range of issues that affect women in rural as well as urban areas.

I want to refer to the issue of prevention and education. Recent research carried out by the Zero Tolerance Trust suggests that one in two young men and one in three young women believe that it is acceptable to hit a woman or to force her to have sex in certain circumstances.

Such ideas and beliefs, which underpin and legitimise violence against women and children, including domestic abuse, must be effectively challenged if we are to achieve a society in which relationships are based on equality and mutual respect, and a culture in which abuse is not tolerated. The long-term aim of public education and preventive work must be to eradicate domestic abuse from Scottish society. That aim will not be achieved overnight, but the Scottish Executive must and will pursue it.

To support that important work, I am pleased to announce details of a funding package that the Scottish Executive believes will begin to improve local circumstances, particularly when service levels are not adequately meeting the needs of victims. Women taking the crucial—often brave—step of getting out of their ordeal must not be denied the comfort of the proper range of professional support services.

Women need to have full confidence in those to whom they turn for help. If we fail them then, their hopelessness returns, often with even more dramatic effect, for it becomes far more difficult to attempt to escape for a second or third time. That plays into the hands of perpetrators, who can continue their serial abuse, safe in the knowledge that the system has failed the victims and their children.

We must never forget that the victim never deserves what has happened to them and that it is never their fault. No one deserves to be abused and there is no excuse for domestic abuse.

I know that there are pockets of excellent service provision. The local authorities that have made it a priority should be commended, but the position in Scotland is far too patchy, inconsistent, unco-ordinated and lacking in focus—we know that from the work of the partnership. We also know that there are particular problems in rural areas, with ethnic groups and with those who are disabled, and, of course, that the impact on

children is traumatic, distressing and often long-lasting.

The funding package that I announce today aims to improve local circumstances significantly. First, we are setting up a domestic abuse service development fund, which will operate from April 2000. Additional resources of £3 million—new money—will be pumped into the fund over the next two years. Local authorities will be invited to apply for grants that will be directly linked to the work of the Scottish Partnership on Domestic Abuse.

To access the fund, local authorities will be required to submit detailed proposals on how the funding will be used to improve service provision. Local authorities will be required to set out their plans to develop or improve multi-agency arrangements. In particular, we will want to know how they will interface with local voluntary agencies that are involved with women and children who experience domestic abuse. Importantly, applications will be partnership applications—local authorities will not submit applications in isolation and without the necessary consultation. They will be required to demonstrate their commitment to tackling domestic abuse, by match-funding the grants that they seek. Over the next two years, there will be £6 million to begin properly to address the dreadful plight of those in our communities who are suffering, often in isolation and silence.

That is not all that I can present to the Parliament. I can announce new arrangements with Scottish Homes that will complement the measures flowing from the development fund. Those arrangements have a direct impact on women's refuges and move-on housing.

In Scotland there is a shortage of places in refuges to which women who are suffering from domestic abuse and their children can go for security, help and assistance. In the early 1990s, the Convention of Scottish Local Authorities estimated that there was a need for one refuge space for every 7,500 people. That indicates a need for more than 650 places in Scotland, whereas only approximately 360 refuge places are now available—that falls some way short.

A survey of service provision to women experiencing domestic violence carried out in 1997 identified the limited availability of refuge spaces as one of the key constraints facing Women's Aid groups, so that emergency accommodation was not always available near to where the women seeking help lived. There is also a recognised need for more accommodation that allows women in refuges to move on to a house of their own and to start to rebuild their lives.

I am determined that we should make progress

in that area, and I have asked Scottish Homes to allocate up to £2 million of its development programme over the next two years to fund capital projects to create additional refuge places—150 to 200 new bed spaces. That is a substantial increase in the investment made by Scottish Homes, reflecting the priority that we believe should be attached to meeting the need.

Creating more refuge spaces and move-on accommodation is not just a question of bricks and mortar; I will be looking to local authorities in particular to provide help with funding the support staff who will be required. I expect Scottish Homes and local authorities not just to work closely together but to work with other interested parties such as Women's Aid groups and housing associations to develop projects that address priority needs.

The increased funding from Scottish Homes, combined with some of the extra resources available from the development fund, should help to ensure that we make real progress towards addressing the shortage of accommodation in some areas for women and children escaping from domestic abuse.

The package that I am announcing means that £8 million will be available over two years to improve local arrangements for assisting women and children who are victims of domestic abuse. What we have today is a good starting point on which we can build for the future. The Scottish Parliament must play a significant role in ensuring the best possible service for women and children experiencing domestic abuse. We will do that in partnership with local government, Scottish Homes and the voluntary sector. I am confident that it will be an effective and strong partnership to deliver our commitment.

Today the Parliament sends out a strong message, from the Executive, from the members of Parliament and from the people assembled in the gallery, that we will not tolerate domestic abuse in the Scotland of tomorrow.

I move,

That the Parliament supports the final Workplan prepared by the Scottish Partnership on Domestic Abuse and welcomes the establishment by the Scottish Executive of a Domestic Abuse Service Development Fund to improve local arrangements for assisting women and children who are victims of domestic abuse.

15:23

Roseanna Cunningham (Perth) (SNP): Like everyone here, I welcome today's debate. I hope that what I have to say will show that the amendment is not simply rhetoric, as the minister fears.

I welcome the funding announcement: it is an

important step forward, because we should all be aware of the extent of the problem. Anyone who is uncertain need only have listened to evidence given to the Justice and Home Affairs Committee on 22 September. That evidence, particularly from the police, excited a great deal of media comment, perhaps because it was the police talking about the “ingrained” problem in Scottish society and referring to the “hugely under-reported” extent of this area of criminal activity. At that committee meeting, Chief Superintendent Stewart Davidson pointed out that of the incidents reported to the police, an estimated 73 per cent involved physical violence. That figure is extraordinarily high, especially when we know that there is so much under-reporting.

In society, a major problem surrounds the treatment of men who are guilty of this crime—I mean not just in terms of the way in which the legal system deals with it. Society still seems to find it difficult to judge impartially men who are known to be guilty of this crime. When it is confronted by men who vent their anger on women in this way, frequently society still sees them as lax—that concerns me. The noise generated by a violent assault taking place can still fall on deaf ears, even in the poshest of hotels. I know about that from the incident at Gleneagles involving a prominent footballer. As a society, confronted by the visible evidence of black eyes and broken limbs—the harsh reality of such an assault—we still seem to find it possible to accord a place to the men who carry out such abuse. I find that difficult to deal with.

We wish it were not so, but the view is still expressed—although not by the police—that such matters are private. It is a long time since the police expressed that view, but—regrettably—there are still areas of our society where the matter is treated in that way.

It is still thought that the knowledge of those activities should not affect the man’s employment, his job prospects, his prominent position and his status in the community, and that he can go on being a media darling, if that is the case. That sends out an appalling message to people, particularly young people, in our society.

While we now recognise more widely the crime for what it is, there is still a reluctance to intervene. There is little point in simply blaming the police, if the rest of us affect deafness and blindness when we are confronted with the evidence. Of course, when I say us, I am not saying that people in this chamber would choose to act in that way. I talk about us as a society. However, we would be kidding ourselves if we did not recognise the complexities of dealing with domestic violence. It strikes right at the heart of one of the institutions that we have all been raised to think of as

synonymous with safety. The echoes can be heard down the generations—I am talking about the family.

Last year in the press, and again this year before the Justice and Home Affairs Committee, details of research on the residents of Cornton Vale prison were a matter of public comment. They are worth reiterating. I was utterly astonished at the figures showing the extent to which the women in that prison were themselves victims of crime; survivors might be a better way of describing it. Seventy per cent of those incarcerated in Cornton Vale have suffered emotional abuse. Sixty per cent have suffered physical abuse. Fifty per cent have suffered sexual abuse. The abuse usually started when the women were young and continued into their adulthood, even if the identity of the perpetrator changed. Having been the victims of crime, they were now committing crime themselves. It is a disgrace that we have people in our society who live in a world where that is the cycle of their lives.

The Scottish National party recognises that what is required is a combined approach that tackles the problem on a number of fronts. In each of the areas, there are clearly identified problems. The first area is education, which should be looked at in terms of society in general and—equally—in terms of the professionals. The Deputy Minister for Communities has already referred to something to which I was going to refer, which is the worrying suggestion—shown by the Zero Tolerance Trust’s research—that we seem to be making very little headway with the next generation on the issue. It is incomprehensible to me that we have not made any progress in that area. We need to work within the education system to try to redress quickly that worrying trend.

The series of television advertisements that ran some years ago—and more recent ones—were an excellent way to help that process. However, I cannot help feeling that brief campaigns might work only briefly and that what we need is a long-term, co-ordinated campaign.

That brings me to the issue of resourcing, which is part and parcel of today’s announcement by the Executive. Anyone who has had dealings with people who are active in the field will know that there has been a serious problem of funding, especially as a result of restraints imposed by the Social Work (Scotland) Act 1968. We all recognise the difficulties in respect of that.

I know that in information that it provided, Scottish Women’s Aid said that it wanted there to be a national funding strategy to resource local groups, as well as its national office. That should be an important component of any revised funding strategy. However, we should at least recognise the problem of the refuges that are unconnected

with Scottish Women's Aid. Not all women's refuges are so connected. I will admit to having not appreciated that until a year or two ago; like most people, I made the assumption that, if it is a refuge, it must be part of Scottish Women's Aid. That is not necessarily the case. I am aware of a number of refuges in the south-west of Scotland and in Aberdeen that are in that position.

Shakti, the organisation that seeks to give assistance to women from ethnic minorities, is also in that position. It is worth making a special mention of Shakti in the context of the debate, because it deals with particular problems—the same problems that are manifested elsewhere in society, but writ slightly larger. The briefing from Shakti states clearly that there is a problem of toleration of domestic abuse in many ethnic minority communities, because to challenge it would threaten family honour and the social standing of male members of the family. Over the past two years, Shakti has struggled to maintain a basic level of funding.

The problems that Shakti is referring to are not confined to ethnic minorities, although they may be exacerbated in some of those communities. I seek the minister's assurance that refuges that are not affiliated to Scottish Women's Aid—for whatever reason—will be included and not excluded. Perhaps she could indicate where they will stand in the funding initiative. I hope that the title of the fund indicates a non-prescriptive approach.

I have already discussed campaigns. The problem, as always, is how to resource longer-term campaigns—whether or not they be police campaigns. It is rare now to get a truly national campaign, except in the media. Without that, we are left with the vagaries of more local funding and more local decision making. Alternatively, we end up with a number of pilot projects dotted here and there, none of which is followed through, and with access to the service dependent entirely on where people live. A good example is a project that I will talk about a little later—the probation project, which is currently available only in Edinburgh.

National funding has long been necessary. I do not want to attack decentralisation, but in some policy areas it simply will not work. We have talked about rape crisis centres being funded in some areas but not others, and about women's refuges being kept open in some areas but starved of funds in others. It is now arguable that responsibility for maintaining and building on existing resources should be gathered into one pair of hands, so that we get consistency of provision across the board. I have long thought that that is one way in which the Parliament could make a difference.

If I have one small concern about today's

announcement, it is about the reference to matched funding. I worry that that will mean that, over the next few years, the patchy provision that I mentioned will be replicated. Will the minister comment on that in her reply?

Finally, I wish briefly to refer to legal initiatives. As the minister knows, the Justice and Home Affairs Committee is considering carefully a possible legal change in a particular area. I hope that that will show the Parliament's committee structure in a very good light. My colleague on the committee, Maureen Macmillan, no doubt hopes to speak later in the debate, because she is the reporter on that aspect of the committee's deliberations. I will leave a longer explanation to her.

I want to commend to Parliament's attention the domestic violence probation project to which I referred earlier, which is currently operational only in Edinburgh. That has been set up specifically to deal with the issue of men's attitudes towards domestic violence after their prosecution and conviction, and to challenge them directly. Such projects should be available throughout Scotland, and I would appreciate a response from the minister on that.

The Justice and Home Affairs Committee has considered the partnership's work, and our concern about it relates to the time scale. I note that in the final work plan most of the implementation dates are in the first half of 2001. Today's funding announcement is welcome, but I hope that, as a result of the announcement and the debate, Parliament can do even more for women over the next 18 months, rather than make them wait another 18 months until the work plan is implemented. I hope that the minister will respond to those points.

I move amendment S1M-221.1, to insert at end,

"while at the same time recognising that a national strategy which includes public education and prevention programmes, shelter and support services and law enforcement initiatives remains an essential part of the campaign."

15:35

Mrs Lyndsay McIntosh (Central Scotland) (Con): In opening for my party, I want to say at the outset that I am pleased to support the Scottish Executive's plan to establish a domestic abuse service development fund. I am also pleased that the members' business debate that Maureen Macmillan secured early in this Parliament's life has been recognised by the Executive.

I well remember how that debate distinguished itself on several fronts. It was among the first debates at which genuine harmony among the parties was displayed when consensus seemed

doomed. So great was the number of members interested in participating that it was the first, and last, members' business debate to have the allocated time extended so that more members could make their contributions. That it was the last debate to be so extended is a point that still rankles, despite subsequent rulings from the Presiding Officer.

The debate was poorly reported in the following day's press. Many of us will remember Jackie Baillie's observation that the press gallery was almost empty. It was therefore a surprise to be asked to participate in a political review programme that weekend on the subject of the domestic abuse debate. Parts of the debate were featured and some of the minister's comments were broadcast to a wider audience.

That brings me to what I consider to be the crux of today's debate. The interviewer's opening remarks were that there was nothing new or compelling to discuss. I say to that interviewer, "Shame on you. That's the point." Domestic violence and abuse of women and children still happen. As we speak, women are nursing the wounds of a violent encounter with their husbands or partners or, perhaps worse, with former husbands or partners. Children are sitting in school, dreading the bell to go home in case their mummy has had another doin' since they left for school in the morning, and they wonder whether it is their fault.

Those are only the wounds that one can see—the burst lips, black eyes, broken noses or strained movements that signify cracked or broken ribs. What about the women whose abuse comes in a subtler form? They suffer constant berating, domination by a man who allows no freedom of thought or deed, or the degradation of submitting to sex acts against their will, and they have to keep quiet so that the weans will not hear.

The most important point to remember is that those things are happening daily and that women have to put up with them. There are a number of reasons why women tolerate such abuse. For some it is merely a change of abuser, from a father they wanted to escape to a husband who treats them no better. It is hard to admit that one has made a mistake by marrying or setting up home with a man who abuses one cruelly.

Some tolerate it, thinking that things can only get better when they have reached a low point in a relationship, and hope that the next day will see the return of the man they once loved and adored and who would cherish them until they were parted by death. Those women do not realise that their own deaths could be hastened by the same man; we all know that that happens. Of the six cases of deaths caused by domestic violence in Strathclyde since January this year, five were

women.

There are women who stay because they fear for the safety of their children, who have already seen or heard the horrors that are inflicted on their mother. They will not just leave them to cope with an abusive father; they feel that it is better for them to be the barrier and to defend their children. For those children, home is where the hurt is.

There are women who stay because no one will believe that that public paragon, that upstanding member of the community or well-respected and well-connected professional, behaves like a monster in private.

Most pitiful are the women who stay because they have nowhere to go. That is the most shameful thing about the subject of the debate. Family and friends do not have spare accommodation and neighbours do not want to get involved. Where does a woman go in the middle of the night with a young family in tow? When a woman takes what is left of her courage and calls the police or makes the decision to go to a refuge, as in biblical times, there is no room at the inn. Women are forced to stay in violent homes, where the hurt is, until there is space in a refuge.

Because funding varies from city to city and town to town, the dependability and reliability of space being available is crucial. Housing benefit alone will not pay the bills. There are numerous responsibilities to be attended to, such as insurance, and safety regulations to be complied with. What about outreach work, or counselling for children, or research or training? Let us be blunt about this. Changes in attitude have come about, particularly from the police who, years ago, never got involved in domestic disputes. That situation has, thankfully, changed dramatically, but there is still much work to be done.

Organisations such as Women's Aid, Victim Support Scotland and the Zero Tolerance Trust—which recently ran the Respect campaign on young people's attitudes to violence, sex and relationships—all have core funding problems.

If ministers are to tackle the funding crisis and to solve the problem of workers not being paid, of women and children in need being turned away, and of getting the message across that help is available, they will have the support of this chamber. I hope that £8 million is just a start. Matched funding comes at a price; there is no guarantee that funding will be matched, and I hope that the minister will respond to that.

I pay tribute to the work of Women's Aid and of the other voluntary organisations that offer counselling, advice, advocacy and refuge 24 hours a day when possible. Those organisations represent excellent value for money. They have the expertise and the will to tackle the most

unattractive feature of modern life. They help to clear up the mess of failed relationships. I am particularly grateful to Glasgow Women's Aid, which let me visit one of its refuges on Friday and talk to volunteers. Those are dedicated people. Let us support them.

I have one concern regarding the otherwise excellent document presented by the Scottish Partnership on Domestic Abuse. The definition concentrates on male abuse of power. For those who have not been following the correspondence in *The Herald*, one of its contributors has been seeking to persuade readers that the proportion of male victims of domestic violence is similar to that of female victims. To think that men are the only abusers is nonsensical, and I am ready to admit that there are instances of women abusing men. But my experience, to which I shall return in a moment, and the figures of Strathclyde police, witness the fact that 91 per cent of victims of domestic abuse are women and that 15 per cent of them are subjected to repeated acts of violence—out of nearly 7,000 physical attacks, that is more than 1,000 women. That is an appalling statistic.

I said that I would return to my own experience of domestic violence—I am not about to confess to being a victim. Before being elected to the Parliament, I sat on the district court bench in the commission area in which I live. I have heard a barrowload of cases of violence and assault; a high proportion of them would be termed domestic. In all the years that I did that, I do not recall hearing one case in which the victim was a man.

The worst case that I ever heard was the trial of a man who had assaulted his wife in a horrific manner—the details of which I will spare members—which led to a case in a much higher court. One of the witnesses was their eldest son—a little boy who was barely secondary school age. Because of his tender years and the dreadful nature of the assault, it was agreed that I should clear the court before the wee boy came in to give his evidence. The formalities were slightly relaxed to make it less of an ordeal and less intimidating for him.

Imagine, if you will, the thoughts of a little boy having to relive the events leading up to his mother almost being murdered. On that occasion, he was in court to speak to a breach of the peace and to an assault—it would have been wrong for me to hear further details. Not once during the examination in chief, the cross-examination by his father's agent, or the re-examination by the procurator fiscal depute did that little boy look at his father sitting in the dock. His mother sat to the side, out of his line of sight so that he did not see the tears tumbling down her cheeks and she could

not see the emptiness in his face or the tears in his eyes. It was harrowing to watch. That case could have been avoided if the woman and her son had had help from any of the support organisations that have been badly funded in the past. It need not have happened.

I admit that I was shaken by the experience: members will appreciate that I am still shaken by it. I sincerely hope that my retelling of it will move members sufficiently to ensure that they will do all that they can to stop it happening to any other wee boys. I support the motion.

The Deputy Presiding Officer (Ms Patricia Ferguson): Many members wish to speak in the debate. Speeches will be restricted to four minutes. I remind members that we now have clocks that show how long they have been speaking. In case there is any doubt, the clocks are located above me and on both sides of the chamber.

15:45

Nora Radcliffe (Gordon) (LD): It has taken a long time to get domestic violence into the public consciousness and onto the political agenda. The Scottish Partnership on Domestic Abuse is to be commended for its work, and I welcome its work plan: it has much to commend it. The research behind it has exploded some of the prevailing myths about domestic violence: it is not the fault of the victim; it can occur in all social groups; and it is not caused by drunkenness, poverty, stress and so on.

The causes of domestic violence and discord are complex and many sided. Domestic disputes often begin with disputes about money, arguments over children, adulterous relationships or difficulties with in-laws. It is accepted that unemployment increases the pressure on families and the incidence of family breakdown, and there is frequently an alcohol or drugs element. None of those are excuses for violence against women. Domestic violence is about controlling behaviour, but it can become worse when other factors are present.

The work plan addresses the fact that there is a need for a strategic and co-ordinated approach to this issue. I am glad to see the emphasis on the importance of consistent service delivery across Scotland, and across barriers of race, disability and geography. The work plan is an excellent piece of work, but nothing is perfect and nothing is ever enough. The remit of the group was to address domestic violence perpetrated against women and children, but we must not forget that men are also victims of domestic violence. That is recognised in passing on page five of the work plan. We should not lose sight of that. In addition,

verbal abuse can be as vicious and damaging as physical abuse.

We are making a start on tackling the problem and getting service provision in place, but there are enormous gaps. We are beginning to cope with the problems of women, but there are even wider gaps in the provision for children who are caught in the firing line between the adults in their lives. There is a woeful shortage of places in women's refuges, but there is an even worse shortfall in the number of children's workers attached to refuges. Those children need the help and support that they can get only from people who have the right professional skills.

Another problematic area is the situation of boys, particularly older boys in families who seek refuge but find that older boys are not welcome or are not permitted to come in to the refuge. That puts an enormous strain on the son, the mother and the siblings.

Considerable protection has been afforded by the existence of matrimonial interdicts and the power to obtain exclusion orders under the Matrimonial Homes (Family Protection) (Scotland) Act 1981, but the act now needs significant reform to deal with the inadequate protection that is given to cohabitantes, with the limited number of remedies that are available when there is no provable record of violence, and in particular with the need to be able to make a decision about housing—especially when there are children in the household. The Law Commission is consulting on a number of those areas, and it is important that that is followed quickly by legislation.

The work plan talks about the three Ps: prevention, protection and provision. I seem to have dealt with those backside foremost. I want to point out that, out of the 92 items listed for action, less than a quarter deal with prevention. Perhaps we should make progress on that front, in line with the other areas. Prevention is usually better than cure.

Finally, I share the concerns about the time scale. The time to act is now.

15:50

Janis Hughes (Glasgow Rutherglen) (Lab): I agree with Lyndsay McIntosh when she says that certain groups of people do not think that we have anything new to say about domestic violence. We should never make excuses for using every opportunity to highlight some of the terrifying statistics relating to the issue.

Domestic abuse is the most common form of violent crime against women in the UK. Partners or ex-partners murder half of the women who are killed in Scotland. Violence against women is the

world's most pervasive form of human rights abuse. Ninety per cent of children whose mother is attacked are in the same or next room while the attack is taking place. All the statistics are horrifying in themselves, but if we consider them in a local context, they bring home the horror of domestic violence.

In my constituency, assaults within the home are reported to the police at the rate of one per day. In the past six months, 182 women from Rutherglen and Cambuslang contacted the police after being assaulted or sexually attacked. Those figures are particularly worrying given that, last year, local police launched a major initiative against domestic abuse. When we consider the fact that statistics are based only on the cases that are reported, it is clear that the situation is very serious indeed.

This is a matter of basic human rights. The European convention on human rights provides for the right not to be subject

"to torture or to inhuman or degrading treatment or punishment."

It also confirms

"the right to liberty and security of the person."

Why are so many women being denied those rights? Women and children are never to blame for domestic abuse. The use of violence and verbal, mental and sexual abuse is a choice that some men make in order to exercise control over their partners and children.

There is no doubt that we need to take a multi-agency approach. Key agencies must be brought together at a national level if we are to tackle the issue effectively. We need consistency throughout the country, while acknowledging the specific needs of women from rural areas, ethnic minorities and those with disabilities.

The most important issue that we need to tackle is that of changing attitudes. Local agencies must be ready to deal with domestic violence when it occurs, but we must get to the root of the problem if we are ever to succeed in stamping it out. Initiatives such as zero tolerance focus on changing attitudes, but until the risk of abuse is eliminated, we still have to provide adequate services to give abused women and children the help they need.

We have already mentioned the research by the Zero Tolerance Trust, which considers boys' attitudes to domestic violence. It is horrifying to hear what boys say. As the mother of a 13-year-old boy, I firmly believe that education begins in the home and that, as parents, we have a social responsibility to change attitudes and to ensure that the next generation does not perpetuate the domestic abuse that goes on today.

The Scottish Partnership on Domestic Abuse has recognised the need for a multi-agency approach and is working towards that. Its work involves costing its recommendations. Even at an early stage, it was clear that extra money would have to be found. I welcome Jackie Baillie's comments on that. The difficulty of money is also faced by the other major players in the fight against domestic abuse—the police, the health service and the justice system—all of which are incurring extra expenditure on their work in the area. The partnership must consider better co-ordination and the targeting of resources at those groups.

We can make a difference to the lives of women and children, who barely exist, living under the constant threat of domestic violence. It is estimated that 100,000 children and young people in Scotland are living with domestic abuse. As a nation, we cannot allow that to continue.

15:55

Michael Matheson (Central Scotland) (SNP): I welcome the minister's announcement today and recognise her commitment to dealing with domestic violence.

I am conscious that I am the first male speaker in this debate. It is important that males speak out about the problems of domestic violence. I am sure that there will be others.

Several members have touched on the unacceptable level of domestic violence. We must examine how domestic violence shatters the stability of a family, placing not only the woman who has been subjected to violence at considerable risk, but the children and young people in that household.

The fact that there is no such thing as a typically abused woman has been well documented. Equally, there is no such thing as a typically abused child or young person. Last year alone, 8,500 children and young people sought help from Women's Aid projects—often with their mother or carer—but less than half were provided with the refuge and shelter they required. That highlights the desperate shortage of provision for young people and children and, alongside the estimated 100,000 children who live with the experience of domestic violence in Scotland, the desperate need for additional resources to meet their needs. We should also consider the fact that around 60 per cent of children in a household where there is domestic violence are abused by the person who abuses their mother or carer.

The impact of domestic violence on children and young people can not be understated. Domestic abuse, along with other forms of abuse, is one of the most common reasons for young people

becoming homeless. Young men aged 16 plus are particularly vulnerable, as Nora Radcliffe pointed out when she referred to the inability of Women's Aid projects to provide them with the accommodation they require. I hope that, in her summing up, the minister will address directly what can be done to ensure that there is provision.

Proper co-ordination between agencies is also important. A child or young person who has to take refuge with their mother or carer often has to go to a shelter and, at the same time, leave their school, leaving behind their friends. That not only disrupts the child's or young person's education, but can result in their leaving behind the friends that they need most during such a traumatic time in their lives.

I recognise that many statutory and non-statutory agencies work together where they can, but it is important that they work together in an appropriate manner. I ask the minister to address what guidance will be issued to statutory agencies to ensure that they work in proper partnership with Women's Aid refuge organisations.

The role of Women's Aid organisations is frequently undermined by the continual constraints under which they work, often as a result of standstill budgets year upon year, so I welcome the additional funding to address that issue. However, just as our education departments require the right funding to provide children with the right education, Women's Aid projects require the right funding to provide children with the protection they need when in difficulty.

It is also important that services are provided equally across the country. That is why it is important that we have co-ordination on a national level, to ensure that children, no matter where they stay, will be provided with a reasonable service in their time of need.

16:00

Ms Margaret Curran (Glasgow Baillieston) (Lab): I have been involved in the debate on domestic violence for about 20 years. It is gratifying to see how far it has shifted and to have this debate in the Parliament so early in its life. I would like to pay tribute to Roseanna—who is not in the chamber, unfortunately—and to Lyndsay for their speeches. We can genuinely share ownership of this problem, and that gives us great hope.

We have to be clear about the realities. I recently met members of Greater Easterhouse Women's Aid, which is based in my constituency. They drew my attention to a deep problem. I will quote from their evidence, in which they said:

"Domestic abuse is insidious; it creeps up on you over a period of time. The abuser isolates you from family and

friends, minimises and denies what is happening. He keeps you exhausted both emotionally and physically. He threatens you, degrades you and displays his total power."

We acknowledge that we have been moving forward in this debate, but that very progress has raised other difficulties about the demand for women's aid services, for which there is now an expectation.

The funding package announced by the Deputy Minister for Communities is extremely welcome, because of the chronic shortfall that we have experienced in the service over past years. The demand on Greater Easterhouse Women's Aid has increased by 398 per cent over the past four years—63 per cent over the past year alone. The group also asks us to give attention to the practices of police, housing bodies, social work departments and others who can, even unwittingly, operate against the wishes of women and children who are resisting violence.

It is proper to recognise again the progress that has been made by the police and others, but a woman exhausted by abuse, terrified of impoverishing her children, leaving her home and, worst of all, losing her children, does not want to get caught in the system. We know that such women will frequently minimise the violence for fear of losing their children.

We must create public services that can win the confidence of women and ensure that they are not penalised for the violence that is perpetrated against them. We must be careful about too often glibly asking why a woman did not leave. Sometimes, it is not so easy. We should not make her decision harder with sweeping statements about the inadequacy of single-parent families.

I welcome the statements that have been made here today. I have spent a political lifetime arguing for the equality of men and women in political representation, and I am very proud that we have two women ministers committed to advancing this agenda. I hope that this is just the beginning, because we have much work to do.

Much has been made of the Zero Tolerance Trust's research and contribution. We have to listen to its analysis. I will quote Evelyn Gillan, who recently gave MSPs a presentation, because it was very strong stuff. She said that

"the Parliament must make the links between different forms of male violence. We need to be clear about what it is we are trying to prevent and that means facing up to some difficult truths.

The overwhelming majority of violent acts are perpetrated by men, most of whom are known to the women; women and children have very little control over the violence that invades their lives; and whilst home is the safest place for men, it is the least safe place for women and children.

If we see male violence as a social problem which

reflects wider values and attitudes then we believe change is possible."

I urge the Executive to think not just in terms of the costs of implementing this strategy, but in terms of savings. Public services spend a great deal of money picking up the pieces. That money would be better spent on preventive services. The Executive has, properly, pledged to tackle crime as a top priority. In Scotland, everyone should have the right to live free from violence. We can never achieve that unless we comprehensively tackle domestic abuse.

Across the chamber, we are deeply committed to the health service because we all know that it saves lives. I recently met Joyce, a woman from my constituency. She told me that she is quite sure that, had it not been for her local Women's Aid group, she would have lost her life. She now helps run such a service, to save the lives of other women in greater Easterhouse. We cannot underestimate the critical contribution that such services make.

I welcome the Executive's announcement today but please, this is just the beginning.

16:05

Mr George Reid (Mid Scotland and Fife) (SNP): I will concentrate on what might be termed the last taboo—the abuse of women who have disabilities.

From my work with human rights organisations, I am sure that we have here what the "Journal of Disability Policy Studies" in February of last year called

"a problem of epidemic proportions".

The 1995 Strathclyde Zero Tolerance Project, quoting detailed research from Australia, Canada and North America, decided that, in Scotland, "we're no different."

The global research—I can provide the minister with all the references—concluded that more than half of disabled women claim to have suffered some form of physical abuse, compared with a third of women without disabilities. Almost half of disabled women report some form of sexual abuse during childhood and the abuse normally takes place in the home or in a so-called safe institution.

There are no detailed Scots statistics, but I will inform members of cases made known to me. One woman, who is partially paralysed, is regularly raped by her partner. He says that she likes it. When she protests, he says that someone like her is lucky to have a sex life at all and he is doing her a favour. Another woman, who is in a wheelchair, is regularly battered. She got herself out of the house, but when she got to the refuge she found that it had no ramp and she could not even reach

the doorbell.

Women with disabilities are uniquely vulnerable. They often rely on the abuser for personal assistance and financial support. They can have their assistive devices withdrawn by the abuser who may say, "You will not go to the toilet," "You will not have a bath," or, "I will take your stick away." They fear that, if they separate, their children will be removed. Often, their main communication with the outside is the abuser.

If all violence is about power and domination, the fact that a woman is disabled seems to heighten the need for dominance in some men. Women with learning disabilities are especially at risk. As girls, they may be less able to defend themselves physically or to articulate the fact of abuse. They may be unable to differentiate between appropriate physical contact and sexual or violent action.

I remind members of the chilling warning given by the Dorset police in 1993 during its investigations into the murder of Jo Ramsden, a woman with Down's syndrome who was raped and murdered. Dorset police stated:

"Our officers have been surprised and sickened by the number of men who are prepared to prey on mentally disturbed females. We have identified people who have committed very serious offences against these vulnerable people".

What is the Scots situation? Frankly, it is not good. Women's Aid currently has only seven barrier-free spaces out of a total of 360. That leaves large tracts of Scotland where people who are in a wheelchair and abused or blind and abused are on their own. Minister, there are probably many more refuges for maltreated dogs and cats in Scotland than for abused women with a disability.

There is one QWERTY phone in East Dunbartonshire, but otherwise no special provision for the blind or deaf. The national office of Women's Aid would like to invest in a text telephone and issue literature in large print and tapes, but so far has been unable to do so. There seems to be little provision for an abused woman who does not have a disability herself, but has a disabled child.

Today's announcement of £8 million of extra funding is welcome. I hope that the Minister for Communities, in winding up, will reassure the Parliament that some of the money will be used to achieve three objectives. First, to ensure that no disabled woman in Scotland remains trapped in a cycle of violence because refuge services are not available to her. Secondly, to pledge that a proper needs assessment into this abuse—as has happened in North America and Australia—will be commenced in Scotland. Thirdly, to get the issue

out into the open. Because it is not discussed in the public domain, victims often think that the abuse is unique to them, so they stay silent and nurse their shame.

It is time, minister, to tackle the taboo.

16:10

Maureen Macmillan (Highlands and Islands (Lab)): I am pleased to welcome the document on domestic abuse and the partnership's funding package.

What pleases me most is that the challenge to domestic violence is underlined—it is no longer something that is peripheral and can be ignored by the establishment. We—the women and men of this Parliament—can with authority say to the people of Scotland, to Scottish institutions, to local authorities, to those in urban areas and to those in rural areas that this is a grave problem that must be tackled seriously and systematically, and that we will be listened to.

The funding package means that we can create more refuge places where they are needed. I particularly welcome the commitment to doing that in rural areas. In my constituency in the Highland Council area, there are less than half the recommended number of refuge spaces, and a huge mainland area north of Dingwall and west of Inverness has no local provision. However, since our first debate on domestic violence and because of the Executive's commitment, there is a new confidence among the women in that area.

Highland Council has plans for a new refuge in Ross-shire and—I am glad to say—it will have disabled access, which is something that we have long been concerned about. In Caithness, our raising of awareness of domestic violence has meant that women have been encouraged to form groups that want to set up a refuge in Thurso.

Refuges, however, cannot exist in a vacuum. As Jackie Baillie said, new women's groups need to be trained by experienced experts in supporting women and children, such as Women's Aid. Women cannot stay in refuges for ever and I am pleased that the involvement of Scottish Homes will mean that housing will be available for women to move on to. It is very important that in places where groups seek to set up refuges, funding is available for them.

I also welcome the commitment to education for children of pre-school age upwards. It has, in the past, been extremely difficult to gain access to schools in some areas as that has depended on the attitudes of particular teachers or principal teachers. That, too, is changing, but I ask local authorities to realise that there are organisations such as the Zero Tolerance Trust and Women's

Aid that have a great deal of expertise in providing education programmes.

It is also crucial that schools have strategies for supporting children from violent homes—kids who truant so that they can protect their mothers and kids who cannot do their homework because of what goes on in their houses at night. Kids who must change schools need specific attention, as Michael Matheson said.

Finally, I want to mention strengthening protection for women. It can be very difficult for a woman to leave her abuser because she is often deeply afraid of him and rightly fears—as we know from statistics—that she will be in greater danger if she leaves. Half of the women killed in Scotland are killed by their ex-partners, as Janis Hughes said.

The law gives inadequate protection and the Justice and Home Affairs Committee has been examining ways of extending the present protection given to married women and to some cohabitants. The present protection—as Nora Radcliffe said—is given through the Matrimonial Homes (Family Protection) (Scotland) Act 1981. It provides for an interdict with powers of arrest to be granted to women who are in danger, but that depends on the woman's and her partner's rights to occupancy of the matrimonial home.

The Justice and Home Affairs Committee hopes to introduce soon a simple bill that separates that protection of interdict with powers of arrest from rights of occupancy of the matrimonial home. The committee wants to do that as quickly as possible because, first, it will send out a strong message that there are no second-class citizens when it comes to protection from violence and, secondly, it will save lives. Women are being killed by violent ex-partners and we must do all we can to stop that happening.

Since September, the Justice and Home Affairs Committee has been taking evidence from organisations such as Women's Aid, the Scottish Family Law Association, the Scottish Police Federation and the Sheriffs Association. It is agreed across the board that legislation is urgently required and I hope that we will soon be able to present a bill to Parliament.

16:14

Bill Aitken (Glasgow) (Con): I think that most of us wish that we were not having this debate or, more accurately, that we did not need to have this debate. Clearly, however, we need to have this debate: these poignant issues need to be addressed. When one hears stories such as those that George Reid told, one despairs at the fact that such things can go on in what we claim to be a civilised society.

Much of what has been proposed today is welcome. What has been lacking from our efforts to deal with this problem is an appropriate number of refuge places. Like Lyndsay McIntosh, I have dealt in a district court with many cases of assault and breach of the peace in the home. In those cases, I was frequently struck by the fact that the women stuck with the abusers. Sometimes they stuck with them because the assault had been a one-off but, in many cases, the abuse had gone on for years and the woman would have left if she had been able to find a safer environment.

One of the most serious things about this issue, as Margaret Curran pointed out, is the fact that an assault in the home is much more serious than an assault elsewhere. Of course it is deplorable that people should be assaulted in the street, in a pub or in their place of work—it is never pleasant—but people are entitled to expect that their home is a place of safety. If a home is not a place of safety, that not only reflects badly on society but shows that we have failed to provide places of safety for people. To that extent, I welcome the Scottish Homes initiative, which will go some way towards preventing some of the problems that I have seen in the past.

Roseanna Cunningham, as convener of the Justice and Home Affairs Committee, should be aware that there are things that her committee could do. The existing legislation—particularly the Matrimonial Homes (Family Protection) (Scotland) Act 1981 and the Protection from Harassment Act 1997—is good up to a point, but it could be taken a bit further. There needs to be a realisation that it should recognise that many people who are abused are partners or common-law wives of the abuser. The existing terms do not recognise such people.

There must be a recognition that abusive behaviour is unacceptable. The problem used to be regarded as the result of dysfunctional people with dysfunctional problems. That is not the case, but even if it were, abusive behaviour would still be unacceptable.

Lyndsay McIntosh, with understandable emotion, dealt with the effects that abuse can have on children, which is the saddest aspect of all. The Social Work (Scotland) Act 1968 does not allow grounds for referral in many cases where children are at emotional risk in an environment where violence is frequently visited on their mother.

We welcome the progress that has been made today. We recognise that this Parliament cannot implement some of the necessary changes until such time as society recognises that abusive behaviour is utterly unacceptable.

16:19

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): I welcome this important debate on domestic violence. It is right that the Executive recognises the problem. It is also right that the Executive is taking action, through funding, to combat domestic violence throughout society.

I would like to add a different perspective to the debate. I want to focus on an area of domestic violence that is far too often neglected. I want to highlight one group of victims of domestic abuse to which little attention is given. George Reid talked about the last taboo. I am afraid that that is not the last taboo. I want to address the issue of male victims of domestic violence. I shall not talk about the debate in *The Herald*, or the statistics that were produced there. People can read that debate for themselves. Let us be honest: no one has referred to the dozens of international and domestic studies that have been conducted into the issue of domestic violence against men. I shall quote three of them.

We talked about Commonwealth surveys. A survey of 1,037 young adults who were born between 1972 and 1973 in Dunedin, New Zealand, found that 18 per cent of young women said that they had perpetrated severe physical violence against their partners, while only 5 per cent of young men said that. The number of women who said that they had kicked or bitten their partners, hit them with their fists or with an object, was more than three times that of men. The 1996 British crime survey reported that nearly one third of the victims of domestic violence were men. In January 1999, the UK Home Office produced its own evidence to suggest that domestic violence is not a male disease. It reported that 4.2 per cent of women and 4.2 per cent of men, aged between 16 and 59, said that they had been physically assaulted by a current partner during the past year.

Most members have, quite rightly, referred to the appalling problems of domestic abuse that affect women and children. I had to think about whether I should even speak in this debate, as I did not want to remove the focus from the domestic violence that is inflicted on women and children. However, I think that this issue must be addressed. We talk about social inclusion. I make a plea for social inclusion—for equality of treatment and recognition, which is the most important thing, of the problems of all victims of domestic violence, be they men, women or children. If I have any criticism of the motion, it is that it does not go far enough.

16:22

Johann Lamont (Glasgow Pollok) (Lab): I will

address some of the points that Mr Rumbles made. However, I ask him respectfully to consider what all the agencies say about the nature of domestic violence, and I put a proposition to him. If there were significant evidence of women's violence against men, the first place it would be seen is in the development of self-help organisations. That is what the Women's Aid organisations tell us about the experience of women. When women got themselves together and raised the issue on the political agenda, it was directly as a result of their experiences.

I welcome this debate and the announcements that have been made today. I have time to address only a limited number of the issues that are involved. I am conscious of the work of women's organisations in developing policy, raising awareness and supporting women who experience domestic violence. It is testimony to those organisations—over many, sometimes hostile, years—that we are now at this stage. It is important that those organisations maintain a central role in the work at the next stage.

We all know the significance of the debate that we are having. It is important to view domestic violence in the broader context of male violence against women, and to respect those women who are survivors of domestic abuse. They are not a peep show. We should look beyond the bruises to, very often, courageous women who, while carrying those bruises, are the first to be concerned about the safety of their children.

Sometimes, in discussion of this issue, there develops a sad bemusement towards the women as if, as victims of crime, they are uniquely illogical. Why do they not leave? The reality is that women are often responding to their circumstances in the most logical way. Think of the strong messages that say that lone parents can damage the prospects of children. Remember the condemnation that follows if a woman, even if it is to save herself, flees and leaves her children behind. Consider the evidence of our own eyes and ears when we read of men who have attacked their ex-partners and their children after they have fled—the evidence that tells us that fleeing violence does not always make a woman safe.

Children, too, suffer. They may be seen as difficult or as having mental health problems because they do not attend school or because they display distrust of adults. In fact, what more logical response can a child have to their dad hitting their mum than staying home from school to protect her, or than not trusting adults when their father has made the most grotesque breach of trust by terrorising them and their family in their own home?

It is crucial that schools and health services recognise the essential role that they can play, not

in exacerbating children's problems, but in supporting children. We know that domestic violence knows no class or racial boundaries. It is therefore essential that there are local organisations that meet locally the needs of women in poverty who find it difficult to get out, of disabled women or of black and ethnic minority women.

My final point relates directly to what Mike Rumbles said. We talk about support systems, of ways to protect women, of empowering women to take control, of getting women out to help children and of multi-agency work. All of those circle, and are designed to manage the fallout from, the central problem, which is violent men who think that they can be violent with impunity. If we are to change the situation, we need to recognise the gender-specific nature of such violence. It is essential to see the pattern.

The problem is not dysfunctional families. It is not the unhappy conjunction of individual men and women who do not get on. These are not men who are some freak of nature. Male violence is too persistent and consistent for that. We know that attitudes to male violence remain a major concern and reflect what boys and girls learn about acceptable behaviour. Many men can make their partners and children refugees in their own country and yet still go to the pub and talk about football. They remain part of the normal world. They are not ostracised, which is a central problem in dealing with male violence.

It is crucial that we support not only the central work of groups such as Women's Aid—women who suffer domestic violence cannot wait for the world's attitudes to change—but the work of groups such as the Zero Tolerance Trust. We must also identify what and who causes violence and how attitudes are perpetuated. If we do not acknowledge that domestic violence reflects the unequal power in our society, we will never get rid of it. We owe it to our children—boys and girls—to continue the process of changing our and their expectations of how things can and should be.

16:27

Kay Ullrich (West of Scotland) (SNP): I pay tribute to the progress that has been made during the past few years in addressing the problem of domestic violence, particularly in raising public awareness of such violence and in recognising that the safety and well-being of the victim must be paramount for all who deal with the issue. Much of the success that has been achieved has been due mainly to the willingness of the many agencies involved to develop strategy and policy within a multi-agency framework. There have, for example, been initiatives within the criminal justice system that make the protection of victims and their

children a priority.

It is now Strathclyde police policy, for example, to detain in custody until the next available court hearing anyone arrested for a crime involving domestic violence. When evidence is not immediately available to justify an arrest at the scene, officers are encouraged to consider detaining the alleged offender under section 14 of the Criminal Procedure (Scotland) Act 1995, which allows time for a thorough investigation and, crucially, the opportunity for the police to obtain multi-agency assistance for the victim and any children involved.

Such practices, plus the co-operation of the judiciary in imposing bail conditions, which are now notified to the victim, represent a great step forward in the recognition of the need to treat domestic violence as a serious issue. That said, there are areas of the criminal justice system that give me cause for concern. Here, I want to highlight the 18 pilot diversion from prosecution schemes that operate in Scotland.

Diverting a case involving domestic violence from prosecution not only gives out entirely the wrong message to the offender and the victim, but puts perpetrators of domestic violence on a par with an elderly woman slipping a tin of salmon into her shopping bag. In effect, it allows excuses to be made for totally unacceptable behaviour. It allows the social work department to place an offender, for example, in anger management counselling, saying, "He did it because he was angry with her."

Even worse, an offender can be referred for alcohol counselling, which gives weight to the age-old excuse, "It was the drink, m'lord." In all my years of sitting as a social worker in a sheriff court, I never failed to be amazed at the willing acceptance of drink as an excuse for an assault on a partner. The excuse is one that I find difficult to understand. After all, if drink made the offender violent, why did he wait until he got home before assaulting someone? Why did he not hit the big guy standing next to him at the bar? There are no prizes for guessing the answer to that one—the big guy would surely have hit him back. I therefore urge the Executive to remove domestic violence from the diversion from prosecution scheme.

There is certainly evidence of progress in tackling domestic violence, but the situation is far from rosy because agencies such as Women's Aid and Victim Support Scotland have been particularly hard-hit by cuts in local authority funding. For example, in North Ayrshire alone last year, 43 women and 67 children had to be refused refuge accommodation due to inadequate funding. Will the minister explain how local authorities are expected, given the continuing cuts in local authority funding, to match the funding that is being given?

Many priority areas must be addressed, including the development of services for children affected by domestic violence and improvement of services for victims in rural areas. Further, as George Reid said, it is recognised that disabled women, those suffering from mental health illnesses and those with drug and alcohol problems are particularly at risk.

I welcome today's statement, but we all know that there is a long way to go. If we are to achieve our aims, we must implement a national strategy as a necessary part of the campaign. There can be no excuse for domestic violence, and there can be no excuse for this Parliament not paying due attention to the needs of those afflicted by domestic violence. I urge members to support the amended motion.

16:33

Bristow Muldoon (Livingston) (Lab): First, I welcome the commitment shown by the Executive in addressing this issue in the Parliament at this early stage. I also welcome the additional funding that was announced today as part of the domestic abuse service development fund.

It is encouraging that the Parliament is uniting behind the issue and accepting the amendment moved by Roseanna Cunningham. The support from Conservative and Liberal Democrat members is also encouraging. We have talked about consensus in the Parliament and, while there are issues upon which we will never agree, it is a sign of the Parliament's maturity that we do not try to create artificial divisions on issues about which we can agree. Today's debate, and the previous debate on the subject initiated by Maureen Macmillan, are fine examples of how we can take a consensual approach when the issue demands it.

Before I turn to my own comments, I want to address some remarks made by Mike Rumbles. I also endorse the comments made by Johann Lamont. Domestic abuse in Scotland, and throughout the world, is primarily the result of male violence against women. That is because of issues of economic or physical power and a range of reasons such as the cultures within our society. We must reflect that and deal with the issue.

In my experience at West Lothian Council, and since I became a member of the Scottish Parliament, I have dealt, like many others, with many harrowing cases. Sometimes the women involved in those cases have been helped by public services, but on many occasions those services and voluntary organisations have not been able to provide the support that the women required. As part of this whole initiative, it is critical that we ensure that that does not occur in future.

When people come forward with problems, we must ensure that public resources, public services and voluntary organisation support are all in place to help them through those problems.

The issue that I want to focus on is the one that I think is the most important in this whole debate—education. Many members have mentioned the recent report on the zero tolerance campaign. It highlights the attitudes towards violence and sexual violence by men against women, and it highlights the degree of the problem in our society. We will not eradicate domestic violence or sexual violence unless we can change people's core beliefs. That is why I am glad that a significant proportion of Jackie Baillie's contribution was on the question of education and changing the culture.

However, the issue is not only about changing the culture among the perpetrators of domestic violence; we also need to change the culture in all our public organisations. Some of the attitudes of the legal system towards questions of domestic violence have caused me concern recently. One of the key things that this Parliament has to do is to get a clear message through to the legal profession—to the judiciary, to sheriffs—that domestic violence is unacceptable. We have to do that through debates such as this one and, in due course, through legislation.

We have only a short time today, so, in conclusion, I very much welcome the co-ordinated approach that Jackie outlined between the various public agencies, involving organisations such as Women's Aid. I know from my area that strong partnerships have already developed. I am sure that they will soon be ready to bring forward proposals to call on the resources that have been announced today.

Domestic violence and domestic abuse are not unique to Scotland. However, today we can start to help to lead towards one of the greatest achievements that this Parliament could deliver to the people of Scotland—the elimination of domestic abuse in our communities.

16:37

Christine Grahame (South of Scotland) (SNP): I come to this debate as a lawyer with 12 years' experience, predominantly as a family lawyer, who has obtained interdicts—sometimes with powers of arrest, sometimes without—for spouses, all of whom were women, and who has also defended, sometimes successfully, male clients against them. Unfortunately, I am therefore well experienced in all the unhappiness that the breakdown of a relationship entails. From the work plan of the Scottish Partnership on Domestic Abuse, under the heading of "Definition" on page

5, I recognise a range of clients who have crossed my path and who have suffered the physical abuse of battering through to the psychological abuse of threats, which is equally bad.

I know that children of all ages can be witnesses to abuse in most domestic situations, though a cunning partner can perpetrate abuse out of sight of not only neighbours but family. It occurs in all social groups. The worst case of physical abuse I came across was that of a quiet and refined professional woman who had been beaten up by her highly paid executive husband and had hidden the bruises and his hand marks round her throat under a copious sweater. She did not cry in my office, as most women did, and that made her plight all the more awful and compelling, because she was beyond tears. Women therefore come with low morale and no self-esteem, and are fearful. Many cannot cope with detaching themselves from their relationship, especially when faced with the financial and housing implications of separation.

Against what I hope is therefore an informed professional background, and from the evidence obtained by the Justice and Home Affairs Committee, of which I am a member, I would like to make the following comments. The first concerns the support services. Some women in these circumstances have a good lawyer, a good general practitioner, a good health visitor, and perhaps personnel assistance at work. If a woman is working, abuse can lead to the loss of her employment. I therefore welcome the intention to ensure that there will be more equitable and less random access to various agencies.

I draw the attention of Parliament to the role of the Scottish Legal Aid Board, which is not mentioned as a support service, but which has everything to do with access to justice. It has failings that often let women down when they most need immediate help. The rules by which solicitors have access to legal aid for a client are by no means simple, and the access is by no means swift. While emergency legal aid is available to obtain interdicts and powers of arrest, once those applications are made, a rigorous timetable to complete a full legal aid application form kicks in. Obtaining interdicts is a time-consuming business. The solicitor might have to drop everything else to obtain documents such as medical reports, corroborative statements that will form the basis of affidavits and police precognitions. All that work is quite apart from appearing in court to make representations.

Furthermore, the solicitor must often provide emotional support to a very distressed client. I have given out my home phone number only to clients in interdict proceedings. In the middle of such a traumatic situation, the distressed client

must complete lengthy forms, including financial forms, for submission to the board. Clients' finances are often in flux, which makes things difficult; or because of their income—which need not be very high—they are denied legal aid from the outset and so cannot fund court proceedings. In addition, the remuneration for civil legal aid work is disgracefully low and many solicitors cannot take on this time-consuming work—though they would wish to do so—because the rest of the firm will not subsidise it.

It is plain that the Legal Aid Board rules on domestic violence require review. However, I note that the work plan does not mention the Scottish Legal Aid Board among the organisations involved in domestic abuse issues. The organisation is at the core of access to justice for many abused women and provides the structure by which such women can restructure their lives. I ask the minister to address that particular omission in the work plan.

The Presiding Officer (Sir David Steel): I must apologise to no fewer than 12 members who wished to speak in the debate but have not been called. I call Phil Gallie to wind up for the Conservatives.

16:42

Phil Gallie (South of Scotland) (Con): I congratulate the Scottish Partnership on Domestic Abuse which, to its credit, produced its report on time, and welcome the work that the organisation has put into the document.

Christine Grahame made a strong point about the legal aid aspects of this issue, which the partnership and the minister should take on board. In particular, the partnership must have sufficient expertise to deal with the important issues that she raised.

Although Mike Rumbles's speech did not go down too well in the chamber, he was brave to make his comments. Irrespective of popular feeling in the chamber, the issue of male abuse can be relevant. We should not forget the males who stay in the family home to protect their children—perhaps the text of the report puts that issue a little into the background. I accept that such males are very much a minority. Furthermore, I accept Johann Lamont's comments about female abuse, which perhaps touches more on male physical strength and the seriousness of male violence, as opposed to the lesser effects of the incidents that Mike Rumbles mentioned. Nonetheless, his comments were important.

As the minister said, this is our second debate on domestic violence in a short period and I believe that the issue will be raised again in the not-too-distant future, as the report is on-going.

The report has benefited from a full range of expertise from the various bodies involved with the issue and from the presence of the police, the courts and the Prison Service. The whole value of the report is its emphasis on co-operation between a range of organisations that deal daily with domestic violence issues.

Dorothy-Grace Elder (Glasgow) (SNP): Will Mr Gallie accept an interruption?

Phil Gallie: Well, no other member has been interrupted yet, but I will give way.

Dorothy-Grace Elder: Although we do not want to be caught in a rather sticky blancmange of endless congratulations, we should welcome this report. However, we should be mindful that only £3 million is pledged directly and that we are dealing with 155,000 suffering human beings a year, including 100,000 children.

Phil Gallie: I accept those points—it was my intention to address funding. I have reservations about funding, because a week or two ago Mr McConnell told us that additional money would be put into the drugs enforcement agency, but last week it was announced that that money was perhaps being diverted from the Prison Service. I am talking about a co-operative approach to this issue—the police, the Prison Service and individuals are all involved.

Dorothy-Grace Elder: Will the member give way?

Phil Gallie: I apologise; I cannot give way again.

The minister said that £3 million was available. The report has not yet been costed. Obviously, the minister will address funding again when the report comes back, but I have concerns about looking to local authorities for match funding. In the past, match funding for the police service has not always come to fruition. I would like to know what contact the minister has had with local authorities and what assurances she has had that they will match the promised funding. If she can tell us that today, I feel sure that all members will be happy.

We are certainly happy with the minister's comments on refuges. I am pleased to say that, in the old days, a Tory-controlled council—Kyle and Carrick District Council—thought that the provision of a women's refuge in Ayr was important. That refuge has gone from strength to strength. It has problems at times, but it is important for those who deal with the problems of domestic violence. As the minister said, there are never enough places, but that was a start, which she said will be built on. I welcome the contact that has been made with Scottish Homes on that.

The Presiding Officer: Mr Gallie, your time is up.

Phil Gallie: Thank you, Presiding Officer. I support the motion and the amendment. Let us make sure that the good work that has been done is continued to a fruitful end.

16:47

Fiona Hyslop (Lothians) (SNP): I, too, welcome the debate, the partnership work plan, and the announcement of the much-needed and long-awaited funding. We are in danger of being overcome with consensus. I seem regularly to find myself counting the number of SNP manifesto commitments that pop up as Executive announcements, but I am glad that the doubling of women's refuge places is one of them. As someone who has in this chamber raised the question of refuge places, and who walked with Women's Aid in the march along Princes Street, I am pleased to hear that announcement.

This afternoon, we are feeling the power and the breadth of what this Parliament can do to influence the Executive. I am certain that the attendance at, participation in and passion of previous debates in this chamber persuaded those who hold the purse-strings to release the money that was announced today.

I want to talk about the amendment and the need to emphasise the Parliament's national role, as this is our first opportunity to vote on this issue. By adopting the amendment, the Parliament can acknowledge its national responsibility and role, and can acknowledge that the partnership, which was set up before the opening of the Parliament, has done some excellent work.

We will always need to push this debate further, however great the personal commitment of the ministers. I have some serious concerns about the announcement. The amount of new money that was declared was £8 million. If £2 million of that will come from Scottish Homes in capital funding and £3 million from the Executive, the £3 million match funding must be new money, otherwise the total of £8 million does not add up. The minister should give us an assurance about that. The Scottish Homes money for refuges is capital expenditure; I am concerned about where the staffing resource will come from.

In Glasgow, 80 per cent of the funding for refuges comes from housing benefit. Will the minister make representations on Scotland's needs in the current reform of housing benefit? That issue puts into perspective the Parliament's role in the national strategy and debate.

In public education and prevention, the word that must be used is respect. Johann Lamont was right to talk about power and relationships between men and women. As parents, men and women have a responsibility—as the mother of a young

son, I am very conscious of how he is brought up to think about relationships.

The point about women with disabilities was extremely well made by George Reid, as was the point Roseanna Cunningham made about probation schemes.

We talk about shelter and support services; I remind the Parliament that there is a shortage of council housing. One of the problems that we will face is how we ensure that refuges are not filled with women who cannot go anywhere else because there is no decent council housing in an area where they have family support.

One of the tensions in the debate has been about the role of law enforcement. I congratulate the Justice and Home Affairs Committee on making progress on that and I hope that the Parliament will find the time and space to allow the measure that the committee is considering to come before it.

As Maureen Macmillan said, we have to recognise the role of teachers. Their social inclusion role is a hot, topical debate. We talk about 100,000 children and young people living with domestic violence, but if we want the front-line workers to be able to support those children, they have to be properly resourced and supported.

The reaction to today's announcement should not be celebratory, as that could risk giving rise to complacency. We should say thank you for the resources, but we cannot be complacent in the face of such a problem. Resources will never be enough until we know that the social changes that are needed nationally match the support that is given locally. That is why we are moving the amendment; we must do everything to create a national social climate in which there is no excuse for domestic abuse.

16:52

The Minister for Communities (Ms Wendy Alexander): I will use my summation to reflect on some of the larger themes that members, including Fiona Hyslop, have raised. What we are doing today is historic. In Scotland's new Parliament, almost 40 per cent of our number are women. We are a Parliament that looks like Scotland and is now acting in Scotland's interests. This is a new politics for a new Scotland—a politics of action rather than of protest and a politics of liberation rather than of brutality.

I want to dedicate the action that we take today to the generations of Scottish women who have gone before us. I dedicate our action to Scotland's first recorded rape victim, St Thenew, one of Scotland's few Scottish-born pre-reformation female saints. She was a battered woman and the

unmarried mother of St Mungo, the patron saint of Glasgow. I dedicate our action today to the countless Scottish women who perished in the witch hunts of the 16th century—with more than 4,000 Scottish women killed, it was a war against women that generated no war memorials.

In this place, where we often recall the post-war covenant with a million signatures calling for a Scottish Parliament, let us also recall the 2 million signatures collected in Scotland in less than a decade between 1867 and 1876 calling for votes for women. It was a fight for education, for medical training and for suffrage, in that order.

Let us also recall medical pioneers like Elsie Inglis who took up the cause of violence against Scottish women more than a century ago. In her work she saw the effect of laws that meant that in Scotland no married woman could have an operation without her husband's consent. As Elsie said, Scottish women were left to a lingering suffering, from which only death could release them. Elsie would have been proud of what we are doing today, as would Keir Hardie and the men and women whose founding aim—above all others—in creating the Scottish Labour party in 1888 was the achievement of universal suffrage.

Sisters and brothers, we live with our history; it shapes us and we follow in our mothers' footsteps, living up to their hopes and building a better Scotland. Today, let us not only be shamed by the domestic violence that has scarred our past and still too often scars our present, but celebrate what this Parliament's creation has given us the opportunity to do. In every previous generation, where women failed they gave their daughters the determination to succeed.

We fulfil those hopes today as we launch the first national funding package to tackle domestic violence in Scotland. We are matching our words to our actions, with support for hundreds more refuge places. However, because bed spaces are not enough, there is extra support for move-on accommodation, to help women who have the courage to leave to build a new life for themselves and their children.

However, as we have heard echoing around the chamber today, accommodation is the tip of the iceberg. We need to offer the full range of professional and self-help services. This morning, Jackie Baillie and I visited Women's Aid in Morrison Street. It is always humbling to see what Lesley Irving and her team do. I spoke to a support worker who works with black women in Scotland. She talked about the experience of black women who walk away from a marriage—when they do, they frequently walk away from a whole life. Too often, the victim's family has a stake in the marriage, which generates enormous pressure to stay. Often, there are no visible means

of support; there are language difficulties born of isolation in the home, there is fear of immigration consequences and there is a need to have access to specialist food shops and religious observance. That is a complex web of problems that refuge places alone cannot solve.

Even if we have more refuge places, more move-on accommodation and more support workers, none of that will be enough. As speaker after speaker made clear, if we simply treat the symptoms, we betray the generations that went before. Their vision, like ours, is for a different Scotland—a Scotland that abhors not just the symptoms of domestic violence, but its causes. In tackling the power relationships that lie at the heart of much domestic violence in Scotland today, we face challenges that earlier generations did not face.

We live in a media age. The ways of our neighbours, villages and communities no longer shape what is acceptable in society. Our planned support package for every secondary school in Scotland will not be enough. Today, our images, values and behaviours are fundamentally shaped by the media.

If, in this generation, we are to change the mindset of those who see nothing wrong in resorting to violence, abuse, and psychological tactics to control their partners, we need the whole-hearted support of the media in achieving universal condemnation of all forms of domestic abuse. I appeal to the Scottish media to work with us to drive home the message that there is no excuse for domestic abuse. I ask them to listen to the voices in the Parliament today. This is the real debate of the day—the debate that has the potential to touch the lives of thousands of vulnerable Scottish women—not what happened in some committee room this morning. I say to the media that the Parliament, local government, Scottish Homes and the voluntary sector have signed up to change. Will they play their part? I appeal to the media not to let us down.

Today's debate has been full of eloquence and passion—I cannot do that justice. We were all moved by what we heard today from Lyndsay McIntosh, George Reid, Margaret Curran, Johann Lamont and many others. I cannot pick up all the points that were raised, but I want to reaffirm one or two things.

The £8 million is being delivered in a way that will give us co-operation on the ground. That is why the matching money is part of the package—to get the local commitment and the buy-in. The Convention of Scottish Local Authorities is happy to offer the guarantees that people are looking for.

I invite George Reid to come to the Scottish Partnership on Domestic Abuse and to outline in

depth the very real issues on disability that he raised today. The new £8 million starts to address the needs that he has identified.

I want to reassure Roseanna Cunningham that the money is available to all voluntary organisations, not just to a few operating in this field. She made a point about time scales. We want early action and I can assure the chamber that, by Christmas, the partnership will move forward in identifying immediate priorities and service changes, immediate service standards and the need for new support and training.

On the legislative issues that Christine Grahame and others raised, I assure Parliament that by the end of the year we will announce our intentions for the reform of Scottish family law and the associated policy issues.

Dorothy-Grace Elder: Will the minister give way?

Ms Alexander: I am moving towards a conclusion.

We are determined to drive the agenda forward, but it is right and proper that this chamber should hold Jackie Baillie, the partnership and me to account.

I want to conclude by reflecting on where we have reached. Today's debate demonstrates that our Parliament has the strength of commitment to work together to achieve our ambitions for a level of service provision that is consistent with the needs of all women and children who are suffering at the brutal hands of the perpetrators of domestic abuse.

I finish with one observation. Today was another first—it was the first day that we had time for reflection in this place. As I listened, the minister read from a psalm:

"Let us build a house where prophets speak
And . . .
Where all God's children dare to speak".

We went on to pray:

"let a hunger and thirst for justice be the passion of this place . . . a place of listening and of healing and of hope."

Today we have together lived up to that hope. We stand in solidarity with women and men of good will across Scotland. This is a proud day for this Parliament. I commend to members the motion and the amendment.

Decision Time

The Presiding Officer (Sir David Steel): There are no Parliamentary Bureau motions to be considered, so we move straight to decision time. Before I call the votes, I ask members to check whether they have the right card in front of them; if they do not, there will be fraudulent votes. *[Laughter.]* I was not looking in any particular direction.

The first question is, that amendment S1M-221.1, in the name of Mr Alex Salmond, which seeks to amend S1M-221, in the name of Ms Wendy Alexander, on domestic violence, be agreed to.

Amendment agreed to.

The Presiding Officer: The second question is, that motion S1M-221, in the name of Ms Wendy Alexander, as amended, be agreed to.

Motion, as amended, agreed to.

That the Parliament supports the final Workplan prepared by the Scottish Partnership on Domestic Abuse and welcomes the establishment by the Scottish Executive of a Domestic Abuse Service Development Fund to improve local arrangements for assisting women and children who are victims of domestic abuse while at the same time recognising that a national strategy which includes public education and prevention programmes, shelter and support services and law enforcement initiatives remains an essential part of the campaign.

The Presiding Officer: That concludes decision time.

Telecommunications

The Presiding Officer (Sir David Steel): We now move to members' business. I ask those who are leaving the chamber to do so quietly, to allow the start of the debate on S1M-187, in the name of Mr Nick Johnston, on telecommunications. The debate will be concluded after 30 minutes. I will ask Mr Johnston to wait while members leave. *[Interruption.]* I ask members who are leaving to do so quietly, in fairness to the member whose debate this is.

Motion debated,

That the Parliament notes the proliferation of telecommunication masts in mid Scotland and Fife and the recent report of the House of Commons Science and Technology Committee into mobile phones and telecommunications.

17:04

Mr Nick Johnston (Mid Scotland and Fife) (Con): Today sees another first in the Parliament, but not one as grand as the two that we heard about before. I am pleased to have been asked to take part in debating my second members' business motion, and I understand that I am the first member to have been granted two members' business debates.

I chose this subject for debate against the background of a rapid rise in the demand for mobile phones, and as one of the 20 million mobile users in the United Kingdom today—a number that will rise to 30 million by 2001. The UK telecommunications industry employs more than 100,000 people and accounts for £5 billion of UK gross domestic product. Orange alone will invest around £800 million in the next year.

I do not want to give the impression of being anti the telecommunications industry. I fully support the extension of the network with the benefits that it will bring in terms of competition and accessibility. There is considerable unease about the current planning process. There is considerable public unease about the perception of health risks from telecommunications masts and mobile phones. There has been a proliferation of masts in Scotland and the response of the Executive to the considerable public anger at masts appearing in their communities, often without neighbour notification, must be investigated.

There are four issues: planning, health, community and competence. Taking the fourth first, we find another of the many anomalies thrown up by the inadequate drafting of the Scotland Act 1998. Telecommunications per se is a reserved matter under schedule 5 to the act and matters relating to health and safety are also reserved. We are therefore unable to legislate on

the health issues in this Parliament. What we can do, however, is ask the Executive to read carefully the third report of the House of Commons Select Committee on Science and Technology regarding the health risks associated with the effects of radiation from mobile phones.

I draw the Executive's attention particularly to the evidence of Mr Phil Willis MP, who said that more independent research is required before mobile phones and their transmitting base stations are deemed not to be a risk to public health and that, until independently validated evidence is available, the precautionary principle should be adopted.

The public, of course, have a right to choose whether to use a mobile. However, people who live in close proximity to base stations, or who have them in their children's playgrounds or beamed at their schools, have no such right and no such choice. I had better declare an interest, because not more than 100 m from my house there is a 25.4 m mast. The noise that members can hear from the public gallery comes from my children who, thus far, have not been damaged by the mast, but I am concerned about the health issues.

We look to Governments of every hue to protect the health of their citizens. We should also look to the Government to provide evidence that the risk to health from base stations and from mobile phones is so minimal or non-existent that it does not pose a threat. At this time, the Government can do neither, partly because there is insufficient peer group-validated research.

I welcome the setting up by the UK Government of the independent expert group on mobile phones under the chairmanship of Sir William Stewart. However, I am concerned by the fact that the secretariat seems to be provided by the National Radiological Protection Board, a body that has not inspired widespread public confidence so far.

I shall leave health and move back to the other factors that influence the debate, particularly the planning issues. The situation seems to be very confused, particularly when it comes to planning guidelines. I understand that, under the Telecommunications Act 1984, operators have an obligation to provide services to 90 per cent of the population within prescribed time limits. The regulations at present state that, broadly speaking, operators benefit from permitted development rights that allow them to erect free-standing masts and towers up to 15 m without the need to seek planning consent. Class 67 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 deals with that.

Perhaps I can illustrate some of the difficulties

with an example from my constituency, one that Mr Crawford knows only too well. Class 67 should not apply in conservation or national scenic areas. I do not want to bore members with tedious details but, in the case of the mast in Kinross, those regulations seem to have been circumvented by the excuse that the mast was a replacement for an existing mast operated by the police, so there was no need for permission.

After much to-ing and fro-ing between the council and one of my constituents, an appeal to the ombudsman produced a sympathetic reply, but it said that, in essence, the issue was a matter for the courts as the case would require a judicial judgment on the interpretation of the guidelines by the relevant planning authority. My constituent is now faced with the prospect of having to take legal action to prove the council to be at fault, and the cost to him has been conservatively estimated at 6,000 quid.

Surely that is not an acceptable situation. It leaves our community with a hideous monstrosity in the midst of the picturesque capital burgh of Kinross-shire, in the middle of a conservation area, replacing a police mast that was slim and discreet with a huge steel latticework festooned with dishes and aerials. I welcome the fact that the Transport and the Environment Committee is to hold an inquiry into telecommunications. I hope that its recommendations put pressure on the Executive to ensure that such ludicrous situations are not allowed to occur in the future.

We need the Executive to give clear and unequivocal guidance to local authorities. I call on it to explain to us how it intends to remedy the situation. How does it intend to protect our children? How does it intend to preserve the heritage of our country? How does it intend to encourage operators to effect the coverage imposed on them under the Telecommunications Act 1984 while minimising environmental damage? In short, how will it prevent another 25.4 m mast appearing in the middle of a town of historic beauty?

We must strike a balance between public good, public amenity, visual beauty and the benefits to communities. I commend my motion to the chamber.

17:11

Elaine Smith (Coatbridge and Chryston)
(Lab): I am pleased to participate in the debate, and I thank Nick Johnston for raising the issue. I also thank members who have shown support for the motion and the one that I lodged on telecommunications developments.

The issue has undoubtedly caused concern to communities throughout Scotland, and certainly to

some in my constituency of Coatbridge and Chryston. The erection of telecommunications masts in residential areas, near schools, nurseries and play areas, has sparked anxiety among parents, communities and society in general. Recent reports have suggested links between the emissions from those masts and serious illnesses, but the NRPB has stated that

“there is no evidence to suggest that these masts or their emissions are dangerous or a threat to public health.”

Importantly, the board has not stated categorically that the masts are safe. Its findings and statement do nothing to dispel the fears of our communities. Indeed, they may further fuel the notion that the emissions from those masts are not safe.

Dr Helen Irvine, consultant in public health medicine at Greater Glasgow Health Board, recently called for the implementation of the precautionary principle when it is proposed that masts be erected near schools, play areas, nurseries and residential areas until such time as evidence is found conclusively to determine their safety or otherwise. I hope that that stance will be supported by members and implemented by local authorities throughout Scotland.

It is important, however, to note that local authorities can take action only in respect to their own land and buildings. They have no formal role in any decision-making process regarding proposed masts under 15 m in height on private land—as Nick mentioned. Such masts can appear unannounced and unplanned and have caused a certain amount of visual pollution of the environment.

Authorities are also unclear on their legal ability to reject planning applications solely on the basis of the public perception of danger. Despite receiving about 400 protests to a planning application for the erection of a mast in a small community in my constituency, the local authority felt ill at ease with including public perception as one of the planning considerations in rejecting the application. That was because of the lack of clear, unequivocal guidance on the public perception of danger as a valid planning consideration. I commend the authority on its decision to refuse planning permission for that development.

Such planning factors can and should be addressed by the Parliament. Like Nick, I acknowledge the inquiry recently set up by the Transport and the Environment Committee, into planning and other issues surrounding telecommunications developments. I welcome the Scottish Executive's proposals to address some of the concerns surrounding those developments. However, its proposal to implement a prior approval scheme for masts under 15 m does not fully address the two most important factors that

relate to permitted developments: public concern and local authority powers. It is an anomaly in our planning process that the public's concern about those developments, justified or not, cannot be formally raised when dealing with masts under 15 m high and cannot be definitively construed as a valid planning consideration regardless of the height of any proposed mast.

Giving full powers to local authorities to carry out a formal consultation process and to make informed decisions, rather than suggestions, on all such developments would help to ease public anxiety and would allow the authorities better to control the siting of all developments to the areas of least possible impact.

The prior approval scheme will depend too heavily on the good will of developers to make alterations to their proposals. It is likely that any developer submitting a proposal for the erection of a mast at a particular site would have previously investigated other options, and so would be reluctant to make alternative arrangements.

I call on the Executive to rethink the introduction of the scheme, and instead to remove telecommunications developments from the class of permitted developments in the Town and Country Planning (General Permitted Development) (Scotland) Order 1992. I ask the Executive to issue guidance to planning authorities on the legality of accepting public perception—on health or any other grounds—as a valid planning consideration.

We are a new legislature and can lead the way in effectively addressing the concerns over the issue. We must take the steps that are necessary to ease the anxiety in our communities throughout Scotland.

17:16

Bruce Crawford (Mid Scotland and Fife) (SNP): I thank Nick Johnston for his motion. It concerns an issue that should be addressed.

I want to reflect on the experience that I have had with a telecommunications mast in Kinross, which is in the constituency that Nick and I share. It has been a dreadful experience. I was the leader of Perth and Kinross Council when the mast was erected. It was erected under permitted development rights, and under powers that were delegated to officials, and so was in the process of being erected before many of us became aware of it, although the people next door to the mast—who happen to be here today—became aware of it sooner than we did.

The mast has been called a number of things, such as Kinross's folly, and I have heard it called Crawford's folly, because I was the leader of the

council at the time. The mast is a hideous abomination and we must find a way to address that, perhaps through legislation. I know that we cannot legislate retrospectively, but a method must be found through a legislative process to get rid of the carbuncles that already exist. I do not know what that process might be, but we must find a way to do it.

In dealing with the issue of masts, I was concerned that we had a dispute between what the planners were saying and what the local people understood the legislation said. Unfortunately, the matter will need to be resolved by the courts. There are extremely grey areas in the legislation around the interpretation of words such as differing and sizes. That must be sorted out.

As we have heard, many local authorities have taken prudent avoidance action with regard to their schools and other places. Many fire brigades are doing the same, and a number of police forces are now waking up to the issue. The mast in Kinross that I referred to is at the back of a police station. I understand that Tayside police are reviewing their policy on telecommunications masts because of the difficulties that have arisen.

As a Parliament, we need to take on board the thrust of the Maastricht guidance on prudent avoidance and on the precautionary principle. Other countries have done that. New Zealand has a safety limit that is 1,000 times less than that which exists in the UK, so we must take on board international evidence when we deal with the issue.

We have seen masts taken down because of public pressure. I hope that because of Nick's actions today, through the work of all-party groups and through all-party pressure, we can have the mast in Kinross removed from our shared constituency. I also hope that through joint action and joint agreement in this Parliament we can introduce proposals that can start to deal in a much more meaningful way not only with future masts, but with the masts that have already been erected, so that we can resite them to much more satisfactory positions.

I could go on and on about the subject, because it has driven me to distraction for a number of years, but other members wish to speak and I will let them do so.

17:19

Mr Keith Raffan (Mid Scotland and Fife) (LD):

I do not want to repeat the points that have already been made, but I wish to congratulate Nick Johnston on obtaining this members' debate. I also congratulate him on quoting a Liberal Democrat, Phil Willis, who, in the House of

Commons, has been in the vanguard of campaigning on the issues—particularly the health issues—related to mobile phones.

I want to comment on the House of Commons Science and Technology Committee report. There is no doubt that there are increasing scares about the use of mobile phones. The report makes clear the concerns of the Science and Technology Committee, although it does not say much that is new. However, in response to the report, the Government has set up an expert group on mobile phones, which is due to report early next year. Research must be on-going.

The mobile phone companies—through the charges that they impose on us—have made huge profits in recent years, because of the amazing growth in the use of mobile phones. It is in their interests to allay public fears as soon as possible. I hope that we will get on-going—if not conclusive—research that will ultimately prove that mobile phones are not damaging.

I want to discuss planning, which is an important issue. It has been discussed in terms of Kinross, in particular, but I know that fellow members for Mid Scotland and Fife will be aware that the issue extends beyond Kinross. One of the problems in Scotland is mobile phone coverage. That is increasing all the time. I used to be based in the village of Forgandenny, just south of Perth, where my mobile phone did not work. As soon as I drove over the hill, on the way to Perth, the phone would start ringing to let me know that I had numerous messages.

The operators are keen to extend coverage so that reception is available throughout Scotland. There will be an increasing tendency to put up masts, because of the obvious difficulties in the terrain. Those masts are likely to be erected in areas of outstanding natural beauty. I use that phrase not in the technical and legal sense, but to describe areas whose natural beauty is outstanding, some of which will be protected and others that will not. It is important that the Parliament's committees and the Scottish Executive move on the issue.

Nick Johnston's motion had to be redrafted because, as he and Elaine Smith said, without permission, operators can erect masts up to 15 m high, which is an anomaly. That loophole should be closed as soon as possible. I do not know whether we can act retrospectively, but I do not want to see such masts springing up throughout other parts of the region, particularly in Perthshire and the Highlands, where current mobile phone coverage is poor. In the near future, coverage will be expanded in such areas, and will result in the appearance of those intrusions—or, as they were rightly called, pollutions—in the landscape.

We must move forward on the health and planning issues in tandem. I share concerns about the health issues, which have had increasing publicity in recent years. One of the first people thought to have been a victim of mobile phones was a former chairman of the United States Republican party, who was a regular mobile phone user and who suffered from a brain tumour. That was why the British media first highlighted the health issues surrounding mobile phones. There are increasing concerns about that, which need to be addressed.

17:24

Dr Sylvia Jackson (Stirling) (Lab): I thank Nick Johnston. This is a heated issue for most members, who will have been approached by constituents who have seen a mast being erected close to them—an obvious concern.

An article in *The Guardian*, from 20 October, examined the recent and rapid development of mobile phones, suggesting that one in four people currently own a mobile phone. As we know only too well, the mobile phone masts are a necessary part of that expansion. No one wants to stand in the way of technological progress and it is a balancing act to keep abreast of developments while taking on board the important issues that have been raised this evening. One such issue is public concern, about which Elaine Smith spoke at length.

I will jump some points, as many of them have been covered already.

Although it has been reported that about half the 32 local authorities in Scotland are adopting precautionary practice policies, half of them are left with no guiding principles, which is quite scandalous. The Scottish Parliament information centre's briefing paper details how many countries, including the USA, Sweden and so on, have taken precautionary steps against the siting of transmitters because of public concerns about the health issues. The Minister for Transport and the Environment has stated that a Scotland-wide code of best practice will be developed; I want to hear from her about the time scale of some of those developments.

As Nick said, we welcome the establishment by the Department of Health of the independent expert group on mobile phones, which will conduct a rigorous assessment. However, I take on board what he said about the involvement of the NRPB. There is a great lack of planning regulations. The suggested proposals seem too ambiguous and ad hoc, and leave it too much to chance whether the local authority will take up a planning issue. I urge the minister to examine seriously how we can put more rigour into the prior planning proposals that

have been suggested.

We await the findings of the independent expert group. While some of the issues are being dealt with at Westminster level, we should take some initiatives in Scotland, both at the prior approval stage and by bringing into operation the precautionary principle. I urge the minister not only to consider those issues but to give us a time scale for what will happen in future.

The Deputy Presiding Officer (Ms Patricia Ferguson): While we are reaching the point where the debate should come to a close, a number of members have indicated that they wish to speak in the debate.

Elaine Smith rose—

The Deputy Presiding Officer: I call Elaine Thomson—sorry, I call Elaine Smith; I called the wrong member. [*Interruption.*] Please put your card in, Elaine.

Elaine Smith: I move,

That the debate be extended.

The Deputy Presiding Officer: I am minded to accept that motion. Can you give me an idea of how much time is required? Thirty minutes, perhaps?

Elaine Smith: The maximum time would be 6 o'clock.

The Deputy Presiding Officer: I will accept the motion, if that is acceptable to members. That does not mean that we must run on until 6 o'clock, but it will give other members an opportunity to speak.

David McLetchie (Lothians) (Con): On a point of order. It is my understanding that the Presiding Officer said the other day that there would be no extensions to adjournment debates and that the domestic violence debate that was extended was, if you like, an exception. Is not that correct, or are we going back on that policy?

The Deputy Presiding Officer: I am not aware of that having been said in that exact way. My understanding is that the standing orders allow a member to move a motion to extend. For that reason, I will accept the motion. However, we shall double-check the position, just to be on the safe side.

The question is, that the motion be agreed to.

Motion agreed to.

17:28

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I too congratulate Nick on securing this debate. I do not disagree with what has been said so far, but Sylvia, in particular,

picked through the subject in a wise manner.

From the slightly different perspective of the northern Highlands rather than that of Kinross, on a positive note, the good news is that we welcome the increase in the use of telephones because they provide much-needed, vital jobs in Thurso and Ainess in my constituency. Indeed, the improved reception in parts of Sutherland is welcomed locally. On a more fearful note, we must be careful not to scaremonger about this issue. I see that Dr Simpson is here and I share his fears.

I do not know how many members remember the repeat of the programme about Alan Clark, which was recorded a year or two before he died. In the programme, he said, "I am not going to use this damned thing and give myself a brain tumour". My own children, who are at secondary school, say to me, "Dad, can I have a mobile phone?" I fall about laughing, but they say, "But our classmates have them". Mobile phones are found throughout our schools and, quite frankly, they are a curse. It is a joke that kids use mobile phones and pagers, but it is a chilling thought to consider the possible health risks. I stress that they are only possible.

I would like to add my support to what Keith said. Let us dig into the health issue as deep as we can and as soon as we can. I think that Sylvia got it right when she said that, although many of these matters lie with another place, it behoves us, as the Scottish Parliament, to take a Scottish initiative, as Sylvia put it, and to recommend that the minister take as good a look as she can at the issues and, if necessary, make representations to Westminster.

17:30

Mr Andy Kerr (East Kilbride) (Lab): I can bring good news to this debate. If members have followed the work of the Transport and the Environment Committee, which I have the pleasure of chairing, they will see that we have already had a pre-briefing on the subject. I have arranged for our next four meetings to be on the subject of mobile phone masts and their effects. For members' information, we have received 102 responses from the general public, organisations, community groups, health bodies, local councils and other bodies regarding our investigation. I have sent a proposed list for giving oral evidence to the committee.

Our colleagues from Kinross are with us today. I have seen the photographs and I understand their concerns on the local issues. Their submission was a very good one. We intend to take a broad view of whom we will invite to give evidence to us. Obviously, we will invite representatives of the industry, the mobile phone operators, as well as local planning authorities, community

organisations and individuals.

I hope that we get a broad view of what is going on, because there is genuine concern. I first came across the situation when a member of a residents association from Lister tower in East Kilbride approached me and said, "We've got this thing on our roof. What does it mean for us? What is the effect on us?" We need to deal with such matters. We can deal with them in the powerful committees of this powerful Parliament. That is what the Transport and the Environment Committee will be doing over the next month or so.

That is a good example of dealing with an issue which has come to members through postbags or surgeries. We can drive it into our system, a committee can pick the matter up, draw together the best brains, I hope, in the country and bring in the Executive, who have, from my discussions with Sarah, always been open to what the committee is trying to achieve. I hope that we can come to a solution which will benefit communities, but which will also address the balancing act that is required when taking into account the technological development that mobile phones represent. We need to ensure that we benefit from the technology.

The bottom line is safety and confidence in the planning regime. The Transport and the Environment Committee will examine this issue with great thoroughness, will take on board the views that it receives and will draw its own conclusions on the Executive's position, as the committees are allowed to do in this Parliament. We will bring our view back to the chamber. The committee is working effectively on the issue, and I hope to bring good news back here.

17:33

Dr Richard Simpson (Ochil) (Lab): I want to address a couple of issues. First, I want to give some examples from my and Dr Jackson's constituencies. We had a telecommunication mast, a base mast, erected by the M9 motorway, near Lecropt church. Anyone who has driven up that motorway, towards the Keir roundabout, will remember this excrescence being placed in front of what was a listed building.

Fortunately, the rules that were created said that if the mast caused problems with a listed building, it was possible to do something about it. The campaign resulted in the mast being removed. It is not always impossible, with local support, to run a successful campaign. More important than the removal of the mast was the consequence. In conjunction with Scottish Natural Heritage, the masts were replaced with synthetic pine trees at the Keir roundabout. I would invite members to look at that. They are a nice addition to the

arboreal scenery in the area.

I cannot understand why, if it is possible to do that in rural areas, it has not been possible elsewhere. Driving down the motorway from the Keir roundabout towards where the Edinburgh and Glasgow motorways divide at Pirnhall, motorists will see a positive plethora of masts. Even at the time, the original guidance, formulated under the Conservative Administration, when the development of this technology was, quite rightly, encouraged, said that the masts should not be clustered in such a way and that companies should co-operate to make the masts joint or whatever. There is no evidence that that has happened. It seems to me that there should be an opportunity for local authorities to say, "We will have a mast, but the masts should be together in an area." That is the second example.

The third example, which has been mentioned already, has been raised with me by a number of constituents. That is the Kinross issue. Nick Johnston, whom I congratulate on this motion, is one of my constituents. He may well complain to me about this mast which, I am glad to say, Bruce Crawford said is a disgrace. It represents the real problem, as the local authority had to interpret the planning consents in a particular way. That mast was a replacement mast and the way that the legislation is written means that an existing mast can apparently be replaced without any great planning consent or restrictions. This is not a 15 m mast. It is much taller than that and it looks appalling. All those aspects of the legislation must be addressed, and I hope that they will be.

The other public concern is about health. We must divide the issue of mobile phones from that of base masts. The thermal radiation from mobile phones, which are held close to the head, is close to the skull and the brain. For children, I strongly advocate to parents that the precautionary principle should apply. We should not encourage children to use mobile phones. However much it is the cool thing to do, it may not be cool, it may be rather hot and may cause significant problems.

On the base masts, we do not know exactly what the situation is because low-intensity radiation may have significant effects of which we are not aware. The NRPB, in defining the current regulations, has considered only one part of the safety regulations. It has dealt with that appropriately, but there are other areas that this new expert committee will address. I welcome the fact that, to my knowledge, 12—Sylvia says 16—authorities have adopted a principle whereby, for the moment, no more masts should be erected within 200 m of schools. That is a reasonable precaution until the results are produced. We must be cautious around schools, play areas and other areas where there are large numbers of children.

I welcome this debate and hope that the minister will respond to some of the points that have been raised.

17:37

Elaine Thomson (Aberdeen North) (Lab): I, too, also welcome the opportunity to speak in this debate and congratulate Nick Johnston on bringing the issue forward.

The current spread of telecommunication masts is undoubtedly causing people concern. It is not just in Mid Scotland and Fife that radio masts are springing up. In my constituency, Aberdeen North, the residents of Bridge of Don now have two masts that cause them concern. One is under 15 m, so it did not require planning permission and appeared at the bottom of their gardens one morning without advance consultation. The second mast has been in place for more than 20 years. It originally had only a couple of dishes on it, but over the last year it has blossomed—if that is the right word—with new dishes and transmitters. Extra buildings and generators are also being built around its base. The current extension will apparently make it one of the biggest Cellnet transmitters in Scotland.

I welcome the work that the Transport and the Environment Committee is doing in this area. Some of my constituents have contributed to the consultation that is being carried out by that committee.

The use of mobile phones is exploding. As was mentioned, one in four of the population now has one. Given some of the other technological changes, such as access to the internet via mobile phones, this market will continue to grow. It grew by 54 per cent in 1998 and the UK is now the third largest wireless market in Europe. We will soon all carry a mobile phone or an equivalent communication device. That will undoubtedly mean the erection and expansion of more telecommunication masts.

We must ask what the risks are. People are concerned about the risks of the use of mobile phones and about living close to these masts. There is uncertainty, which must be dealt with. As has also been mentioned, many local authorities no longer permit the erection of masts and transmitters near or on schools. That underlines their belief that there are health risks, although those risks might or might not exist. More research must be done so that people can be reassured. That certainly applies to those who live close to masts. As a result of the current planning regulations they, as I outlined earlier, often have little or no control over the extension or erection of masts close to them.

There are other questions, some of which

Richard referred to. All sorts of bodies, including the Royal Society of Canada, have said that the evidence is unclear on the neurological effects—headaches, nausea, tiredness, sleep problems and memory loss—of using mobile phones, and that further research is justified. I sometimes suffer from those problems but, so far, I have put them down to my life as an MSP rather than to use of my mobile phone.

Like many people I wonder what the risks are. I also welcome the creation of the independent expert group on mobile phones and I look forward to hearing its conclusions. We need to know—for our own sakes and for the sake of everybody in Scotland—what the risks are of using mobile phones or living close to radio masts. We need to know whether there are genuine health risks or whether we can allay people's fears.

17:41

The Minister for Transport and the Environment (Sarah Boyack): I am very grateful to Nick Johnston for initiating this debate and, given his success rate with members' business so far, I am tempted to take a tour of his area of the world to see what else is lying around there that he is likely to bring up in the future.

The debate has been useful. Members' contributions have been informed and thoughtful and that has been useful to the debate. It is important that we discuss this issue, and I am grateful to the Transport and the Environment Committee for the fact that it is conducting an inquiry. It seems to me that that is a classic way for a committee to make a distinctive contribution to the work of our Parliament. It enables us to have a debate such as this in the open and to focus on the issue.

I am also happy to be able to explain the Executive's position on the matters that have been raised as quite a few detailed questions asked about what we intend to do. I am happy to take the opportunity to outline what we will do regarding some of the issues.

It is clear—and Nick Johnston was absolutely right in his opening remarks—that some of the issues that we are discussing are within the competence of our Parliament. Other issues—for example, those that are to do with health and safety, telecommunications and wireless telegraphy—are reserved to Westminster. We need to take that on board, but it should not prevent us discussing those issues. On the other hand, the planning system and health matters in Scotland are either wholly or partly devolved, so there are particular issues on which we can act.

In Scotland we do not gather statistics about the level of growth that there has been in mobile

phone installations, but we are all aware that there has been a proliferation of them. That is not, in itself, a problem. The issue of health matters that Nick mentioned, the fact, which Elaine Thomson mentioned, that mobile phone masts seem to appear without notice in some circumstances, and the issue of people not being clear about the planning process are issues that I would like to address in my remarks.

First, I will clarify what is meant by permitted development rights, which confuses many people. Permitted development rights were granted through the Telecommunications Act 1984. That meant that telecommunications operators did not need to get planning permission for relatively minor developments. Masts that did not exceed 15 m were allowed permitted development, which meant that in certain areas the developers were able to go ahead without the involvement of the planning authority.

The purpose of that exemption was to enable the telecommunications industry to expand. It has certainly done that. Many of the comments made by members this afternoon have been about the balance that must be struck between the expansion of the industry and issues of amenity that must be taken on board.

We know that there has been expansion and that the Westminster Government, through Calum Macdonald, conducted a consultation process last year. A range of measures resulted from that consultation and I am keen to introduce them as soon as possible. I do not want to go into the detail of the proposals, but direct questions have been asked today and clarification would be useful.

For masts under 15 m, we intend to introduce a 42-day prior approval procedure, which would require telephone operators to notify local authorities that they intend to construct a ground-based mast that is under 15 m in height—masts higher than 15 m already require planning permission. Our proposal would extend the current 28-day procedure by 14 days, which would enable the local authority to consult on the development and inform people about it. Notification would be at the operator's expense and would be done through an advert in the local newspaper.

For other equipment that is under 15 m in height—radio housing equipment and so on—a 28-day procedure is proposed. That would require the operator to apply to the planning authority for a decision on whether prior approval is needed for the siting of the development. That would let issues such as amenity to be considered and enable the planning authority to judge what it wanted to say to the operators. Sylvia Jackson suggested that there is a degree of ambiguity. It is important, however, that local authorities are given the opportunity to discuss with the operators what

is acceptable in their area.

We intend to add sites of special scientific interest to the list of areas where permitted development rights are restricted. That list includes conservation areas and national scenic areas and I, like Keith Raffan, am keen that local authorities should be able to control planning issues in such areas.

We want to ensure that the public has more information on the issues involved and that the local authorities can engage in constructive discussions with the operators. The majority of proposals are likely to be acceptable but the public should be able to do something about cases that cause particular concern locally. The onus is on the planning authority and the 28-day and 42-day periods are critical.

Mr Johnston: Am I correct that if the planning authority fails to meet the time scales, the operator would have the right to carry out the development anyway?

Sarah Boyack: That is right. That is why I said that the onus is on the local authorities.

We will issue local authorities with a proposed code that will clarify some of the matters that have been raised today. We need the local authorities to establish procedures whereby these things can be dealt with effectively. We want to enable mobile phone operations to go ahead, but we also want more control over the process and we want the process to be more transparent and accountable. I think that we will be able to deliver that.

There have been a number of comments about the impact of mobile phone installations on health. One of the problems is that the planning system was not designed to deal with those matters specifically. We need to re-examine the planning process and health and safety legislation. We should consider the report of the House of Commons Science and Technology Select Committee and the independent research that was initiated by Tessa Jowell. The report stated:

“Validated scientific evidence supports the conclusion that neither mobile phones nor their associated base stations, if they comply with current maximum exposure guidelines—as they appear to do—present a health hazard.”

Those comments appeared at the end of that report.

We must examine closely the results of the independent research that is being carried out. I understand that all members of the Scottish Parliament were notified that that was going to take place. We will follow those results with great interest. In the meantime, our new procedures will help the process. They will bring transparency and more clarity to the process, and will, I hope, allay

many of the concerns that members have expressed this afternoon.

The Deputy Presiding Officer: Thank you very much. That brings the debate to a close for this evening. I thank members for their attendance.

Meeting closed at 17:50.

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