

MEETING OF THE PARLIAMENT

Wednesday 24 November 1999
(*Afternoon*)

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CONTENTS

Wednesday 24 November 1999

Debates

	Col.
TIME FOR REFLECTION	827
SOCIAL JUSTICE	829
<i>Motion moved—[Ms Alexander]—and agreed to.</i>	
<i>Amendment moved—[Fiona Hyslop]—and disagreed to.</i>	
<i>Amendment moved—[Bill Aitken]—and disagreed to.</i>	
The Minister for Communities (Ms Wendy Alexander).....	829
Fiona Hyslop (Lothians) (SNP).....	834
Bill Aitken (Glasgow) (Con)	838
Mr Keith Raffan (Mid Scotland and Fife) (LD)	840
Ms Margaret Curran (Glasgow Baillieston) (Lab)	842
Mr Adam Ingram (South of Scotland) (SNP)	844
Tommy Sheridan (Glasgow) (SSP)	846
Robert Brown (Glasgow) (LD)	848
Mr Jamie McGrigor (Highlands and Islands) (Con).....	850
Mr Lloyd Quinan (West of Scotland) (SNP).....	851
The Deputy Minister for Communities (Jackie Baillie).....	853
LAND REFORM	857
<i>Motion moved—[Mr Jim Wallace]—and agreed to.</i>	
<i>Amendment moved—[Roseanna Cunningham]—and disagreed to.</i>	
<i>Amendment moved—[Alex Johnstone]—and disagreed to.</i>	
The Deputy First Minister and Minister for Justice (Mr Jim Wallace)	857
Roseanna Cunningham (Perth) (SNP)	862
Alex Johnstone (North-East Scotland) (Con)	866
Rhoda Grant (Highlands and Islands) (Lab).....	870
Tricia Marwick (Mid Scotland and Fife) (SNP)	871
Maureen Macmillan (Highlands and Islands) (Lab).....	873
Phil Gallie (South of Scotland) (Con)	874
Mr John Munro (Ross, Skye and Inverness West) (LD).....	875
Johann Lamont (Glasgow Pollok) (Lab)	877
Irene McGugan (North-East Scotland) (SNP)	879
Allan Wilson (Cunninghame North) (Lab).....	880
Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD).....	881
Euan Robson (Roxburgh and Berwickshire) (LD)	882
Alex Fergusson (South of Scotland) (Con).....	884
Alasdair Morgan (Galloway and Upper Nithsdale) (SNP)	886
The Deputy Minister for Justice (Angus MacKay)	888
SUBORDINATE LEGISLATION	892
<i>Motion moved—[Iain Smith]—and agreed to.</i>	
The Deputy Minister for Parliament (Iain Smith)	892
DECISION TIME	893
TOBACCO SALES	905
<i>Motion debated—[Ms Oldfather].</i>	
Ms Irene Oldfather (Cunninghame South) (Lab)	905
Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP).....	907
Ben Wallace (North-East Scotland) (Con).....	907
Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD)	908
Hugh Henry (Paisley South) (Lab)	909
Mr Kenneth Gibson (Glasgow) (SNP)	910
Mr Brian Monteith (Mid Scotland and Fife) (Con).....	911
The Minister for Health and Community Care (Susan Deacon).....	912

Scottish Parliament

Wednesday 24 November 1999

(Afternoon)

[THE PRESIDING OFFICER *opened the meeting at 14:31*]

Time for Reflection

The Presiding Officer (Sir David Steel): I invite the Reverend David Beckett, the minister of Greyfriars Tolbooth and Highland Kirk, Edinburgh, to lead us in our time for reflection.

The Reverend David Beckett (Minister of Greyfriars Tolbooth and Highland Kirk, Edinburgh): Thank you, Sir David. It has given pleasure to all of us who worship—both in English and in Gaelic—at Greyfriars, that Scotland's Parliament is meeting in our parish, even though it is not to be its long-term home.

The very existence of this Parliament is the fulfilment of a long-expressed wish of the Kirk's general assembly. Even at this early stage, it is interesting how often the concerns of Church and Parliament converge—as they do in the issues that the Parliament will discuss today. Social justice is perennially on the Church's agenda. If it ever disappeared from that agenda, the Church would no longer deserve to exist. Land reform has been a major concern of our Church and Nation Committee for the past few years. We must all be concerned by the different forms of drug dependence in which so many of our young people become trapped.

This next week brings us to two significant dates. For Christians, Advent—which begins on Sunday—reminds us of our ultimate accountability. That accountability gathers us all in, whether we are in a position of power or whether we simply share the responsibility to one another and for one another that is common to every member of the community. The other date is St Andrew's day, which I am sure will strike a less nostalgic and more forward-looking note this year than it did before the Parliament was here.

Perhaps it is good that there is so little in the gospel about Andrew and that there is even less sure historical foundation for his legendary connection with our country. That makes it impossible to argue about him which, almost certainly, we would if we knew more—even in the Church we find it difficult to argue much about St Andrew. It also allows us all to project on to our patron saint and on to our national day our different visions of the caring, hospitable,

community-spirited Scotland that we all want to see from our different perspectives.

Let us pray.

Let us thank God for Scotland—for its beauty, its variety and for its heritage. Let us ask his guidance for the business of this day and pray that all of us together—Parliament and people—might build up a nation of sound values, of just laws and respect by all for all.

May the grace of our Lord Jesus Christ, the love of God and the leading of his Holy Spirit be with you in all your discussions. Amen.

The Presiding Officer: Before we begin this afternoon's business, I remind members that because of the two heavy debates that we have today, decision time will be at half-past 5 instead of 5 o'clock, as normal.

Fiona Hyslop (Lothians) (SNP): On a point of order, Presiding Officer. The Executive launched its social justice targets on Monday and trailed the news on Sunday. On Thursday 4 November, you said that it is up to

"the Executive which statements are of sufficient policy significance to be made in Parliament."—[*Official Report*, 4 November 1999; Vol 3, c 356.]

Do you agree that a launch with so many ministers and with such a turnout today shows that, in such a matter, we must ensure that the Executive does not treat the Parliament with disrespect? What can you do to restore people's confidence that measures will be announced in this Parliament and to this chamber?

The Presiding Officer: I am grateful to the two Opposition spokespeople, Ms Hyslop and Mr Aitken, for raising the issue with me. I have given the matter some careful thought. A written question on this subject was lodged on Friday and was properly answered on Monday, indicating that the document was going to be published that day. Unfortunately, our own procedures meant that the answer was not available on the web until today and will not be published until next Monday. We need to re-examine our procedures for written answers if that practice is to be followed. I will raise the matter at my next meeting with the First Minister, whom I meet occasionally to discuss matters of mutual concern. However, I understand that substantial issues have not been announced in advance and are being announced to the Parliament today. We should begin the debate and listen to what the minister has to say.

Social Justice

The Presiding Officer (Sir David Steel): The first item of business is a debate on motion S1M-314, in the name of Ms Wendy Alexander, on social justice.

14:37

The Minister for Communities (Ms Wendy Alexander): Today we debate the document "Social Justice ...a Scotland where everyone matters", which was published with a parliamentary question more than 48 hours ago to give everyone the chance to read and prepare for the debate. We were not going to sneak it in by a statement. It is sad that some people's horizons appear to extend no further than the next headline.

This document reaches out to all those Scots who, in May, voted for a fairer nation. This is quite simply the most comprehensive anti-poverty programme ever in Scotland. It is about measuring what matters: abolishing child poverty, restoring full employment and giving security in old age. As our nation has been worn down by 20 years of broken promises, I want to address the cynics, the faint hearts and sceptical Scot himself. The first challenge posed this week by sceptical Scot was that this document is nothing more than motherhood and apple pie. Where is the beef?

Alex Neil (Central Scotland) (SNP): Will the minister give way?

Ms Alexander: I am not going to take interventions. If Mr Neil lets me finish my opening remarks, he will be able to speak in the ensuing debate.

What does ending child poverty mean precisely? It means fewer Scottish children in households with absolute low incomes, which is about £217 for families with three children. Furthermore, it means fewer Scottish children with persistently low incomes, in households with relatively low incomes or in homes where no one works.

However, ending child poverty is about more than income. We need to raise the number who achieve reading, writing and maths competence in P2 and P7. All children must have quality pre-school learning. There must be fewer low birth-weight babies and fewer homeless children in temporary accommodation.

Who does the Opposition think it is kidding when it calls the document too vague?

Ms Sandra White (Glasgow) (SNP) rose—

Ms Alexander: This is the most tightly drawn contract ever between the governed and the government in Scotland, with its commitments on

unemployment, income, education, early years, health and housing.

Sceptical Scot's second charge is that the document is too visionary. The charge is that we cannot set long-term objectives beyond one session, as we do not know how the world will change.

We make no apology for having vision.

Nicola Sturgeon (Glasgow) (SNP): Will the minister give way?

Ms Alexander: Nobody in this chamber was elected to keep their eyes glued on the ground. With 50 days to go to the new millennium, let us remember that, 100 years ago, radicals of this nation dreamed of free health care, public housing, the right to strike and the right for women to vote. Those radicals were called utopian progressives, socialists, and dreamers. We should be no less ambitious. If the nation contributes 40 per cent of its income in taxes to the state, does anyone here think that that is not enough to wipe out child poverty in 20 years? I am proud that our Prime Minister's fourth child will grow up in the years in which its parents' generation is determined to end child poverty.

The third charge from sceptical Scot is that 20 years is too slow—what about here and now? I say to all those self-appointed and well-meaning guardians of the flame of Scottish socialism who fear they might not be here in 20 years—the Bob Holmans, Jimmy Reids, Alasdair Grays and the thousands like them who feel that they have grown tired wanting—that the battle has already been joined. The previous two budgets alone were enough to take 60,000 Scottish children—one in five—out of poverty. That is before the new deal cuts youth unemployment by 60 per cent over two years and long-term unemployment by 40 per cent.

Finally, we have the sceptical Scot who asks where the money is coming from. Let me spell out that, by the end of this session, we will be spending £6 billion more on families and children each year across the UK. That works out at more than £5 per day for every child in poverty in Scotland. That is just the contribution of tax and benefits; if we add to that what we are spending in Scotland—another £2—it can be seen that there will be £7 extra per day for every child in poverty. That new wave of spending is just beginning to have an impact on the ground, so it is hardly surprising that people feel that there has not been enough progress yet. This session is only one eighth of the way through its life, and only one sixth of the extra money that we have committed has been spent, but its impact will grow and grow.

Having dealt with sceptical Scot, I turn to the Opposition amendments. On Monday, Bill Aitken

of the Tories said that this report was motherhood and apple pie and that no one could disagree with it. Let that sink in. It was said by a Tory. The Tories were in power from 1979 to 1997, during which time the number of people living in relative poverty in Scotland doubled, and the number of children living in poverty and the number of children in homes where no one was in work more than doubled.

The Tories say that no one could disagree. Bill Aitken, David McLetchie and Lord James Douglas-Hamilton represent a party that gloried in the widening of divisions and in the myth that the strong could prosper only by trampling on the weak. We do not quarrel with their commitment to enterprise, but we dispute their dogmatic determination that it must be bought at the price of social justice. The Tories denied social justice for 20 years. It is a rather hegemonic victory for the third way in the battle of ideas if they are now committed to social justice, but I wonder whether William Hague knows.

The SNP is an altogether more chameleon-like species. Yesterday, Fiona Hyslop wrote five main criticisms in *The Herald*. The first was that we are tracking the economic cycle rather than actual poverty. That is nonsense. If low absolute, persistent and relative levels of poverty are not measures of poverty, I do not know what are.

The second was that the use of UK measures meant that

“a truly Scottish perspective has been lost.”

Low absolute, relative and persistent poverty is the same in Newcastle as it is in Nitshill, and the same in Liverpool as it is in Lesmahagow.

Fiona Hyslop (Lothians) (SNP): Will the minister give way?

Ms Alexander: The member will have 10 minutes immediately following this speech.

Let us push the SNP logic a bit further. If we used lower average incomes in Scotland, we would be suggesting that there are fewer people in poverty in Scotland than there actually are. We will use the more ambitious UK targets.

Ms White: Will the minister give way?

Ms Alexander: Thirdly, Fiona Hyslop said that the 20-year child poverty target is not broken down in a way that makes sense to parents. That is nonsense. To take one measure, 50 per cent of average income is £2,223 in today's prices for a family with two children.

Mr Lloyd Quinan (West of Scotland) (SNP): On a point of order. Is it acceptable for the minister to speak to us about—[*Interruption.*]

The Presiding Officer: Order.

Mr Quinan: Is it not essential that the minister addresses the debate and the motion, not an article in *The Herald*?

The Presiding Officer: The minister is making her own speech.

Ms Alexander: Fourthly, the SNP suggests that no indication is given of how many people will be taken out of poverty. Let me confirm that the figure is 60,000 children in the two budgets that we have had so far.

The fifth criticism is that fuel poverty was missed out. Let us plead guilty, but not because we are not going to tackle it. I ask members to remember that, according to the programme for government, 100,000 Scottish homes are to benefit from the warm deal. That was backed last week by the largest ever energy efficiency programme and a £100 individual winter fuel allowance.

What lies behind the SNP's sniping? The question that Fiona Hyslop and her colleagues are terrified of is, “What would they do?”

Ms White: Will the minister give way?

Ms Alexander: That is the crux of this debate. I ask SNP members to cast their minds back six months to April, those last days of the countdown to this Parliament. Where is the economic strategy? Where are the numbers? They should face the music. Eventually we got out the calculator and came up with the black hole. That black hole was £1.1 billion—I apologise to Andrew Wilson, it was £1.3 billion. Let us be generous and assume that it was only £1 billion: £1,000 million.

How is that black hole to be filled? The 36 per cent rise in child benefit—gone. Child care tax credit—gone. Allowance of £100 a week, to help with child care—gone. The working families tax credit—gone.

Linda Fabiani (Central Scotland) (SNP): Will the minister give way?

Ms White rose—

Ms Alexander: Two thirds of the black hole would then be filled. If we wanted to fill the rest, we would need another £400 million. Perhaps we should try Scottish pensioners—no free eye tests; no free television licences; no minimum income guarantee; no earnings link; no £100 fuel bonus.

Ms White rose—

Tricia Marwick (Mid Scotland and Fife) (SNP) rose—

Ms Alexander: That is the price of the SNP. If SNP members find that hard, they could look to the Scottish budget. No new futures fund. The university for industry—gone. An extra 42,000 university and college places—gone. The national

child care strategy—gone. Early intervention—gone. So it goes on.

Mr John Swinney (North Tayside) (SNP) rose—

Ms Alexander: The sums have never added up. Perhaps the SNP will tell us today how much it will cost, once that hole has been filled, to establish a separate social security system, and whether there would be a welfare reform strategy. One of the reasons the SNP is a party going nowhere is that what Scotland wants is leadership from this Parliament, not whining from the wings. The SNP is bellyaching and is not building a better Scotland. That is the task of this Parliament.

I turn now to Glasgow, as there was a request to speak on that city today. Glasgow, the city where I was born and where I spent much of my adult life, is in the spotlight today. The *Daily Record* says today that it is time to stop the rot. Indeed it is. In true Glasgow style, let us tell it like it is. I invite other members to comment on this.

Several Members rose—

Ms Alexander: Decisions such as last week's on homelessness—

Tricia Marwick rose—

Ms Alexander: Tricia Marwick will have two hours, and should let me finish.

We need to make decisions that recognise that Glasgow has one in eight households in Scotland, but that as only one in three of the homeless come from there, a special solution is needed, which Jackie Baillie is sorting out. We need decisions such as mine—to put together a revolutionary package for Glasgow housing and to sign up leading financiers to sort it out. Yesterday, I received a letter from Fiona Hyslop and Tommy Sheridan telling the Executive that we should stand back. What hypocrisy.

Under Frank McAveety's leadership, then Charlie Gordon's stewardship, education in Glasgow will benefit through 10 new schools that are paid for by a private finance initiative—which has been condemned by Tommy Sheridan and Fiona Hyslop.

Unemployment is falling again—delivered by the new deal, paid for by a windfall tax, opposed by the SNP. We are tackling poverty wages, and there are more beneficiaries in Glasgow than anywhere else. The SNP did not even vote for that.

Several Members: Time.

Ms Alexander: In terms of poor pensioners, Glasgow will have the largest number of beneficiaries from the national minimum income guarantee.

Bruce Crawford (Mid Scotland and Fife) (SNP): On a point of order. The minister has named individuals, but has not allowed a response from those individuals. Is that considered the normal course of debate in this Parliament?

The Presiding Officer: Both individuals whom I heard the minister name are on my list of speakers to enter the debate.

I ask the minister to wind up, as she is over time.

Ms Alexander: Yes. I am coming to the end.

The delivery of a freeze in the council tax was opposed by the SNP and was pilloried by Tommy Sheridan for forcing people to pay their council tax, so only new Labour can turn around the fortunes of Glasgow. We are doing so. This Parliament is here to deliver social justice for all. We carry with us the ambitions of men and women who want to live in a country governed for the many, not the few.

Alex Neil: On a point of order.

The Presiding Officer: I hope the minister is winding up, but please let her finish.

Alex Neil: I believe that the minister's allocated time was 10 minutes. She is now more than three minutes over that. She has refused to take any interventions, but has been allowed more than three minutes over her allocation.

The Presiding Officer: Yes, but there have been three points of order. I ask the minister to wind up now.

Ms Alexander: My final point is this: we were elected with the ambitions of those men and women who want, as I was saying, to live in a Scotland that is governed in the interests of the many, not the few.

We are delivering on those promises. Ending child poverty is the historic calling of the parties in the coalition. I commend that commitment not just to the parties of the coalition but to everyone in the chamber.

I move,

That the Parliament agrees that social justice should be the hallmark of Scottish society; welcomes the publication by the Scottish Executive of the groundbreaking report *Social Justice ... a Scotland where everyone matters* and the targets, milestones and developments in budgetary mechanisms that it contains, and commends this as an example of the success of the Partnership Agreement and as an appropriate opportunity to work with the UK Government for the betterment of Scotland.

14:51

Fiona Hyslop (Lothians) (SNP): At long last, we are having a debate in the chamber on poverty and the social justice targets. I welcome it and am pleased to note that the Minister for Communities

has come round to the SNP way of thinking, using the term social justice as opposed to social inclusion. I have often thought that social inclusion is an inadequate way to describe a campaign against poverty and inequality. As shadow social justice minister, I am glad that the Minister for Communities has changed her use of language. Unfortunately, she has not yet changed her policies.

I want to mention at this point the pensioners who have come to hear this debate, in particular those from the Strathclyde Elderly Forum. The timing of the debate sits uncomfortably with the announcement that the improvement in pensions will be only 75p a week. How does that square with one of the minister's commitments to

"Make sure older people are financially secure",

which is one of the targets in "Social Justice"?

We should listen closely to the people who have come to speak to us about the plight of pensioners in Scotland. I want to make a strong objection on behalf of my party—and, I think, other members—about how the Executive has approached this debate. It is an indication of contempt that this issue, which the First Minister has said is at the heart of his Government, merits only a 70 minute debate this afternoon.

I am sure that I am not the only person who thinks that Monday's media circus was objectionable. People would have expected a reasonable amount of time to question ministers on the range of areas they addressed in their announcement. It is a measure of how seriously the Executive treats the subject that it crams a debate on poverty and land reform into one afternoon, whereas a debate on the millennium bug, on which there is unanimity in the chamber, merits a three-hour debate.

The Executive was elected on an expectation that it would start to deal with the backlog of poverty and despair that was built up by Conservative members in this chamber and left to fester by their former Scottish Office ministerial colleagues. When those ministers commissioned an action team to examine how poverty was evaluated, it must have been with some trepidation. There must have been a lingering fear, a recognition of the size of the task and a realisation that they lacked the required will and resources.

When the incoming Minister for Communities read that action team's report, those fears must have been realised. The evaluation framework team was lead by Scottish Executive officials, incorporating a wide range of experience from Government departments, the voluntary sector and trade unions. They came up with a set of 50 indicators to evaluate poverty in Scotland. Their

draft progress report was issued to the social inclusion network, which the Minister for Communities chairs, and thereafter it disappeared from sight.

A final report has yet to be published. What we see now is a watered down, weaker, less vigorous, vaguer, more selective approach to the social justice targets launched by the Executive on Monday. In fact, of the 50 indicators that the action team recommended, 22 were ignored and the remainder have been weakened considerably.

Where the action team laid down specific measurements, the Executive uses broad statements. The purpose of the action team report was to develop

"a robust evaluation framework to monitor success in promoting a more inclusive society".

The minister is waving the blue document at me—I have read the document on milestones and definitions too. The purpose of the "Social Justice" report seems to be to announce easily achievable targets, vague commitments, wish lists and promises to care more.

The tone of the document is set from the beginning by the failure to adopt the European definition of poverty, which would allow international comparisons. The headline figure that should be used is the percentage of total Scottish population living on an income below 50 per cent of median Scottish income. The Executive has shied away from that.

There is nothing robust about the task that the Executive has set itself. It has concocted a series of indicators designed to suit Executive and UK Government policy initiatives rather than to measure poverty in Scotland.

The action team recommended that the measurements of child poverty should include the measurements of workless households and income levels. It also recommended that the Executive publish its success or failure in the other areas that give a true indication of poverty—free school meals and overcrowded housing. Those indicators have been dumped because they make for uncomfortable reading for ministers—today, next year and the year after that; not just in five, 10 or 20 years' time.

At least 400,000 children live in poverty in Scotland. If, as the minister says, she aims to lift 60,000 children out of poverty in the next three years, what does she intend to do with the remaining 340,000? Will she simply ignore them? Twenty-year wish lists mean nothing if under the minister's proposals, today's three-year-old toddler would bring up her children in poverty. Where is the hope and vision in that?

Where is the joined-up thinking and real

evidence? The targets aim at

"Increasing the proportion of people with learning disabilities able to live at home or in a 'homely' environment".

Only last week, the general manager of Lothian Health told MSPs that the Arbuthnott formula means that the board faces a 22 per cent cut, which could mean people being returned to institutions in order to cut costs.

Perhaps the greatest omission in the "Social Justice" report is housing. It is interesting that the minister's own responsibilities may be the easiest to meet. We must ask whether that is a coincidence. While the action team recommended that we measure, assess and publish levels of homelessness, overcrowding, severe dampness and people experiencing fuel poverty, the Executive has put forward the blandest of statements. Instead of a robust approach, we are left with a target of

"Increasing the quality and variety of homes in our most disadvantaged communities".

Instead of being assessed on eradicating dampness, ending overcrowding, acting on homelessness and ending fuel poverty, the Executive is assessing itself on having increased the

"quality and variety of homes in the most disadvantaged areas".

That is a target so vague as to be meaningless. The Executive plans to award itself brownie points on its regular annual report.

There are concerns. This morning, in the Social Inclusion, Housing and Voluntary Sector Committee, we heard from tenants about their concerns about modern-day urban clearances for the millennium. We must address that issue.

I would like to conclude by mentioning fuel poverty. This is Warm Homes Week. If there is one measure that should have been at the heart of the "Social Justice" report, it is the target to end fuel poverty. If the minister is so confident in the measures that she has announced, surely she should have included that target. The Executive has come a long way, by recognising the issue and setting targets. It has proposed something that is welcome—we say that in our amendment—but what it proposes is not robust enough.

We regard the "Social Justice" report as a betrayal of the Executive's promises to the poor and we will not allow that to be forgotten. The Executive is in danger of overloading on managerial, new Britain-speak, of mission statements and milestones without substance.

Harold Wilson once said that the Labour party

"is a moral crusade or it is nothing."

On the strength of the report, Labour is betraying its heritage by providing people in poverty in Scotland with nothing at all.

I move amendment S1M-314.2, to leave out from "welcomes" to end and insert:

"recognises the appalling poverty we have in Scotland and the need for immediate action to tackle this poverty; welcomes the publication by the Scottish Executive of the report Social Justice ... a Scotland where everyone matters; believes however that the report lacks definition, range, focus and clear achievable targets and agrees that the Executive should re-evaluate the report brought forward by the Evaluation Framework action team and bring forward revised targets and indicators to the Parliament."

14:59

Bill Aitken (Glasgow) (Con): As I watched the events of the weekend, I wondered what would come out on Monday. I wondered whether it would be the statement of the millennium—sadly, it was nothing. The documents contain a welter of words—some not even spelt correctly—which is indicative of the careless attitude and outlook that Wendy Alexander has demonstrated today.

Let us be clear about what is before the Parliament: basically, it is a wish list. I have absolutely no doubt as to the minister's sincerity, but what she is putting forward is absolutely meaningless. Let us be blunt about it. I do not wish to introduce management-speak, but, for targets to be achieved, they must be specific, measurable and realistic. Most important, they must have time scales. There is nothing in the documents—

Hugh Henry (Paisley South) (Lab): Will the member give way?

Bill Aitken: I do not have time. I have only five minutes.

There is nothing in the documents to indicate when the Executive will be able to measure the progress of its proposals, and nothing to indicate how it intends to phase in its improvements. In other words, there is no way in which we can measure the Executive's achievement—or lack of it. What we have is a wish list that is minimalist in many respects.

Quite properly, Fiona Hyslop raised the question of why today's debate is so short. However, she has got it slightly wrong: I believe that having a short debate is a tactic, and an obvious one. The Executive does not want a lengthy debate, because it is saying absolutely nothing at any length.

The targets are no more than a wish list. There are no proposals for action and no details of funding. Nor do the documents set out in any meaningful way how progress on any of the issues involved can be measured.

Wendy Alexander resembles a latter-day Eva Peron. In the words of the musical:

"The best show in town was the crowd . . . She didn't say much but she said it loud."

Ms Alexander: Not today—I have a sore throat.

Bill Aitken: In one of the press releases, the minister states that she found the preparation of the documents "intellectually challenging." The documents are hardly intellectually challenging—they are as challenging as a premature letter to Santa Claus, which is what, in effect, they are.

Many will find the reference to a 20-year period highly intriguing. Most members of the present Executive will have left office by then—indeed, some of them may have left the face of the earth. But of course, a moving target cannot be hit, and no one will be personally responsible if even these vaguest of targets are not met. The message to Scotland's poor is quite simple: "Live on, old horse, and you'll get corn."

A 20-year plan is reminiscent of the Soviet Union's much-vaunted five-year plans. Donald Dewar takes four times as long as Joe Stalin, but who would bet against him getting the same result? It is disappointing in the extreme that these are the documents that have been put before us today.

I must respond to the minister's attack on the Conservative Government. Let us deal in some facts, for a change, rather than rhetoric. The Conservative Government was good. Spending on the national health service in Scotland increased by 57 per cent in real terms between 1979 and 1997, which is 22 per cent higher, I remind our friends in the Scottish National party, than the figure in England.

Until 1997, crime fell for five successive years. Spending per pupil in secondary schools rose by 37 per cent in real terms during the periods in office of the Conservative Government. More than £8 billion was invested in council housing between 1979 and 1997. Those are facts which cannot be denied.

The minister gave herself away in one of her opening statements when she complained about the lack of investment and interest over the past 20 years. Is she saying that, during the past two and a half years of Labour government in Westminster, interest and funding have been lacking? It would be interesting to hear what she has to say about that.

The Executive cannot attack past Conservative Governments. It should be looking within its own ranks to see where the failures lie. Many of the problems have been the fault of local government. Glasgow is a city with diabolical problems—problems which all of us, from all parties,

recognise.

Let us look at those problems. Look at the failures of the education system in Glasgow. Who ran it? Labour-controlled Strathclyde Regional Council and Labour-controlled Glasgow City Council.

Look at the health service. It has been in the remit of the Westminster Labour Government for the past two and a half years. In that period, we have seen a deterioration—an accepted deterioration—in health service provision. There again, the blame lies elsewhere, and not with Conservative Governments.

Try telling the old-age pensioners from Glasgow who are outside the chamber today that they are being looked after by the caring, sharing Labour Government. They are bewailing the fact that a 75p increase is not likely to go far in this day and age.

Labour's appalling record is what should be on trial today, rather than that of history. The fact of the matter is that what is being announced today is just another public relations stunt, another exercise in hype and a totally meaningless demonstration of media control.

I move amendment S1M-314.1, to leave out "agrees" and insert:

"notes the Scottish Executive's publication of 'Social Justice . . . a Scotland where everyone matters' which sets out statements not targets; does not provide any proposals for action or details of funding; does not set out any meaningful way in which progress on the issues highlighted can be measured; and completely fails to address the needs of Scotland's people."

15:05

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

The Scottish Liberal Democrats support the motion, and we support the social inclusion targets that the Executive has set. I am sure that Wendy Alexander will agree that it is important to distinguish between what the Scottish Executive hopes and plans to do and what the United Kingdom Government—a separate Government—has done or is doing. I hope that Jackie Baillie will make that clear in her summing up, as I am sure that Ms Alexander would want to clarify any confusion that might have emerged as a result of her interesting opening speech. She may also want to clarify what is meant by references in the "Social Justice" documents that were issued this week to the record since 1997. That refers to the UK Government's record. The record of the Scottish Executive, in which the Liberal Democrats are glad to play an active part, has existed only since May this year.

We support the motion. The pursuit of social justice is at the heart of my party's philosophy and

beliefs. The Executive's targets are ambitious in many ways and span nearly every department. They must mark a real attempt not to alleviate symptoms, but to tackle the roots of problems. There are many parts to the jigsaw and, if the targets are to be reached and social justice is to be delivered, we must ensure that best practice is disseminated across a broad range of areas.

I would like to introduce a constructive note into the debate. Best practice is at the core of a social justice strategy. Let me give two or three examples. For the first, I am indebted to my colleague Dr Richard Simpson, whose constituency is in my region of Mid Scotland and Fife. Dr Simpson has stressed the fact that early intervention in exclusion of pupils from school is crucial. A high percentage of truants go on to be young offenders or drug addicts or both and end up in prison. The pupil support unit that has been developed as part of the social inclusion project at Alloa Academy is a prime example of how exclusion from school can be tackled.

That unit has exceeded the Executive's targets, halving exclusion. Dr Simpson told me that one pupil, excluded from primary school no fewer than 27 times, has not been excluded at all now that he is at the academy. That is the best practice which needs to be disseminated widely throughout Scotland if we are to have not just a different future, as the book launched today put it, but a profoundly better future.

We all know that the drugs action teams have had a mixed record. That is probably the diplomatic understatement of the day. The Glasgow drugs action team has been, if not an unqualified success, at least a qualified success. I spoke to Iona Colvin, who is highly respected in that field, earlier this week. I asked her why that drugs action team has been successful and the others have not. The Glasgow team has been successful because it has an inspiring chairman, implementation working groups that are highly effective, and a close relationship between the local authority and health board. We must ensure that that best practice is disseminated to the other 22 drugs action teams.

Ayrshire and Arran Health Board's drug project, under the driving inspiration of Dr Charles Linn, offers a model of dealing with addiction. The area is demographically similar to Fife, yet the difference between the drug services is like the difference between night and day. We must ensure that those excellent services and the way in which the Ayrshire and Arran model has been developed are fed to other health board areas in Scotland.

It is not just a question of best practice; it is a question of resources. The Liberal Democrats strongly support the commitment to social justice.

We particularly support the Executive's commitment to tackling pensioner poverty, but that commitment can be delivered only if the Chancellor of the Exchequer releases extra resources. In that, a distinction must be drawn between the two Governments—the Scottish Executive, of which the Liberal Democrats are glad to be a part, and the UK Government, which we oppose. There is no doubt that we differ from the chancellor in our view that resources need to be released early.

Shona Robison (North-East Scotland) (SNP): Will the member give way?

Mr Raffan: I will not give way, as I have limited time.

How can we tackle pensioner poverty effectively, when the chancellor promises to increase pensions next April by only 75p? That increase will be more than wiped out by the rises in council tax and water rates. Ministers of both parties must intervene directly to make that point forcefully to the chancellor. An increase of 75p in pensions is so negligible as to be insulting.

Throughout Scotland, single pensioners will be worse off next year. In Aberdeen, they will be worse off by £43.45; in Dundee, by £50.47; in Highland, by £42.63; and in Perth and Kinross, by £41.27. Pensioners will be better off—if that phrase means anything—only in the Scottish Borders, and even then, by a mere 67p.

The lowest estimate for the chancellor's treasure chest is £10 billion. If the Scottish Parliament and the Scottish Executive are to tackle social injustice and social exclusion effectively, he must release some of those resources now, so that we can have an effective programme for tackling poverty and can achieve the admirable targets that the Executive has set.

The Deputy Presiding Officer (Patricia Ferguson): A large number of members want to speak in the debate, and we have only a relatively short time. For that reason, I will apply the four-minute rule strictly.

15:12

Ms Margaret Curran (Glasgow Baillieston) (Lab): I strongly welcome the debate, not only because I am convener of the Social Inclusion, Housing and Voluntary Sector Committee, but because social justice is at the centre of my political philosophy. It is appropriate that it should also be at the foundation of the Government's programme.

The strategy shows some appreciation of past failures: we attempted to tackle the born-to-fail generation only to have our efforts ruthlessly and tragically abandoned by the Thatcher disaster.

However, the central ethos and values have not been lost. They date further back, to the words of John Ruskin, who said:

"The first duty of a State is to see that every child born therein shall be well housed, clothed, fed and educated".

Even in those early days, we recognised the connections between social ills. We know only too well that action on one front cannot be sustained. Multiple problems require multiple responses. We need to ensure that schools, health services, social work services and the police all work to an inclusion agenda. The entrenched power of professionals must be addressed.

The Executive programme is ambitious. I welcome the First Minister's statement that the programme will be the key benchmark against which the Executive will be judged. Some members of the Labour party will be judging Labour members of the partnership on the same basis.

The strategy is a fitting one for the first Scottish Parliament. Expectations are high and results must be delivered. Within the field of anti-poverty and social inclusion there has been a decided push in recent years to move away from high aspirations and empty empathy towards clear intervention, whereby outcomes are measured and politicians and agencies are held to account. It is proper that the Executive strategy falls firmly within that approach. To say that it is a betrayal or a stunt is not to understand the debate of the past years. We must deliver.

As we have heard, the strategy has been criticised. Labour has been accused of outlining a programme that has warm words, but which has no plans for immediate action and which, essentially, is not Scottish enough. We have heard that before. Too often in the Parliament we hear the single transferable speech, to the extent that we even hear the same sentences in different speeches. The same points are adapted to fit each debate. We hear that much of what the Executive is doing is to be welcomed and that it is moving in the right direction, but that there is not enough funding and that the measures are not Scottish enough.

How many times will the SNP—and Keith Raffan—spend Gordon Brown's war chest, whose policies would never have delivered it in the first place? Must we return to the devolution referendum in every debate? The SNP cannot keep claiming that it is determined to make the Parliament work and then at every opportunity point out the Parliament's inadequacies and focus on what the Parliament cannot do. If our strategy is so wrong, the Opposition should come up with more detailed criticisms, particularly in relation to the responsibilities of the Scottish Parliament.

I will now deal with the Tories. I could not believe my ears when I heard Annabel Goldie dismiss the programme as not being enough to tackle poverty in the immediate future. Perhaps the Tories should ask themselves why their party has such severe problems in Scotland and why it was wiped out in the most recent British general election.

I will take no lessons from the people who cheered Peter Lilley's disgraceful remarks about single parents. Portillo can try to reinvent himself as a compassionate Conservative in Kensington, but that will not wash in Easterhouse. The Tories should not wait for Jeffrey Archer's name to be said before hanging their heads in shame.

There is criticism of the programme from another section of the Parliament, the Scottish Socialist party. I think that that is the right name, but to clarify the matter, I will call it Tommy Sheridan's party, as his cult of personality knows no bounds. Tommy has a slogan for every occasion. He will promise the earth and call for spending without worrying about the implications for other budgets. He would spend twice the budget of the national health service to buy back houses for Glasgow City Council's housing department. This fact might force Tommy to rethink his economic strategy, but I have to tell him that money does not grow on trees.

Socialists have a responsibility not to mislead people or propose simplistic solutions to profound and deep-seated problems. Rather, we must focus on what can be achieved. In two years, we have moved from the assertion that there is no such thing as society to having a Minister for Communities. Social justice is at the centre of every radical movement in the world. I say to my Government that there is no room for complacency, as back-bench members will hold it to account.

15:16

Mr Adam Ingram (South of Scotland) (SNP): I would like to focus on the Executive's commitment to full employment in Scotland by 2020. I welcome the Executive's recognition that full employment in Scotland is an achievable objective. For the past 20 years, we have been lectured by unionist politicians of all shades that a reserve army of the unemployed was an inevitable consequence of post-industrial society. More recently, we have been told that it is a price worth paying for low inflation south of the border.

The turnaround is welcome, but I fear that the commitment carries less weight than the overblown presentation packs published by the minister. With the change in objectives, I assumed that there would be a change in the prevailing

approach of the past 20 years, during which time it was assumed that people were unemployed not because there were no jobs but because they did not have the skills to do those jobs. Billions have been spent on training schemes, on the expansion of further and higher education, on adult learning and on retraining to free up the supply side of the labour market. On the demand side, however, laissez faire has been the order of the day.

Following the hype of the press announcements, I read the document. I was disappointed but not surprised to find no indication of a change of approach by the Executive. It seems that we can look forward to more of the same old policies, supported by the right-wing gurus of supply-side economics who blame the unemployed for being unemployed.

I agree with what Wendy Alexander says in the document:

"Achieving our targets will also be about more than what we spend. It will be about how we spend, whom we work with and how we organise for change."

The hundreds of millions of pounds that are being spent on schemes designed to cut unemployment statistics rather than to get people into real jobs should be pumped into public works and major infrastructure projects and should be used to support small businesses that will create jobs and the conditions for economic expansion.

On Monday, while the Executive was polishing its press skills, I visited a jobcentre in Cumnock. If the minister had been with me, she would have found that the number of job vacancies did not tally with the number of people who were out of work. The International Labour Organisation figure for the unemployment rate in the area is 14.6 per cent.

The jobs that are available in the area tend to be part-time, temporary or not highly skilled. The brightest prospect for employment in the area is the opening of a Tesco supermarket. The jobcentre has already been inundated with applications and inquiries for jobs that have not even been advertised. At the same time, full-time, skilled jobs, especially in the agricultural and textile industries, are leaking away. That is what is happening in the real world. There is nothing in the documents that will effectively address unemployment in Cumnock.

Let us consider the Executive's milestones, to illustrate the point. Milestone 1 is:

"Reducing the percentage of our children living in workless households."

That is obviously dependent on the achievement of milestone 13:

"Reducing the proportion of unemployed working age

people."

That is to be measured by the ILO rate of unemployment derived from the labour force survey.

The Executive has made its aim clear. It wants to reduce a proportion—a statistic calculated by dividing the number of people who are employed by the number of people of working age who are economically inactive. It does not have to create a single job to achieve that objective. By its own definition, it requires only a shift in the number of people to the economically active category from the economically inactive category.

The mechanisms for doing that have been pioneered by UK Governments over the past 20 years. Between 1981 and 1995, the number of people in Britain claiming sickness benefits over six months rose by 1.23 million. Those people consequently vanished from the unemployment statistics.

The latest labour force survey shows that 216,000 of the 698,000 people of working age classified by the Government as economically inactive wanted a job.

The Deputy Presiding Officer: Bring your speech to a close, please.

Mr Ingram: I will finish on this point.

If those people were counted as unemployed, the real unemployment rate would be more than doubled. Some scepticism is called for when we consider claims that unemployment is being reduced because one statistic moves in a certain direction.

15:22

Tommy Sheridan (Glasgow) (SSP): I thank the minister and other members for mentioning me in the course of the debate. I suppose that it ensured that I was called to speak.

I suggest that the minister's speech would be better termed the "Let them eat cake" speech. Wendy Alexander is fast becoming the Marie-Antoinette of the Parliament.

I will oppose the minister's motion today because it reeks of arrogance and of a misunderstanding of the reality of life after two and a half years of a Labour Government. It is worth reminding Wendy and the rest of the Labour members that life did not start for new Labour in May this year—it started two and a half years ago.

That is why, when Wendy tells me about the targets for tackling child poverty, I must raise with her the report of Glasgow City Council social strategy committee in April. It showed that in May 1997, a disgraceful 38 per cent of the children in

Glasgow were in receipt of free school meals because they lived in poor families. Two years later—two years into the Blair Government—the number of kids receiving free school meals in Glasgow had risen to 43 per cent. That is an increase in poverty after two years of the new Labour Government.

The minister talks about dignity in old age—dignity in old age, for pensioners in communities throughout Scotland who feel betrayed?

Ms Alexander: Will Tommy Sheridan give way?

Tommy Sheridan: Wendy did not take any interventions, but I will take one from her.

Ms Alexander: Does Tommy support the Scottish National party position that on pensions we should have jam for all? Does he agree that there should be a flat-rate rise that will benefit Edinburgh pensioners such as Sean Connery, rather than a minimum income guarantee for the 1 million poorest pensioners, which will mean that their incomes will go up to 75 quid and then 78 quid in April? For the first time in 20 years, their incomes will be linked to earnings as well as prices. What is Tommy's position on that?

Tommy Sheridan: When the minister suggests that the minimum income guarantee that the Executive offers should be applauded, it is difficult to tell whether she has any grasp on reality. Does she know that the minimum income guarantee is even less than the disgusting minimum wage that this Government has introduced? She is asking pensioners—and only pensioners who are in receipt of income support can claim this—to live on the minimum income that the Government has set. My question to her is: could she or any of the other ministers live on that income? The answer is that they could not.

My reply to the question that the minister asked is yes. There should be an increase across the board in basic state pensions, because that is the way to target poverty. As soon as means testing is introduced—as the Government is now doing, at the drop of a hat, in every area of social welfare policy—millions of ordinary poor people who deserve to be given some assistance are missed. All that the pensioners want is a decent pension, so that they can live with some dignity. They do not want to be insulted by a 75p-a-week increase, when the Government is sitting on a treasure chest of at least £12 billion.

The existence of that treasure chest testifies not to the skill of Gordon Brown, but to the fact that this Government is a poor parent; it is the sign of a poor guardian of family income. If any parent in Scotland were to build up a family surplus by refusing their kids new clothes and new shoes when they needed them, or refusing to give their grandparents a decent income, they would not be

applauded, but condemned.

The Deputy Presiding Officer: Wind up, please.

Tommy Sheridan: The Government is starving our public services through underfunding.

The Trades Union Congress is not yet a friend of the Scottish Socialist party, but in a report issued three weeks ago—

The Deputy Minister for Local Government (Mr Frank McAveety): It never will be.

Tommy Sheridan: Mr McAveety will get his chance—he does not need to jump in, as he is in a different place now.

Mr McAveety: Perhaps, but it is the same speech—although it is a good speech.

Tommy Sheridan: I am sorry, Presiding Officer—I am trying to sum up, but people keep interrupting me. Will you intervene?

The Deputy Presiding Officer: Mr Sheridan, I must ask you to wind up quickly.

Tommy Sheridan: As you have noticed, I am trying.

The Deputy Presiding Officer: Carry on.

Tommy Sheridan: The politeness that we are getting from the Labour benches is marvellous.

I know that the Executive does not want to hear this message, but the TUC report showed that by 2001-02 the Government will be spending 25 per cent less in general expenditure on public services than the Tories spent in 1993-94. Labour is now out-Torying the Tories, and it should be ashamed of itself.

15:28

Robert Brown (Glasgow) (LD): I do not know whether I am alone in this chamber in noticing a connection between the importance of the subject and the level of rant. Unfortunately, rant has characterised many of the speeches that have been made today.

The social inclusion targets that the minister set out are worthy and well motivated, although I am bound to say that the tone in which she opened the debate left something to be desired. The targets are a tribute to the emphasis on outputs rather than inputs—on results rather than programmes—that the Parliament and our partnership Executive have required. There can be no more meaningful goal than to help individuals and communities realise their full potential in our demanding society.

It is a tremendous shame that, at the same time as the minister is making her statement, the

Chancellor of the Exchequer—motivated either by an excess of financial prudence or the need for a pre-election war chest—is sitting on a kitty of many billions of pounds. It is also a pity that Labour ministers in London are cutting benefit for the disabled and threatening housing benefit—in effect, smashing down the bricks that the Scottish Executive is so painstakingly building up. The minister might usefully have a quiet word in the ear of her brother or others who are alleged to be close to the Prime Minister or the chancellor.

However, the Scottish Executive is entirely right to target specific areas of social inclusion that will both make a difference to people's everyday lives and make our deprived communities more inclusive. I suggest that much of the programme hinges on what happens in Glasgow, as, indeed, does the extent to which we collectively make a difference.

Glasgow may or may not be in line to welcome the Parliament when we make our sojourn away from this building during the Kirk's general assembly next year. However, Glasgow is the real capital of Scotland in many ways—not all of which are good. We have the largest population, but the greatest concentration of deprived areas. We have world-renowned medical specialists, but the worst health record in Scotland. It is the only city in the United Kingdom in which no new hospitals have been built this century. We have the highest unemployment figures and the greatest proportion of citizens dependent on benefits.

As a report published yesterday by researchers at two universities showed, despite Glasgow's commercial success and shopping facilities, which are second only to London's, the city has an economic problem that, when compared with what is happening in Edinburgh, reminds one of the difference between East and West Germany following the fall of the Berlin wall. A Glaswegian earns, on average, fully a third less than the average citizen of Edinburgh does.

Glasgow is the rock and the hard place for the Scottish Executive. A considerable share of resources will be required to make a difference, to overcome disadvantage, to give people opportunity and hope and to help them make the best use of their abilities.

Glasgow has many things going for it, however. For example, the new housing partnership is not just a housing regeneration opportunity—one that is likely to be botched if our comrades in George Square with their centralist notions have their way. It could be a major economic spur to the city, creating jobs, adding to income and giving communities a leg up. However, the partnership must be more than a short-term fix; it must be linked to long-term development of individuals, communities and local economies.

Our universities and colleges also make a contribution, as does the voluntary sector, which—this is important—is mentioned in the social inclusion strategy. The voluntary sector can be led, but it cannot be driven. It can multiply many times over the investment that the Executive makes in social inclusion policies.

Two words—people count—sum up one of the oldest and best Liberal themes. I wholeheartedly welcome the commitment of my Parliament and my Executive to these social inclusion targets.

15:32

Mr Jamie McGrigor (Highlands and Islands)

(Con): It was good to see our First Minister, Donald Dewar, on television the other day saying that the Executive intends to eradicate poverty in Scotland within the next 20 years. However, his appearance was followed by a programme that showed people in the more deprived areas of Glasgow who were unable to walk to the shops to buy their food, because the local supermarkets had shut down and the enormous new supermarkets were miles away. I wonder how included those people felt, especially if they did not have access to a car, were wheelchair-bound or disabled in some other way.

I represent the Highlands and Islands—everything from Campbeltown to Shetland. In that area, a strong sense is building up among the people that, far from being included, they are being forgotten. Gordon Brown tells us that the country is awash with money and so it should be easy for every UK citizen to share in this wave of new prosperity. The truth is rather different.

The appalling agricultural situation, which runs throughout the social network of the Highlands and Islands, is reducing people's incomes to pennies. People with greatly reduced incomes are having to pay over the odds for almost everything they buy, mainly as a result, of course, of the price of petrol and diesel, which affects the cost of everything. In some of the islands, petrol and diesel can be as much as 90p a litre—the VAT content means that the people who live there are paying even more tax. Is that inclusive? The elderly and disabled find it even more difficult to get out and about—they cannot afford to.

In new Labour's thriving United Kingdom, does the Government intend to include any people north of Loch Lomond? Fishing and every sector of agriculture—sheep, beef, dairy, pigs and grain—is at a low. One has only to look at the number of hotels that are for sale or at Caledonian MacBrayne's latest passenger and vehicle figures to see that tourism—an industry that is of enormous importance to the north—is also in decline.

People will feel included only if they experience a standard of living similar to that enjoyed in the more prosperous areas. A good health service, quality education and care for the elderly are seen as a right.

I give members a local example. Lorn and Islands district general hospital, which cares for the needs of a large mainland area and many of the islands, was recently offered a brand new scanner—worth millions—by the North British Hotels Trust for nothing. However, our health service has so far been unable to come up with the £50,000 a year necessary to run it. That means that ailing patients, often in pain, are faced with long journeys to the central belt, when they should be treated at the new hospital in Oban. The Conservatives believe that we should devolve power locally to health care professionals and the communities that they serve. Those professionals and communities know the problems; they have the answers.

"Social Justice" states that the Executive intends to reduce the gap between the employment rate in the worst areas and the average employment rate for Scotland. Why, then, is the Executive permitting policies to be pursued that are increasing unemployment, decreasing incomes and discouraging investment? Rural communities are being bombarded on all sides. The proposed legislation on land reform, feudal tenure and banning hunting will not increase income by a penny, but it will strike at the heart of communities—however they are defined—and simply add more bureaucracy and red tape. All people want is a simple, level playing field that includes all the players.

In the Highlands and Islands, as in the rest of Scotland, people are concerned about their jobs, families, communities and having a stable future. This document addresses those issues with platitudes that—although they may be touching—are driven by ineffective idealism.

The Executive may be good at producing glossy documents at great expense, but it never consults or includes the people who matter. If it did, it would discover that it should be working hand in hand with local communities to find the solutions that are relevant to the problems of specific communities in specific areas. That is what inclusion is about.

15:37

Mr Lloyd Quinan (West of Scotland) (SNP): I would like to be standing here welcoming an initiative that will eradicate poverty. Unfortunately, I cannot. Instead, I have the somewhat onerous task of summing up a debate that is on the agenda as an apology for Monday's media circus.

These documents are devoid of content. Indeed, they state that it will be spring before any proposals to tackle poverty come into the public domain. It is to add insult to injury to proclaim initiatives targeted at the poorest and most marginalised sections of our society and to give a suggestion of hope when all that we have discussed today is another flashy booklet, crammed full of good intentions but little else.

The documents contain no mechanism for tackling the curse of poverty, which affects a third of the population of this country. There is no scheme to rescue the young, the old or the vulnerable from damp housing. There is nothing to add even a penny to the income of the poorest family in Scotland. Perhaps the reason the Executive was so keen that this debate should be kept short was that it hoped that we would not see what is not in the document.

The Executive's documents state boldly that the action plan, the means, the mechanism and the structure by which we will eradicate the evil that is poverty in this, the seventh richest country in the world, will not be discussed until the spring. It is arrogant at best—hurtful at worst—to build up in the press the hopes of a third of this country's people and then to deliver nothing more than a glossy document as a panacea for the nation's ills.

The sentiment is laudable; the content is negligible. Having read the documents and listened to what passed for a ministerial speech, I have no doubt that many in the chamber were overcome with warm feelings of expectation, only to have them dashed when they asked difficult questions such as "Who?", "By what amount?" or "By what means?"

Let us be specific—about fuel poverty, for example. Some 2,000 deaths in Scotland each winter are totally preventable. There is no requirement for modern medicines—our pensioners die each winter simply because they cannot heat their homes. The document says nothing about that.

On benefit sanctions, I give the example of a pensioner who, with an income a mere 20p over the threshold, was deprived of benefit assistance following Government intervention. Will the minister confirm whether the Government has finally abandoned the universal state pension, which everyone has already paid for under the contract made between a Labour Government and the people of this country? How many pensioners will be above the means-test level in 20 years? Will a group of pensioners who fail the means test be left to live on £64.70? Will the Executive monitor any of those injustices? It seems not.

It is unacceptable for the minister to hide behind schedule 5 of the Scotland Act 1998. She knows, I

know and everyone here knows that, without reference to the Benefits Agency, the Executive's pretend assault on poverty is doomed to failure. The inadequacy of the devolution settlement is starkly highlighted in the area of social security and benefits. It is a delusion to believe that the third of people in Scotland who are in receipt of benefit, the third of people who suffer poverty, can have their circumstances altered for the better without the responsibility for social security, housing benefit and pensions resting in this chamber.

Poverty is caused by an unequal distribution of power, resources and opportunities in society. This afternoon, we have seen no greater illustration of poverty than the minister's statement—not the poverty that afflicts a third of the people of this country, but a poverty of ideas. The Executive is intellectually bankrupt.

15:42

The Deputy Minister for Communities (Jackie Baillie): Wendy Alexander has been described as Eva Peron and as Marie Antoinette. The descriptions that I would apply to today's debate are Francie and Josie or Hinge and Brackett—slapstick, knockabout stuff with no substance. We have heard a lot of carping, harping and whingeing, which is disappointing. Was any alternative offered? Where was the substance? I did not hear—

Fiona Hyslop rose—

Jackie Baillie: No thank you.

I did not hear even one positive action proposed. Lloyd Quinan should stop scaremongering. This is one of the most significant debates that this Parliament has had. It marks the beginning of a new era and a new agenda for social equality and justice in Scotland. In this report, we have set out our vision, our targets and our milestones. The report represents the most comprehensive framework ever for tackling poverty in Scotland. Social justice will be our hallmark and ending child poverty in Scotland our principal goal. That is the commitment that the partnership of Labour and Liberal Democrat makes to the people of Scotland. It is a commitment based on three pillars—education, housing and social justice. All are key values that are shared by the partnership and that have fed directly into the report.

To keep our focus firmly on the people of Scotland, we have chosen the life cycle as the framework for our targets and milestones—how we grow up, how we live and work, how we raise families and how we grow old. Because we believe that every community matters, we also have targets and milestones for our work with communities.

Too often in the past, strategies to tackle poverty and injustice have been more about places than about people. If we are to tackle the root causes of poverty and make a real difference to people's lives, we need to focus on people and places. Both matter, and that dual emphasis is reflected in our report.

I agree with Keith Raffan—early intervention is crucial. Preventing poverty from occurring is what we are about. We will address the exchange of information on best practice and disseminate that across Scotland.

Let us also remember that some groups in our society suffer persistent injustice, which is often exacerbated by discrimination and prejudice. We are working to ensure that equal opportunities are included in all the Executive's programmes. To make good our commitment to equality in "Social Justice", we intend to segregate all the milestones on age, gender, ethnicity and disability.

Our commitment that every community matters applies not only to the social inclusion partnership areas, but to other disadvantaged communities throughout Scotland, including isolated, rural areas. We intend our milestones on unemployment rates, drugs misuse, crime rates, the quality and variety of homes, participation in voluntary activities and access to the internet to relate to rural and urban disadvantaged communities throughout Scotland.

The SNP amendment was lodged in Mr Salmond's name—it is a shame that he is not here. I point out to the Tories that, in the past 20 years, the proportion of children being brought up in workless households doubled. People from the poorest areas in Scotland are now nearly three times as likely to die early as people from the richest areas. Qualifications are still skewed; more than 4,000 pupils left school in 1997 with no standard grades. I could go on. Do the Tories recognise that picture? They created it; their legacy for Scotland was one of poverty, neglect and decline.

David McLetchie (Lothians) (Con): Lies, lies, lies.

Jackie Baillie: How dare the Tories lecture us today on failing to address the needs of Scotland's people?

David McLetchie: Lies, lies.

Mr Raffan: That is out of order.

The Deputy Presiding Officer: I have to interrupt you, Ms Baillie. I ask members to have the courtesy to listen to the minister's response and not to shout from the sidelines. If members want to intervene, they should indicate that that is what they want to do. That is not happening.

David McLetchie: The minister will not take interventions.

The Deputy Presiding Officer: As you know, Mr McLetchie, that is entirely up to her. Please continue, minister.

Mr McAveety: On a point of order. Is it in order for members to shout "Lies" across the chamber?

The Deputy Presiding Officer: I remind all members that it is not appropriate for them to address one another across the chamber. That is the point that I was making.

Jackie Baillie: In deference to the chamber, I always bring facts before members, not lies.

I welcome the SNP's support for our publication.

Mr Quinan: Will the minister give way?

Jackie Baillie: No. Incidentally, perhaps Lloyd Quinan should read Mr Salmond's amendment; it welcomes our document. I am not surprised by that, because the document is similar to what the SNP proposed in its manifesto, which borrowed ideas from us. We thank the SNP for that flattery. I will quote from that manifesto, because it is evident that it has been a while since SNP members read it. It mentions a "co-ordinated approach"—that is precisely the approach that we are taking. It also mentions the

"publication of poverty indicators, to show that poverty is being tackled and eradicated".

That, too, is precisely what we are doing. Yet I found no mention in the manifesto of—

Fiona Hyslop: Will the minister give way?

Jackie Baillie: I will give way in a second. Perhaps Fiona could answer my question. I could find no mention in the SNP manifesto of full employment or ending child poverty. Are not those policies important to the SNP?

Fiona Hyslop: I am grateful that the minister has finally given way. Although we recognise that producing targets is the right thing to do, we are concerned that the Executive's targets are vague and meaningless. Some 800,000 people in Scotland live at or below income support level. How many of them will have been brought out of poverty after the first session of the Parliament?

Jackie Baillie: I repeat: ours is the most comprehensive framework of targets that has ever been produced in Scotland to tackle poverty. It has range, focus and clarity. It provides a set of challenging and measurable targets. It drew directly—this is at the crux of the SNP's argument—from the valuable work done by the evaluation framework action team. Virtually all the indicators that the team suggested are incorporated. If Fiona Hyslop had bothered to read the technical document, she would see it all there.

[*Interruption.*]

The Deputy Presiding Officer: Members will keep order while this debate continues. Things are getting out of hand and it is impossible for members to speak. Carry on, please, minister.

Jackie Baillie: Thank you.

The action team produced a set of static measures. Our targets are about action, movement and change—change for the better. Fiona Hyslop said that the housing targets that we had set were easy to deliver. Is ending rough sleeping easy? Is reducing the number of families in temporary accommodation who have children easy? Clearly, it is not. The complaints of the SNP ring hollow, but they are consistent with its record of opposing whatever the Government partnership proposes in this Parliament.

There comes a time when the new Executive must say, "This is what we stand for and this is what we will achieve. No more revisions and no more delay—the people of Scotland want action." In the spring, the Executive will publish its action plan, in which it will set out how we will deliver our objectives for social justice and defeating child poverty in Scotland. We will set out our programmes alongside those of other departments and agencies. That will show how actions will come together to achieve common aims. The first annual Scottish social justice report will follow. That report will allow the Executive to measure its successes and to face up to any failures. We will monitor progress every year to see whether we are living up to our aspirations, because the people of Scotland deserve nothing less.

Those who demanded change and social justice at the start of this century were not deterred by the non-believers and the doubters—neither will we be. They fought long and hard to achieve their goals and so, if necessary, will we. Delivery of social justice is not a short-term fix; it is the priority of the partnership between the Liberal Democrats and Labour. We have the opportunity to deliver a better future for all our children, all our families and all our neighbourhoods. We have the opportunity to deliver a better future for Scotland—a Scotland where everybody matters.

Land Reform

The Deputy Presiding Officer (Patricia Ferguson): We now move on to the next item of business, which is motion S1M-313 on land reform, in the name of Mr Jim Wallace.

Alex Fergusson (South of Scotland) (Con): On a point of order. Today's business bulletin says that the debate on land reform will start no later than 3.45 pm. Will you take that into account in the timing of speeches?

The Deputy Presiding Officer: I am coming to that, Mr Fergusson. We are starting the debate slightly later than was programmed because of the number of points of order that were made at the beginning of the previous debate.

You have 15 minutes, Mr Wallace.

15:53

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): I welcome the fact that the debate has been extended by half an hour and that decision time will be at 5.30 pm. This is an important debate and it gives me considerable pleasure to open it. This is the first substantial opportunity that the Parliament has had to discuss this important subject. Land reform is a subject that has consistently been on the agenda of the people of Scotland, but it has not been on the parliamentary agenda for about 75 years. It is on the agenda now and that is a practical example, to add to the many others that we have seen, of the benefits of devolution.

This partnership Administration has put land reform on the agenda. We are tackling land reform not through words only, but through action. Our land reform action plan made plain the wide range of our commitments. Some of those require legislation, some do not and some require further study. The report on that action plan that we published on 16 November shows that we are delivering.

We have achieved five of our targets already. Scottish Enterprise's community land unit is open for business. The Crofters Commission absentee programme is running sensitively and successfully. The woodland grant scheme rules have been amended to give tenant farmers more opportunity to diversify. Over the summer, we announced a series of new community commitments by Forest Enterprise, Scottish Natural Heritage, ministers' own crofting estates and the Crown estate. We showed that we were prepared to give a lead where ministers and the public sector had land ownership responsibilities. That has set the standard that we expect private

landowners to follow. Lastly, we have issued letters to all bodies that have compulsory purchase powers in Scotland, reminding them that such powers are there to be used in suitable circumstances.

We have also made significant progress on a wide range of other items. Most important, we are on track to deliver the first three major bills related to land reform: on feudal reform; on national parks, which is the responsibility of my colleague Sarah Boyack; and on land reform itself.

I want to say a few words about how the land reform bill is developing. In July, we published our proposals in a white paper and said then that we would consult and listen to what people had to say. We meant that, and we have indeed listened. I am very grateful to the many people who have responded to that consultation.

Dr Sylvia Jackson (Stirling) (Lab): Last weekend, the Scottish Land Reform Convention met in Stirling. Scottish Environment LINK and Scottish Churches still feel that there has not been as much consultation in this phase as there might have been. Can the minister reassure those organisations that there will still be time for consultation in the later stages?

Mr Wallace: The Deputy Minister for Justice, Angus MacKay, attended that convention. There will be further opportunity for consultation. It is important to put on the record that, under Lord Sewel in the previous Administration, there was extensive consultation on the land reform agenda. There has been specific consultation on the white paper and there will be further opportunity for comment when the draft bill is published. I have no doubt that the appropriate committees of the Parliament will also want to go into the draft bill.

The Parliament will see the full detail when we publish the draft bill. For now, I want to give members an indication of some of the bill's key points. The white paper reflects the Executive's commitment to a community right to buy and to a responsible right of access.

On the issue of the community right to buy, we have listened to both community and landowning interests. Interestingly, community interests thought that the time scale for that legislation was too short and landowning interests thought that it was too long, which persuaded us that we had got the balance right.

In the light of comments from community interests—the people who will benefit from the legislation—I accept that, in making the legislation as watertight as possible, we were in danger of excluding cases that the legislation should be there to help. As a result, the legislation will give ministers discretion to decide whether a community body is sufficiently representative of

and supported by the local community.

Another concern raised with me on visits and in consultation responses was the possibility for community bodies to register an interest in nearby land. Ministers will again have discretion to decide whether a community body has demonstrated a direct community interest in a piece of land, which will make it possible for community bodies to register interest in nearby land.

Our general approach is to encourage communities to take time to prepare before land comes on the market, as land ownership is an onerous responsibility. However, we recognise that there may well be circumstances when the idea of community purchase arises only when the opportunity unexpectedly presents itself. Therefore, we will add a procedure for community bodies to apply on an exceptional basis to register interest after land comes on the market.

Equally, we have listened to concerns raised by landowning interests.

David McLetchie (Lothians) (Con): How much will that extension lengthen the whole process and disrupt the market in land in Scotland?

Mr Wallace: I did not say that that measure will lead to an extension. As things stand in the proposals in the white paper, the community interest in land has to be registered prior to land going on the market. In exceptional circumstances, when an opportunity unexpectedly presents itself, it will be possible to register an interest after the land comes on the market. Otherwise, the time scales will remain as they are in the proposals.

David McLetchie rose—

Mr Wallace: I will say more in a moment on the issue of time, which, I hope, will give Mr McLetchie the reassurance that he seeks.

We have listened to the concerns of the landowning interest. The main concern of landowners was about cherry picking. I understand their concern that, in some cases, that could have an impact on the value of the remaining land. We would much prefer that the seller and community body reach a voluntary agreement on the area for community purchase, but if they cannot do that, the community will have to buy the land as lotted.

Landowning interests have also expressed concerns about the delays that could result from the exercise of community right to buy. Delays are in no one's interests and we wish to minimise them. Therefore, we have accepted the suggestion that the 30 days for community bodies to confirm their interest in buying should be prior to the property going on the market. Clearly, that implies an obligation on the landowner to give

prior intimation to a registered community body.

A further change to speed up the process markedly will be that the period of six months for community bodies to come up with funding will run from the date on which the body notifies the landowner that it will exercise its right to buy. To make that possible, the various processes will go forward simultaneously rather than consecutively; and deadlines will be set for each stage in the process.

I will now address the prospects for including provisions to create a crofting community right to buy in the forthcoming bill, rather than waiting for the crofting bill that Ross Finnie will bring forward in about two years' time. When we launched the consultation paper at Abriachan in July, we said that we wanted to include a crofting community right to buy if we could.

We have consulted on that separately and listened to what crofting communities and other interests had to say. In the light of that consultation, I am pleased to announce today that the draft land reform bill will indeed include provisions on giving crofting communities a special right to buy. That will mean a short delay, possibly up to a couple of months, in introducing the draft land reform bill. That is a price well worth paying to give crofting communities the right to buy now. I am sure that all those in the crofting community and those members who have expressed an interest in this area will warmly welcome this announcement.

Finally, I turn to provisions relating to access. It was clear from the consultation that there are concerns about the implications of our proposals to create a responsible right of access. Perhaps I can take this opportunity to repeat that we are proposing a responsible right of access and not, as might more neatly fit a headline, a right to roam—it is intended that a right of access should be exercised responsibly.

Farmers and other landowners expressed concerns about their ability to continue to manage their land. I understand those concerns, although I think that, in many cases, they were overstated. It has to be understood that the new right of access will be conditional on its being exercised responsibly. Guidance to the public on responsible behaviour will be set out in the Scottish outdoor access code, which will be published for consultation alongside the draft bill. I endorse what a number of people, both those wishing to exercise the right and those with concerns about its exercise, have said to me about the importance of public education on the responsibilities that are attached to the right.

Some landowners have argued that even responsible exercise of the right could, at times,

impact adversely on their ability to manage their land. I recognise that there will be occasions when it will be necessary to limit the exercise of the right over some land. Therefore, the legislation will provide for land managers to manage the right of access on their land when the requirements of land management dictate. Those arrangements will inevitably be informal, but land managers will be expected to act responsibly in imposing any limitations on the right of access.

A particular concern was expressed about the access to farm steadings. Many respondents argued that farm steadings are just as much places of work as quarries or factories. Those arguments are persuasive. I have decided that the legislation will exclude farm steadings from the right of access, although there is an important qualification to that. Where a right of way already exists to a farm steading, that will continue.

The consultation also raised concerns about access by groups, particularly commercial groups. It is clear that a balance must be struck. The right of access will apply to individuals. In many cases, individuals will choose to exercise their right collectively; for example, as a family group. We want to encourage that, and it should not create difficulties. However, large organised groups present an altogether different proposition. The legislation will not extend the right to advertise sponsored or promotional events. That is not to say that such events cannot take place, as at present, with the expressed consent of the landowner.

All in all, this is a balanced package of adjustments to the policy proposals that are contained in the white paper. It demonstrates a responsiveness to issues that have been raised on all sides. We have listened and have acted where appropriate. Officials are now at work trying to prepare draft legislation, and I look forward to introducing the draft bill and having the opportunity for more detailed consideration and consultation.

The land reform bill is important. It will make a real difference to communities throughout Scotland that want to take up the right to buy, and to those who want to exercise the right of responsible access to see and experience the scenic heritage of the country in which we live. As I have explained today, the bill will also make a difference to those in the crofting communities who want to buy the land on which they live and work. However, the bill is only one element of our commitments on land reform. The action plan demonstrates the many other commitments that we are honouring. Overall, our land reform agenda is demanding, and one that we are in the process of delivering.

For many years, despite a keenly held desire to make progress in this area, the subject of land

reform was lost from the parliamentary stage. The Executive has put it back firmly where it belongs—up front, centre stage. I commend the motion to the Parliament.

I move,

That the Parliament commends the openness of the Scottish Executive's approach to land reform, as demonstrated by the extensive consultations on the Land Reform White Paper published in July; recognises the scale of their overall commitments to legislation and other action on land reform as set out in the Land Reform Action Plan published in August, and welcomes the progress to date as shown in the first Progress Report published earlier this month.

The Deputy Presiding Officer (Mr George Reid): There are several members who wanted to speak in the previous debate, whose names remain on my monitor screen. I ask that the screen be cleared now. I ask members who want to contribute to this debate to press their buttons again.

I call Roseanna Cunningham to speak to and to move amendment S1M-313.2.

16:08

Roseanna Cunningham (Perth) (SNP): I, too, welcome the opportunity to debate this matter in the Scottish Parliament. I recall debates at Westminster, after I was elected in 1995, which were almost always on an adjournment motion. Certainly, in my recollection, they were always at the instigation of the SNP. Over 25 years, the SNP has consistently campaigned on land reform. Its overriding principles have always been crystal clear: to maximise access for all the people of Scotland; to accept that the land of Scotland is a major resource; to commit ourselves to removing the medieval feudal tenure system; and to give communities throughout Scotland direct involvement in decisions that affect land.

It is clear that there is a broad area of consensus within which the debate has taken place, although I was somewhat dispirited when I read the Tory amendment, which is entirely negative and offers nothing at all constructive to the debate. I shall listen with interest—and, no doubt, incredulity—to what a Tory policy of land reform might include. I understand that Alex Johnstone has been on the airwaves this lunch time, announcing with due solemnity that there is no demand for land reform in Scotland. Frankly, that is an unbelievable statement for him to have made. It suggests that the Tories have lost touch not only with Scotland but with reality.

When the SNP set up its land commission, in 1995, it spent two years taking evidence from around Scotland, north and south, in city and in country. The commission had only to advertise a session for it to be inundated with people and

organisations who were clamouring to be heard on the subject, the vast majority of whom were perfectly sure that reform was necessary. There may be some differences between the approaches of the SNP, Labour and the Liberal Democrats, but at least on the issue of land reform we share an awareness of the demands of ordinary people throughout Scotland. That is more than can be said for the Conservative party.

Tories aside, there is a broad consensus on issues such as recreational access, even if the SNP's view is that it might have been preferable to have dealt with that in a separate piece of legislation. However, it is better that it is dealt with in the land reform bill than not at all. Similarly, the three parties—perhaps I should say the five parties—in this Parliament that are committed to reform have much in common on the future expansion and development of crofting, short-term farming tenancies, more readily accessible information and a nationwide land information system.

We share the desire to end the outdated controls inherent in the feudal system. The sweeping away of the nonsense of superiors and vassals is a fitting way in which to greet the 21st century.

David McLetchie: If Roseanna Cunningham is so keen on sweeping away the nonsense in the feudal system, will she condemn the actions of the SNP-controlled council in Kinross, which is acting as a feudal superior and charging people £50 plus VAT to extend their porches or extend their windows?

Roseanna Cunningham: If Mr McLetchie is talking about the current Perth and Kinross Council, he will know that it is the Tories who are involved in that coalition, with Labour, Liberal Democrat and independent members, not with the SNP. Perhaps he needs to speak to his own party.

The Abolition of Feudal Tenure etc (Scotland) Bill, at present before the Justice and Home Affairs Committee, will get a fair wind from the SNP, as will the other proposed law reform bills. Equally, the forthcoming land reform bill, when it finally appears, including its provisions for access, will be welcomed and supported, although perhaps not totally uncritically, by the SNP.

However, our amendment sums up our position on the central proposals in Mr Wallace's motion: we support them as far as they go, but think that they do not go far enough. The community right to buy, the tightening-up of compulsory purchases and voluntary codes of conduct do not a reform package make.

Despite the Conservative party's scaremongering, I think that the bill will fail to achieve real, deep change in the nature of land

management, or land ownership. Short of community buy-outs, the only real nod in the direction of community involvement is in the voluntary codes of practice for rural land use and land ownership. In the land reform white paper, there was no mention of community involvement, except in the context of the purchase proposals.

Where I do find some scant, suggested reference to community involvement is in the progress reports. By the way, I find those reports very helpful. They are very welcome, and I commend that approach to consultation prior to legislation, even if I am not entirely sure that a motion for debate is justified.

I notice from the most recent of those progress reports that the code of good practice for rural land ownership will not be published until September 2000, and a draft is currently with the land ownership consultative panel, while the separate—if I may be permitted to use that word—code of good practice on rural land use will eventually emerge at the end of 2000. Whatever appears, it is unlikely to deal with many of the problems facing communities in Scotland.

Voluntary codes can be ignored—and are very likely to be ignored—by corporate owners and landowners who are not signed up to organisations such as the Scottish Landowners Federation, of which, we should remember, there are more than a few. If voluntary codes are ignored, what then? The bill will offer community purchase but little else. I remind the Minister for Justice that even that ability to purchase will be triggered only when the estate comes on to the market; that does not deal with the existing abuses.

One prominent critic, Andy Wightman, has pointed out that most privately owned land in Scotland has never come up for sale in the past 100 years. Equally, the narrow definition of community that is contained in the proposals means that many deserving communities will not benefit. Despite the rhetoric, the truth is that many other communities will not wish to buy the local estate. In areas where there is no demand to purchase, what does the community do?

I can give a specific example. Some people will have heard me talking about this; the minister has heard me mention this before. I call it the Blackford test. In the past, I have been highly critical of the Blackford estate, which is in my constituency. It has not signed up to the SLF and, despite the concerns frequently expressed by the local community, there is no detectable desire on the part of that community to own the estate.

I would like to be able to say to those constituents that the promised bill will make some difference, and that, when they next come to me

with complaints, I will be able to point them in the direction of a potential solution. On the existing evidence, that will not be the case. It may be that the Executive has further, as yet unrevealed, plans to bring in more reform measures that will do the job. If that is the case, I would like to hear them.

In reality, a reliance on voluntary codes fails to bite the bullet and, to paraphrase, the spirit is willing but the will is weak. What we should be doing, at an absolute minimum, is making adherence to such codes the bottom line for the delivery of any public assistance. Preferably, the codes should be moved on to a firmer footing.

The SNP has already proposed community contracts in which landowners, the state and local residents co-operate to promote sustainable development in Scotland's rural communities. That way, the rights and responsibilities of all parties would be clear. Where an estate is in receipt of public money, a community contract could clearly set out the conditions linked to the receipt of those funds. Where an estate changes hands, new owners would be required, as a condition of purchase, to negotiate a clear contract that states, amongst other things, their short-term development plans, the rights of tenants and the involvement of the community in the development of the estate.

We all remember the wild promises made to the islanders of Eigg by Maruma. We should find a way to hold owners like Maruma to such promises. As I said, not all communities will want to purchase the estate.

The SNP has also proposed mechanisms to facilitate the setting up of locality land councils, where there is demand. That would allow communities that have a central role in the development of local land use strategies and that work in liaison with the department for rural affairs to draw up local land plans as the basis for sustainable development. The introduction of those bodies would be linked to an overhaul of the structure of agencies and grants in Scotland, so that the available money can be spent more effectively and targeted at community-supported, sustainable projects. At the heart of that is a desire to involve communities in the land and in the areas in which they live.

Before I move on to more specific issues relating to finance—

The Deputy Presiding Officer: You have one minute.

Roseanna Cunningham: With respect—

The Deputy Presiding Officer: Ten minutes for a speech.

Roseanna Cunningham: I wonder whether the minister would comment on a more general

issue—which is nevertheless important: the need to review the current structure of quangos in Scotland. At present, farmers and landowners seeking financial assistance or wanting to develop their land can be forced to deal with more than 20 public bodies or agencies. We need some way of reducing that kind of inefficiency. That would allow resources to be redirected, which would assist the land purchase proposals that the Government wants to promote. It would also fulfil one of the Government's other promises: the widely heralded bonfire of the quangos.

The extra money would certainly be useful. I note with some amusement that the white paper glides over the issue of financing, as does the progress report. The Executive must not be allowed to avoid addressing the nonsense that the land fund from which the money will come will be held by the Minister for Culture, Media and Sport, not by the Executive in Scotland. The Scottish Government could issue guidelines, but the allocation of moneys to individual programmes would be decided by the operators of the new opportunities fund. Land reform should not be a lottery—that is not acceptable for Scotland.

The SNP has always supported community ownership as an option. However, it cannot be the only weapon in the armoury. The SNP's proposals would add to that lone weapon several others, which could only help to further community involvement. Communities would have a variety of options and be able to exercise the real choice that they have been so long denied, and which they would continue to be denied should the Tories ever return to power.

I move amendment S1M-313.2, to leave out from "commends" to end and insert:

"notes the progress of the Scottish Executive's consultation on the Land Reform White Paper; welcomes the commitment to a community right to purchase contained within the proposals; nevertheless is concerned that these proposals remain too narrowly focused and therefore agrees that they should be widened to include proposals which would increase community involvement in local land management throughout Scotland."

16:18

Alex Johnstone (North-East Scotland) (Con): Presiding Officer, I begin by drawing your attention to my entry in the register of members' interests, particularly my membership of the Scottish Landowners Federation.

In his introduction to the white paper, the Deputy First Minister states that land reform and radical change are "crucial to rural Scotland". I suggest that there is an unprecedented crisis in rural Scotland. I suggest that the people of Scotland expect the Executive to take some action to relieve their increasing suffering. The practice of

some Executive back-bench members—of blaming the Tories for everything, hoping that no one will notice their own inadequacies—is wearing a bit thin. With our traditional rural industries in economic free fall, Jim Wallace must stand up and say, “Let them have land reform.”

The idea of community right-to-buy is the product of several problems that have arisen in the Highlands and Islands—Assynt, Knoydart and Eigg are the grand examples. The Conservatives have no objection to attempts to find imaginative and radical solutions to such problems. Indeed, the actions taken by Lord Forsyth when he was Secretary of State for Scotland demonstrate that we are happy to take the lead where an obvious and proven demand for new forms of land ownership exist.

Roseanna Cunningham: Will the member give way?

Alex Johnstone: No, not at this point.

That poses the question: why is the proposed land reform legislation to be imposed not only on the Highlands and Islands, for which it might seem to have been designed, but on the whole of rural Scotland? I have found no evidence of any powerful consensus for change among those who live and work in the countryside. Where I come from, nothing could be further from people's minds. I believe that this is another shaming example of legislation being imposed on rural populations that have not asked for it by Scotland's urban-based political majority, for political rather than practical reasons.

Mr Jim Wallace: Will the member give way?

Alex Johnstone: No.

No one on this side of the chamber opposes the concept of community ownership of land. Indeed, we are greatly interested in the progress of the examples that I have mentioned. However, we are greatly concerned about the Executive's apparent view that community ownership is the ideal.

Tommy Sheridan (Glasgow) (SSP): Will the member give way?

Alex Johnstone: Not at this point.

Tommy Sheridan: He tried that last week. *[Laughter.]*

Alex Johnstone: No, I apologise, but not at this point.

There is, I am assured, no shortage of areas in which it is clear that members of the community have absolutely no desire to take on ownership of their land. The proposals that would allow an as yet unidentified community to exercise—before anyone else—the right to purchase land in rural Scotland are, in my opinion, wholly unjustified.

There is a genuinely held fear that the process described in paragraph 1.7 of the Executive's land reform document will act as a disincentive to purchasers of land, who will be concerned about interference in any future sale because of that complex and potentially time-consuming process. The process will be a disincentive to outside investors, on whom many of our Scottish estates have become dependent in recent years.

The willingness of some people to pour money into Scottish estates, gaining no apparent benefit for themselves, is a source of amazement to many. Those benefactors ought to be encouraged, not discouraged.

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD) rose—

Alasdair Morgan (Galloway and Upper Nithsdale) (SNP): Will the member give way?

Alex Johnstone: Not at this point.

The opportunity to purchase land in other parts of the United Kingdom and Europe, unhampered by regulations, will, without a shadow of a doubt, lead to immediate erosion of land values in Scotland. The willingness of landowners to invest in their property will also be reduced if they believe that there is a limitation in the long-term value of their investment.

These proposals are, in the opinion of many, both cumbersome and unworkable. They are a clear example of taking a sledgehammer to crack a nut. They are a clear case of a solution that is grossly disproportionate to the problem. They are, quite simply, a massive over-reaction.

Alasdair Morgan rose—

Roseanna Cunningham: Will the member give way? Or is he afraid to?

The Deputy Presiding Officer: Order.

Alex Johnstone: We are very tight for time, but all right.

Roseanna Cunningham: Thank you. I want to put a simple question to Alex Johnstone; I have asked him before, and I will ask him again. Despite all the negativity we are getting, I think that we would all like to hear what Tory land reform proposals sound like. Will the member tell us?

The Deputy Presiding Officer: You still have three minutes, Mr Johnstone.

Alex Johnstone: I am here today to put a point of view that has been correlated across a number of organisations. I have consulted widely and I am sure that the minister is prepared to admit that those organisations have been part of his consultation as well.

Mr Jim Wallace *indicated agreement.*

Tommy Sheridan: Will the member give way? I have a small question.

Alex Johnstone: How small?

Tommy Sheridan: The member will be aware that 790 people in Scotland own 60 per cent of all private land. Does the member believe that that type of ownership should continue?

Alex Johnstone: Some of the largest landowners in Scotland are also some of the best. A large proportion of landowners in Scotland are small landowners such as myself.

Tommy Sheridan: So that is a yes.

Alex Johnstone: If we were to put across views in the way that Mr Sheridan would, we would be giving way to some of the prejudices that exist in this debate.

I have said at length that, in my experience, there is not a powerful consensus for change. The part of the land reform white paper that has caused the most debate is section 7, which relates to access. The importance of access cannot be overstated, but it concerns many people that it has appeared as an appendage to the paper on community ownership. Although the principle of the right of informal access to Scotland's hills and unenclosed land is widely accepted and already practised throughout much of the country, the suggestion that the right should be extended to enclosed land is unjustified and no good argument for it has been proposed.

The Deputy Presiding Officer: You have just one minute left, Mr Johnstone.

Alex Johnstone: Scotland is truly a beautiful place. I believe that our landscape is a natural treasure that should belong to all Scotland's people equally, but I am a farmer and I have grave concerns about how we progress on the issue of access to enclosed land.

Mr Rumbles: Will Mr Johnstone give way?

Alex Johnstone: I will not give way at this point.

It appears that the Executive intends to follow the recommendations of the access forum, believing that they represent a consensus among all interested parties. However, I have met people from organisations that were not involved in the access forum and their concerns have not been included in its considerations.

Although there are no doubt many people who will argue that the duty of responsible access mentioned in the white paper will solve many of the potential problems, there are no suggestions on how it might be policed. The expectations raised by the new legislation will not be balanced

by efforts to control what many may see as an opportunity to run about all over the countryside. I feel that that imbalance must be addressed.

The Deputy Presiding Officer: Wind up please, Mr Johnstone.

Tommy Sheridan: That is what he is doing; he is winding us up.

Alex Johnstone: Ach, come on. There is one other issue that I would like to raise at this point.

The Deputy Presiding Officer: Do so very briefly, please.

Alex Johnstone: In winding up, I shall address one final point about the European convention on human rights. There are still people in the countryside who are concerned that the proposals in the white paper may fall foul of the convention. I would like to be reassured that that has been taken into consideration and that any problems that may arise as a result of it will be dealt with before a bill is published.

Mr Wallace: Will Mr Johnstone give way?

The Deputy Presiding Officer: I must ask the member to wind up as he has already taken a minute longer than is allowed.

Alex Johnstone: Finally, I want to ask the minister whether, given concern in rural Scotland about access, due consideration will be given to treating access as a separate and distinct bill to the one on community ownership.

I move amendment S1M-313.1, to leave out from "commends" to end and insert:

"recognises that the problems facing our rural communities and way of life will not be solved by land reform and calls upon the Scottish Executive to recognise the fact that many of the proposals contained in the Land Reform Action Plan will have a damaging effect on the rural economy."

The Deputy Presiding Officer: Fifteen members have indicated a desire to speak. I will therefore strictly limit speeches to four minutes. I call Rhoda Grant.

16:28

Rhoda Grant (Highlands and Islands) (Lab): I welcome the announcements that the minister has made today. They will go a long way to meet the needs of the community that I represent. The debate on land reform has gone on for many years and it is great to see that our new Scottish Parliament can deliver on those important priorities.

At the end of the process, there must be a workable solution that is designed to meet the needs and demands of future generations. I am therefore delighted that the minister has

addressed crofting. Under the present legislation, a crofter has the right to buy his or her croft and an apportionment of the common grazings. Working out that apportionment can be difficult and has discouraged crofters from taking up that option. The right to buy the whole township would offer a greater opportunity for diversification, enabling crofters to start wind farms, build larger community businesses and attract inward investment.

I have for some time been dealing with members of the crofting community at Laid on the north coast. Crofters there want the right to buy their crofting community jointly. Now they have that right. That will enable them to put their ideas for diversification into practice—ideas that they have been unable to develop in the past. Today's announcement will help to sustain the fragile community in that area and will allow the people who live there to expand and develop.

In my dealings with the people of Laid, it has become clear to me that the community is at a disadvantage because people do not know who owns their land. The estate owner is a company called Vibel SA, which is registered in Liechtenstein. Under Liechtenstein law, it is impossible to find out who the shareholders, and therefore the beneficial owners of the estate, are.

I recognise the difficulties that are involved in tracing the identity of beneficial owners who are involved in companies registered outside Scotland and the United Kingdom, but we must recognise that communities are at a great disadvantage if they lack such information. They are unable to make direct representations to their landlord and to discuss issues that affect the running of the estate.

To tackle the problem, we must set up a land register in Scotland that lists not only owners, but beneficial owners of land. That is a much bigger project, but we must start it now to ensure that future generations do not face the same problems as the crofters in Laid. I congratulate the minister on today's announcement, but I ask him to address the issues by considering the setting up of a land register.

16:30

Tricia Marwick (Mid Scotland and Fife) (SNP): The current system of land tenure and ownership is a barrier to housing people in affordable homes. Land reform is necessary to allow communities to survive and grow. Land reform is the single most important tool that we have to address the rural housing crisis. The population of Scotland as a whole may be falling, but Scotland's rural population is growing. Housing waiting lists have grown by 45 per cent in rural areas, compared with 35 per cent in urban areas. Rural

homelessness has increased by something like 70 per cent. In some areas, almost a quarter of the housing stock is below tolerable standard.

There is a desperate shortage of affordable housing. That shortage can be traced back to bad management. Specifically, it can be traced back to a lack of available land for new housing, which is nonsense in one of the most sparsely populated areas of Europe.

Access to house building is restricted by whether a landowner will sell, the price at which he is willing to sell and the conditions attached to the sale. I agree with Rhoda Grant that we need to create a register of land interests. I am pleased that the Executive is watching the Scottish land information system pilot, but I am disappointed that the scheme will only ever be a non-authoritative database. I would like the Executive to go a step further and use legislation to make land traceable and owners identifiable.

In rural Scotland, land ownership is concentrated in the hands of a few. I am disappointed that Alex Johnstone is not here to hear that 80 per cent of private land is owned by 0.8 per cent of the population.

Mr Brian Monteith (Mid Scotland and Fife) (Con): How much of that land can be cultivated?

Tricia Marwick: Much more than is cultivated at present.

Shelter Scotland has said that that concentration gives a small number of landowners a prominence that is unmatched in any other European country.

I am pleased that the Executive is considering legislation to give communities powers to purchase land when it comes up for sale. However, what about the communities that need only a handful of affordable new houses to prevent youngsters from having to sleep in caravans? I welcome the minister's commitment to examine whether community organisations will be able to register an interest, which is particularly important for housing associations, but I would like a more explicit guarantee that housing associations and those who seek to build houses in rural Scotland will be given registration.

I urge the minister to allow organisations that act on behalf of communities to be able to bid for parcels of land that can be made available to the community as housing needs arise. If we cannot use land reform legislation to secure access to housing; if we cannot resolve the situation in which 10,000 houses in the Highlands and Islands lie empty and 9,000 people are on lengthening housing lists; and if land reform cannot meet the most basic need of our fellow citizens—housing—this Parliament will have failed.

16:34

Maureen Macmillan (Highlands and Islands) (Lab): I welcome the opportunity to comment on the progress that has so far been made on land reform and the Executive's openness in lodging the motion for debate today.

Land reform is not an empty gesture to members of the old Highland Land League or the Crofter's party MPs of the past; it is the base on which we will build a modern economy in the Highlands, having got rid of the dead hand of landlordism.

When the proposals for legislation were published, many gave them a qualified welcome. There were significant steps forward. Community bodies were to be able to register their interest in the land on which they lived and worked and to have time to assess whether they wanted to buy the land. Many of my constituents in rural areas were concerned that the proposals did not do enough to empower their communities. I therefore welcome the Deputy First Minister's statement that shows that many of those concerns have been heard and will be acted on.

I welcome the wider definition of the community body. Members will understand that, under the original definition, some areas of land would not have been part of the community land initiative. Broadening the definition of community to include owner-occupiers who live on the estate would be useful, as would extending the definition to communities adjacent to land in which they have an interest. That would allow access to new land where houses could be built and businesses and crofts could be set up. We must think about how many businesses the land can support—not just how many crofts—if the Highland economy is to be taken into the 21st century.

I welcome the inclusion in the proposal of an emergency provision to allow late registration of interest. Large areas of land in the Highlands and Islands have not been on sale in living memory. Maintaining community interest could be difficult as there are changes in the nature of communities, land-use management and Government policy. If land comes on the market after a community has decided to deregister, or it has not registered because it never expected land to come up for sale, an emergency late registration process is essential.

I whole-heartedly support plans to increase responsible access. I can think of one set of gates in a Highland glen on which I will personally nail this legislation when it is passed.

The issue of access is important for the Highlands and Islands. Tourism is a major industry and increased access will help it by bringing a greater number of tourists into the area who will

support many businesses. I welcome the plans to encourage responsible walkers. Hill walking already brings £3.5 million to Ross-shire every year. Walking in forests and straths will attract families and old people who prefer using easily accessed paths. This is a niche market with enormous potential for the Highlands.

The proposals for land reform offer the opportunity to bring forward a permanent and workable solution to the problems of the Highlands and Islands that successive Governments have sought to address. We must look at how we deal with ill-used land that never comes on the market. I hope that the Executive will continue to listen to the people of the Highlands and Islands as the bill progresses.

I welcome the progress that has been made and the Deputy First Minister's announcement, and I am happy to support the Executive's motion.

16:38

Phil Gallie (South of Scotland) (Con): I am sympathetic to some aspects of community land ownership. I welcome the minister's comments on the crofting situation, which fall into line with the directions set by the former Secretary of State for Scotland, Michael Forsyth. On that basis, we could not do anything other than give support to the minister.

I have reservations about what has been said about access to land and I feel that the proposals are a little over the top. As someone who enjoys our countryside, I must say that I have never found any difficulty with landowners—I adopt a common-sense approach to access when I am in the countryside. Maureen Macmillan referred to the amount of cash that is brought into Ross-shire by tourists. That demonstrates that the problems are not as great as they might appear to be.

Shudders run down my spine when I consider the amount of legislation that is involved in the action plan. I forecast that there will be confusion and complication, when it should be simple for people to enjoy our countryside. All that is recognised in Alex Johnstone's amendment.

Alasdair Morgan: Is Phil Gallie saying that there is no problem with access and that legislation will not increase the amount of access? Is he objecting to the fact that legislation is being passed?

Phil Gallie: I am concerned about the amount of legislation that is envisaged in the land reform proposals. Consider the plight of the rural community now. I believe that many of the proposals will create problems for landowners and farmers, whether they be owners or tenant farmers, when the rural economy is in crisis.

If the minister is examining the rural economy, he should consider issues other than land reform. Consider the courts, for example. The Labour Government has hurtled us into a situation where European law rules in the justice system in Scotland. I have fears about the problems that will arise from the European Court of Human Rights. The problems that we have seen so far are the tip of an iceberg.

All kinds of problems will build up if land reforms are implemented.

Mr Jim Wallace: One of the considerations of the European convention on human rights, in relation to the community's right to buy, will be compensation for landowners. Is that a right that Phil Gallie would rather landowners did not have?

Phil Gallie: I would certainly expect compensation, but whose level of compensation? Will it be a market value level or a level of compensation set by civil servants in Edinburgh? That is an important question, which I am sure the European Court of Human Rights will consider and determine.

The Deputy Presiding Officer: Wind up please, Mr Gallie.

Phil Gallie: On community purchase, I welcome the fact that the people of Millport have been able to take the Island of Cumbrae into ownership. That shows that such purchase can already happen.

I would like to say much more, but I see that I am getting the nod from the Presiding Officer. I look forward to the bill being introduced so that it can be analysed in the Justice and Home Affairs Committee and the Rural Affairs Committee. There are many bugs in it, but there are one or two good points.

16:42

Mr John Munro (Ross, Skye and Inverness West) (LD): As somebody who was brought up on a Highland estate and spent many years of my young life there, I welcome the opportunity to debate land reform.

I am well acquainted with many of the issues that concern the community in which I grew up. Many of those issues have been addressed in "Land Reform: Proposals for Legislation". I support much of what is incorporated in the document, and I hope that as the bill passes through the various stages of the parliamentary process, the proposals will be further honed and strengthened and will gain the support of the vast majority in this Parliament.

Much of the document is acceptable and many of the proposals are innovative and new. However, some sections of our community have been

overlooked, or have not been given sufficiently serious consideration. I refer in particular to the tenant farmers. Under the legislation at present, tenant farmers do not enjoy the security of tenure enjoyed by crofters. They do not have an assured tenancy over a period of years. That issue merits serious consideration.

Tenant farmers do not have the right to buy; the legislation should include measures to give them the same privileges as those currently enjoyed by crofters, who have the option of buying their croft at something like 15 times their annual rent. The legislation should afford that possibility to our tenant farmers.

The proposals on crofting lack the commitment that I would like. I am happy to accept that the crofter has the right to buy his land within the township, but he will not be allowed to acquire the sporting rights or the mineral rights. We should incorporate it in the legislation that, when a crofter buys a piece of territory, they have absolute ownership of that territory's sporting and mineral rights.

Over many years, much has been said about the feudal system, and I am glad that legislation will address that anomaly. It is an antiquated system that should have been flung out years ago. However, other aspects of the feudal system should be considered. The rights of pre-emption, for instance, are anathema to many people. Written into some of the title documents that are currently being exchanged between parties are archaic conditions and burdens that do not bear scrutiny as we approach the new millennium.

With any compulsory purchase initiative, there is no absolute guarantee of success—you win some, you lose some. For that reason, we should be careful about how we proceed with such schemes. However, where a community has shown interest in a piece of land—and I do not mean a community that lives and works on the land, as the document suggests—and it can be demonstrated that a compulsory purchase initiative would benefit the wider community, it should be supported. In such cases, the identity of the community must be clearly stated.

I know of many excellent landlords who, in co-operation with the local community, have generated a quite remarkable vibrancy and viability in rural Scotland. We should continue to support their efforts. However, there are also many landlords who are not so co-operative or constructive. That is the situation with which the land reform document seeks to deal.

Many estates and pieces of land have already been bought for the resident community with the support of public agencies and public money, and that is to be welcomed. However, we must ensure

that we continue to support communities' efforts to demonstrate that their units are and will continue to be viable in the long term. If that does not happen and the units fall apart, the concept of community land ownership will become an embarrassment and disappear into the Highland mist, in the words of our bard, Robbie Burns,

"like the snow falls in a river,
A moment white—then melts for ever."

I am pleased to inform my colleagues in the parliamentary party that today I will vote in support of the motion in the name of Jim Wallace.

16:48

Johann Lamont (Glasgow Pollok) (Lab): I welcome the minister's statement and the priority that the Government has given to the issue of land reform. The issues of land ownership, access and the use and misuse of the power that lies with those who own our land are a touchstone of the politics of many of us in the chamber. It is ironic that those who, in the case of field and blood sports, would like us to celebrate the countryside, should make it quite clear, when it comes to access, that they want us to celebrate it from afar. For that reason, I welcome the document's proposals on access. It is also important to address the Tories' attempts to collapse together the interests of landowners and the interests of rural communities, which are not necessarily the same thing.

I trust that members will allow me to relate a bit of personal history. Jim Wallace made the point that Parliament had not seriously addressed the question of land reform for almost 75 years. In 1918, my great-uncle, William McPhail—a bard with, I believe, a particularly satirical turn of phrase and a crofter on the island of Tiree—went to jail, along with seven others, for the crime of planting the land for which they were negotiating the right to rent. The negotiation was being delayed by the farmer involved and by the proprietor, the Duke of Argyll. The dispute ended in court—on the one hand, because of the courage of those impoverished men in asserting their rights to feed themselves and their families and their determination to fight for the rights of their local community to sustain itself, and on the other, because of the obduracy of those who felt that they had the power to control that community because they owned the land.

The only thing that those impoverished but courageous people had in common with those who sought to exploit them was their Scottishness. Opposite us is the Scottish National party, which believes that we should construct our entire constitutional existence on the basis of that Scottishness. The treatment of my great-uncle—and, over the years, many others like him—clarified for me as much as anything else why I am

a socialist and not a nationalist.

It is crucial that we identify the real targets in tackling inequality and injustice. The experience of the clearance and exploitation of rural communities is not specific to Scotland, but it is particular to communities where ownership is concentrated in a few hands. Equally, the ability to ride roughshod over local community interests is not particular to foreign landowners. We must recognise the consequence of the concentration of power in the pattern of ownership in Scotland. I welcome the fact that the Government is seeking to shift the balance in favour of local communities that are committed to sustaining their own areas and determining their own priorities.

Land reform is an on-going process. I wish to identify two areas to which the Executive might wish to turn its attention in the near future. One is Deaconsbank, which is in my constituency of Glasgow Pollok. Barratt built 639 houses in Deaconsbank between 1977 and 1982. After development, 27 acres of land were left undeveloped, the title to which, I understand, remains with Barratt. However, the maintenance of the land is both legally and literally a burden on the local residents. They must maintain the land, although the ownership and hence the right to develop or dispose of it remains with Barratt.

There has been much talk in recent years of rights being matched with responsibilities. Unfortunately, because of Barratt's shabby behaviour and the archaic nature of land tenure in Scotland, Deaconsbank residents have responsibilities, but no rights. I hope that at some stage the minister will consider acting against unjust burdens such as those imposed in Deaconsbank and, doubtless, in many other communities in Scotland.

I wish to mention another area, which was highlighted by Age Concern—retirement housing. It is important in terms of rights; the contractual terms in many deeds of conditions are unsatisfactory. I hope that the Executive can consider that area.

I declare an interest as a member of the Co-operative party, because I wish to highlight an area of particular significance to the debate on land reform—the power of co-operation in communities. Rather than communities being handed a programme that is good for them, co-operation gives communities the means by which they can be empowered to take control over their own lives.

We must recognise and seek to build into all areas of our social and economic lives an opportunity to co-operate, to develop community business and to celebrate the social forms of ownership.

16:52

Irene McGugan (North-East Scotland) (SNP):

Current land reform proposals encompass a wide range of issues, from national parks to landlord-tenant relationships and from feudal reform to access rights. I wish to concentrate on access rights.

Few people will aspire to own or to manage land, but the majority will seek access for recreational purposes. Each week, Scottish residents take over 2 million walks in the countryside and 65,000 people in Scotland go horse riding. Over 45 per cent of Scottish households own at least one bicycle. That is good for the nation's health and for our tourist industry, but it is fraught with access problems.

More than 60 per cent of people are unsure about where they can walk in the countryside and there are few routes for off-road riding, as only 4 per cent of recorded rights of way carry a right to ride a horse. That controversial area would benefit from further and much more detailed consideration.

Jim Wallace advised us that the access proposals will apply to individuals who may choose to exercise the right collectively, and that they will not extend to commercial organisations and activities. However, there are many grey areas. For example, what about non-profit-making groups that organise walking or riding holidays? Do they fall into the commercial category? How will the landowner know if people are part of an organised group and not just friends or a family out together for a walk or a ride? What are the implications for outward bound courses?

Since early 1998, the access forum has been developing proposals for new access arrangements in Scotland, which are based on a wide consensus among landowners, farmers, users and public agencies that are represented by the forum. Yet the white paper's proposals fail to take account of a great many of the forum's proposals and recommendations. Most groups with an interest in access issues are concerned that some of the recommendations that do not require primary legislation will not be taken on board, which could severely limit the effectiveness of the Executive's proposals in overcoming current difficulties.

The forum strongly advises that the right of access without better management and greater investment will not work effectively. Additional resources must be made available to central and local government for paths; routes for walkers, cyclists and those with disabilities; the repair and maintenance of stiles and other infrastructure; and additional local authority staff and rangers. Grey areas such as those must be addressed.

A Scottish countryside access code is to be devised. With regard to the status of that code, the white paper says that the proposed legislation will not introduce any new criminal offence, so if landowners or the public break the code, it is not clear what the outcome will be. That is a crucial area which requires resolution. With no legal status, the code could be in danger of being viewed as a paper exercise. Indeed, the content of the code will be one of the defining features in assessing the impact of the proposed legislation.

The important issue of access is given little attention in the Executive's proposals. As has been highlighted by Roseanna Cunningham, such a complex issue, which affects everyone in Scotland, should be worthy of a separate, thoroughly researched piece of legislation on which there has been full consultation.

16:56

Allan Wilson (Cunninghame North) (Lab):

I support the motion and welcome the minister's statement. I shall refer to two issues: the community right to buy and the right of responsible access.

To take the latter issue first, I look forward—unashamedly, from a constituency viewpoint—to the legislation restoring the right of popular access to land at Portencross Castle, near Hunterston in north Ayrshire. The right of way for ramblers—Phil Gallie and others—from far afield has been barred to them for the past few years by the irresponsible and injudicious use of barbed razor wire. Without the legislation, there is no legal authority to have the wire removed and responsible access restored. For that reason, I welcome the legislation.

I also welcome the steps that have been taken to lower the registration threshold which, quite unexpectedly, the white paper—as opposed to the green paper—created for the community right to buy. At least we now have the caveat that, in exceptional circumstances, the registration requirement can be sidelined. That seems to meet the valid objection that even in cases such as Assynt and Eigg, there would have been no right of community buyout under the proposed legislation, because no prior interest in buying the land had been registered. It might not meet the Blackford test referred to by Roseanna Cunningham, but I think that it meets the Eigg test.

However, I still question the need for a registration requirement at all. The reality in relation to land purchase or any other kind of buyout is that people are most unlikely to act on a hypothetical basis. The feature of Scottish land ownership is not how quickly it changes, but how slowly. If we were to look at the land register

drawn up in 1875, under the Administration of the Earl of Derby, we would be astonished to find out how few—rather than how many—have been the changes in title to the great estates. It is absurd to insist that people living in those areas should register their interest in advance of the acquisition of land, decades or even centuries before there is even the remotest prospect of it coming on to the market.

The absurdity of that requirement is reflected in my constituency. On the island of Arran, land ownership and the abuses that flow from it are a perpetual nuisance and a concern of the highest priority. A large part of the island is still under the ownership of Arran Estates, which is directly descended from the dukes of Hamilton. If the legislation that is now proposed had been in existence in the 1880s, when, sadly, the dukes of Hamilton used their parliamentary influence to have Arran excluded from the crofting acts, people might have registered interest in the acquisition of land, but 120 years later, they would still be waiting for something to happen.

That is an argument against the whole concept of registration, but it is also a sobering reminder of the limitations of the legislation that we are now proposing.

Phil Gallie: Will Mr Wilson give way?

Allan Wilson: In some circumstances the legislation will do good, but unless the heirs of the Duke of Hamilton fall on hard times and put Arran Estates on the market, the communities that register their interest in 2000 may well be waiting for the opportunity to purchase when we enter the 22nd century.

I have just a short time left—I will debate this subject with Phil another time. I whole-heartedly welcome the announcement on the crofting community right to buy. Sadly, Arran is not included, but I know from colleagues and others who have campaigned for it tirelessly that it will be a source of rejoicing in the Highlands and Islands.

17:00

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I should like to make two short points to the Deputy First Minister. I have for some time pursued the issue of smallholdings and getting people back on to the land. I hope that there will be future moves on that. In Ross and Cromarty, there is a big farm near where I live that is owned by people from abroad, which is run in prairie style. I know that many local people would love to have a bit of that land, for a few sheep. An interesting example is that many people who work in the BMW factory in Stuttgart have smallholdings within commuting distance. In terms of land management, a better life and good agriculture,

that makes sense.

In the previous debate, Keith Raffan rightly raised the problem of old-age poverty. He quoted the figure that, with the increase in water charges and council tax, old people in Highland are £42.63 worse off. In the Western Isles, the figure is £38.97. As a Parliament, we should take on board his point about making representations to the Chancellor of the Exchequer.

I have gone on and on about the agricultural business improvement scheme—if we do not get such things right and do not give old people a decent standard of living, all these good proposals will founder, because people will continue to leave the glens. If Holyrood is to pull its weight, we must talk seriously and on an all-party basis to the chancellor and say that the legislation is in danger of not working. Amid the grandeur and the splendour of my constituency, old-age poverty is a serpent that is still with us—we must make the strongest representations on it.

17:03

Euan Robson (Roxburgh and Berwickshire) (LD): I refer to the “Register of Members’ Interests”—I am a Tweed commissioner.

The Deputy First Minister said that land reform had not been on the agenda for about 75 years. I think that it was Lloyd George who last introduced it. Today, nobody should be in any doubt that the process of reform is under way. Jim Wallace referred to the Executive’s actions over the summer, such as the opening of the Scottish Enterprise community land unit, and community commitments by Forest Enterprise, Scottish Natural Heritage and the Crown Estate. I welcome the early introduction of the Abolition of Feudal Tenure etc (Scotland) Bill. Its explanatory notes say that it will abolish 46 entire acts, 246 sections and 57 schedules to other acts. Alone, that is a major updating of Scots law.

I am not persuaded by an argument that is being canvassed that the bill should retain the feudal superiority of the Crown. The feudal system cannot be abolished just by taking out strata below the Crown. It is unclear what powers or rights the Crown might exercise, especially as its prerogative rights are untouched by the bill. Why is the Crown more appropriate in this context than this Parliament or local authorities, through the planning process?

In section 65 of the bill there is a proposal to prohibit commercial leases of more than 125 years. Although a balance has to be struck, I am persuaded that leases should be allowed to run for up to 200 years, otherwise there is a risk that the Scottish commercial property sector could be disadvantaged compared with that in England.

Perhaps the minister will comment on that in his summing up.

Liberal Democrats will, of course, support the leasehold casualties bill. We are also in favour of creating national parks, but only after detailed local consultation in the areas to be designated and with the assurance that community and economic interests—in particular those of farmers—will continue to be involved. I recognise that the bill will be of an enabling nature, but I look for the inclusion of such appropriate safeguards.

On community right to buy and access, I believe that there is a need for legislation to establish the right to buy. That legislation will stimulate change and—as Tricia Marwick mentioned—housing development, which is important in many rural areas. It will also stimulate economic development, especially in the Highlands and the north of Scotland.

Today's announcement on crofting is welcome; my colleague John Farquhar Munro also mentioned that. As the Deputy First Minister knows—I never tire of telling him—we must not fix a problem in the north and create another in the south. The safeguards on community purchase that the minister announced today should go a long way to frustrate cherry-picking on estates. I welcome those proposals.

Christine Grahame (South of Scotland) (SNP): Does the member agree that under the proposed legislation, the registration of community interests and the community right to buy apply only to landowners? Would it be appropriate for consideration to be given to Scotland's 10,000 tenant farmers, so that they—as well as farm owners—are entitled to take part in the consultation process?

Euan Robson: I regret that I cannot answer that, as I do not entirely understand its context. I will consider it and reply privately to the member.

As the minister said, it is important that the community body has to demonstrate a direct community interest in a piece of land. Other important changes are that the community—in the absence of agreement—will have to buy the land as lotted and that time scales will be tightened.

Significant changes have been announced on access. I welcome, in particular, the exclusion of farm steadings, which is an important and necessary change. I also believe that where there is an established network of footpaths, in particular over enclosed land, we might have to presume that those should be used for access.

We can consider those points when the bill is published. I also have some reservations about access to inland waterways.

Without doubt, the Executive will take comfort

from the fact that its motion sits between what might be described as the two extremes of the amendments. I must say that if Alex Johnstone is interested in progress, what he has told us about his policy today makes the snail look fleet of foot.

17:08

Alex Fergusson (South of Scotland) (Con): I begin by declaring four interests: I am a landowner, a landlord, a farmer and a member of the Scottish Landowners Federation. I hope that that does not preclude me from speaking today.

The ubiquitous Andy Wightman, a gentleman with whom I rarely find myself in agreement, asks what is to be made of the agenda for land reform—is it well informed, well targeted and radical? He says that one would like to think so but that, on closer examination, much of it turns out to be shallow and superficial; it presents a range of palliative measures that address symptoms rather than the underlying problems.

I agree with Andy Wightman on this occasion, because he is saying that the Scottish Executive's proposals are an ill thought out, knee-jerk reaction to a perceived need for land reform. I question whether that need exists. Most important, as our amendment suggests, the proposals will do nothing whatever to alleviate the desperate economic situation in which rural Scotland finds itself.

As Alex Johnstone pointed out, the Deputy First Minister, in his introduction to "Land Reform: Proposals for Legislation", which was published in July, stated that land reform was "crucial for rural Scotland". I contend that it is nothing of the sort. One can argue about whether it is desirable, but it is certainly not crucial.

Jim Wallace also said that the advent of the Scottish Parliament finally gave us an opportunity to debate the policies that were right for Scotland—the debate on land reform is a good example of that.

Mr Rumbles rose—

Alex Fergusson: I am sorry, but I do not have time to give way. Mike Rumbles should blame the Executive for not allowing long enough for debates such as this. [MEMBERS: "Hear, hear."] The right to debate should allow us more than the one and a quarter hours that were originally scheduled.

Any assertion by the Executive that it has rural issues at the top of its agenda was negated by the Opposition debate on rural affairs two weeks ago. The Labour party's commitment to rural affairs was measurable by the attendance—throughout most of that debate—of five of its members. That is the true measure of Labour's interest in rural affairs and that will not be forgiven quickly by the

rural electorate.

Let us examine the proposals for what they really are—an attempt to show that this Parliament can, as we keep hearing, make a difference so that the Executive can pat itself on its collective back and wallow in the self-congratulatory mire that today's motion exemplifies.

Members may ask what puts the Conservatives in the same critical boat as Andy Wightman. I am happy to tell them the answer. Let us take the proposals on access, which will create a "right of responsible access". The word "responsible" throws up two problems. The first is the definition of what is and what is not responsible. The second is the ownership of responsibility in cases relating to accidents or damage.

A dispute might be referred to a local arbitration forum. Will not it be too late, even if that forum finds in favour of the landowner? The damage will have been done. I suggest that freedom of access is a subject worthy of its own programme in the Parliament. It is vital to get it right, but that will be difficult when access is dealt with merely as a subsection of other legislation.

The proposals for feudal tenure—which were skipped over—are equally flawed. Although we are perfectly happy for abuses within the system to be rectified, the proposed legislation will do nothing to recognise the many positive protective features that the feudal system offers. Would the new town of Edinburgh be so architecturally magnificent without the feudal system? Members who are lucky enough to be acquainted with the village of Gatehouse of Fleet in Galloway will appreciate the conservationist capabilities of that same system.

Time does not permit me to highlight the vast number of flaws in the proposals on the community right to buy. The Conservatives have no objection to community ownership where there is local demand for it, where it is economically viable and where purchases are made on the open market. The Executive's proposals seek simply to transfer the financial burden of running some estates from the private owner to the taxpayer or the lottery player—whoever has the most money to spare at the time.

By giving such lengthy consultation time to communities, and by giving a role to the district valuer, the proposals can have only an adverse effect on the overall value of land. That will, in turn, significantly reduce the willingness of landowners to maintain investments in their properties. That is not the best way forward for rural Scotland.

The SNP amendment suggests that that party, too, agrees with Andy Wightman, although not for the same reasons as the Conservatives do. Its

long-term land reform policies were summed up by Roseanna Cunningham, who said in the House of Commons that the SNP sought people's land reform in Scotland. She continued:

"That means ultimate ownership of the land by and for the people of Scotland."—[*Official Report, House of Commons*, 29 April 1998; Vol 311, c 247.]

That system was tried by the communists—look what happened to them.

Mr Wallace's motion and the SNP amendment will do nothing to address the real problems in rural Scotland. That would be done better by tackling the planning regulations and the planning authorities, which embody the real bars to rural innovation and prosperity. We require practical solutions, not ideological theorising. I am pleased to support the amendment in the name of my colleague Alex Johnstone.

17:14

Alasdair Morgan (Galloway and Upper Nithsdale) (SNP): The SNP welcomes the fact that land reform is one of the first areas on which the Parliament is legislating, although a cynic might say that it is happening partly because the legislation has no immediate financial implications.

I start by addressing some earlier comments, particularly from the Conservatives. Alex Johnstone raised an old chestnut. He said that, because of the crisis in agriculture and in some areas of the rural economy, we should not be legislating on land reform—as if not doing so would somehow help the rural economy and agriculture. The Conservatives used the same argument when devolution was proposed—because of various crises, we should not waste time talking about devolution. That argument was as wrong then as it is now. We also heard that land reform will stop investors pouring money into Scotland. We should wonder why, if so much money is pouring in, the rural economy is still in crisis.

The Conservatives gave us two messages on access. Alex Johnstone told us that we could all enjoy Scotland's beauty on *The Scotsman* colour calendar, but that we should not walk in it. However, Phil Gallie told us that there was no problem with access and that we could go wherever we wanted. Those conflicting messages do not stand up to much examination.

Alex Johnstone also prayed in aid the European convention on human rights, saying that some of his supporters or correspondents were going to bring cases under it. I was somewhat surprised by that, as I thought that the Tories did not want the European convention on human rights to overrule the judgments of our courts. I was reassured when, later, Phil Gallie stuck the boot into Europe

in his usual fashion.

It was disappointing that there was no mention of the Conservatives' policy. I think that we know what their policy is—

Phil Gallie: Will the member give way?

Alasdair Morgan: No, I am sorry. Phil's speech contained so much good material to cover that I do not have time to give way.

The Conservatives are saying that everything was fine up to 1 May 1997 and that we would not need to legislate on this issue if we could go back to those halcyon days. Phil Gallie also complained about the burden of legislation—a familiar story from Conservatives here and at Westminster. Rules might not be perfect the first time round and might have to be honed after experience. The Conservatives used the same argument against the introduction of the minimum wage; indeed, I suspect that their forebears in the 19th century used the same argument against the Factory Acts.

David McLetchie (Lothians) (Con): We introduced the Factory Acts.

Alasdair Morgan: I am glad that Mr McLetchie can remember that far back.

Roseanna Cunningham mentioned the need for wider community involvement and was rightly sceptical about voluntary codes. Problems exist because voluntary codes have simply not worked. What happens when a community does not wish to or cannot form the kind of trust envisaged in the legislation? That does not mean that that community does not have problems or genuine concerns. I was glad when Allan Wilson referred to the unlikelihood of communities acting hypothetically.

One or two aspects of the proposals need some attention. There is not a big turnover of land in many land holdings and there can be a substantial length of time between sales. Roseanna Cunningham alluded to the fact that 25 per cent of holdings of more than 1,000 acres have been in the same family for more than 400 years. In the Highlands, 50 per cent of private land has not been exposed for sale since the war and 25 per cent has not been exposed this century. The legislation would not bite in such circumstances. How can one keep a community trust—this hypothetical interest—going when it might be another 400 years before it has a chance to exercise its rights?

We need to address the difficulties that may arise with cherry picking. The minister said that, where agreement could not be reached, purchase would have to be made on the basis of the land as lotted. Not being a lawyer, I was not clear about what that meant—perhaps Angus MacKay will address that point in his summing-up.

We have some worries about the definition of community. Jim Wallace went some way towards allaying those worries when he said that a community could also indicate an interest in adjacent land. I take that to mean land on which people in the community do not live or work. That would be a helpful extension as, clearly, communities may have significant interests in land on which only a few people in those communities work or live.

Tricia Marwick spoke about second homes and the housing shortage. There is a need for some action on that issue. Whether housing associations could indicate an interest in land was a good point to raise, as the housing shortage is of great concern to rural communities and needs to be addressed.

The land database has not been covered in this debate. Neither the white paper nor the progress report are particularly helpful on it. We need to know in much more detail, and within a reasonable time scale, what will happen about a land database that can tell us who owns what in Scotland.

We have a once-in-a-lifetime chance—it is certainly a once-in-a-decade chance. Although we have a new Parliament, the opportunities to legislate on this issue will be limited. We will not be able to come back in a year and legislate again, so we have to make an impact this time. Although we must allow sensible amendments to the legislation, we must not throw the baby out with the bath water. I urge members to support our amendment, which, I believe, merits their support.

17:22

The Deputy Minister for Justice (Angus MacKay): The debate has given us all the opportunity to discuss the range of legislative and non-legislative measures that the Executive is bringing forward and the action that is covered by the land reform action plan. There are clearly many aspects to our policy—its cumulative impact will be significant.

This debate has been an excellent chance for the Executive to bring MSPs up to date with our wide-ranging proposals, but it has also been a valuable and informative opportunity to listen to the concerns and suggestions of MSPs from all parties.

It is worth stressing that there is no imposition in the legislation, which concerns a community's right to buy land where it becomes available. The decision to purchase the land will be subject to ballot. It is wholly wrong to suggest that the legislation will impose anything on any rural community. That lie has to be nailed here and now.

I was highly amused by the Conservative member—it may have been Phil Gallie; it often is—who left us with the image of central belt tykes with their Rottweilers and bad habits straining at the starter's pistol to disappear into the country and pollute the Highlands and Islands under this new, responsible right of access. The notion that this legislation will force people out of cities in the central belt to cause all sorts of mischief in the rural, remote parts of Scotland is a fallacy. The legislation is about a responsible right of access. It is about codifying what happens currently. It makes it clear to landowners and those who want to walk and have sensible recreation in the countryside what they are fairly allowed to do and what is expected of them.

Alex Johnstone: Will the minister give way?

Angus MacKay: Not at the moment.

The legislation is also about creating local forums to ensure that all the interests that make up the countryside—landowners, farmers, local authorities and people using the countryside—have the opportunity to co-operate to deliver policies that protect the countryside as well as make it available for the use of all the people of Scotland.

The Executive's plans for legislation include three bills, covering feudal reform, community ownership and access, and national parks. We are delivering what we promised and we are doing so—I think that all members will agree—in a genuine spirit of openness. Regardless of whether members agree with the legislation, in whole or in part, we have conducted the process with openness. The consultation on the land reform white paper has thrown up many good ideas and has considerably helped the development of the legislation. That demonstrates the value of consultation. The Deputy First Minister has announced the way in which we intend to make improvements to the land reform bill as a consequence of that consultation.

I am particularly pleased that it will now be possible to include in the first bill provisions to create the crofting community right to buy. That is a critical measure for some of the most marginalised communities in the Highlands and Islands. The right to buy will create a genuine opportunity for those communities to take into their own hands their future well-being, in terms of housing, economic development and the ability to maintain vitality and population in the long term. I cannot stress too strongly how pleased I am that that is being included in this legislation.

Mr Monteith: Will that right to buy be extended to many of the absentee crofters whom I know, who live and work in Edinburgh?

Angus MacKay: I am not familiar with all the

absentee crofters who are known to Mr Monteith. Perhaps we can continue that discussion later, when I know their circumstances.

Our plans for legislation, in the remainder of this session, focus on the reform of real burdens, sites of special scientific interest, agricultural holdings and crofting. Taken together, those issues will form a major part of the legislative programme for the lifetime of this Parliament.

Many of our plans do not require new legislation. For example, we are pressing ahead with the establishment of the Scottish land fund and we are putting in place codes of good practice for land ownership and land use. All that work is now well under way. We also have in hand plans for research and further study of a range of other issues. For example, we are considering making adherence to the codes a condition for the receipt of public assistance. That is an important point; it is relevant to several of the issues that have been raised today. A review of compulsory purchase and compensation legislation is well under way, and the Scottish Law Commission has been asked to recommend changes to the law of the foreshore and the sea bed. All those measures will lay the foundation for further action in due course. They are just a start, and certainly not the last word, on land reform.

I want to deal with some of the points that were made in the debate. I cannot hope to answer them all, as there were so many, but I will be more than happy to deal in writing with any that I miss out. Mr McLetchie raised the point that exceptional late registration lengthens the process and adds to landowners' costs. Clearly, that ministerial power is an exceptional one, which should be used only in exceptional circumstances. However, when a landowner is faced with extra costs as a direct result of those circumstances, compensation will be payable. That should address Mr McLetchie's concern.

Roseanna Cunningham raised several points, three of which I propose to deal with now. The first concerned whether voluntary codes would make a material difference. Our approach is to try voluntary persuasion first. A number of measures can be put in place alongside voluntary persuasion; they can take us a long way down that path. I have mentioned the most important of those—the establishment of codes for public sector assistance to public and private landlords, and the attachment of conditions that would help to enforce those codes. Those could make a substantive difference.

Phil Gallie: Will the minister give us an assurance that he will reject the old Labour socialist nationalisation ethic that the SNP amendment represents?

Angus MacKay: I do not think that I can give that assurance, as I do not fully understand the question.

Roseanna Cunningham expressed the concern that the codes of practice were to be introduced only by the end of 2000. That is the correct time scale. A clear message that emerged from the land reform policy group's consultation was that the land use codes should be subject to full consultation. We are trying to stand by our commitment to that and it is that timetable that dictates how early we will be able to introduce the codes. It is important that local consultation influences the land use code of practice. That will take time, but I am happy to give an assurance that there will be no unnecessary delays.

Roseanna Cunningham also asked where the money to support the legislation would come from. I think that she was saying that lottery money was not acceptable, but I was not entirely clear on that point and I do not want to misrepresent her views.

We were asked whether it was appropriate for money from tax payers or—more appropriate in this case—from lottery players to be used on the community right to buy. I believe that if British lottery players' money can be properly used to purchase the Churchill papers, it can certainly be properly used to facilitate communities' right to buy in Scotland.

Roseanna Cunningham: The source of the money is not the issue; the control of the money is the problem.

Angus MacKay: I am happy to deal with that point and I will make two further ones.

The Executive will pay for administration costs and compensation in relation to this legislation. I am happy that the land fund will be able to help communities with the purchase price of the land as it becomes available. Scottish ministers will be closely involved with the development of the land fund; we are working on its composition at the moment. I expect there to be a very strong Scottish influence, if not a predominantly Scottish one, over the fund's management. That is something for further discussion and I am happy to return to it at a later date.

I think that it was Alex Johnstone who asked why the bill applied across all rural and remote Scotland. The land reform policy group proposed that the right to buy should be limited to fragile areas. The white paper, however, as Alex rightly suggests, extends the right across rural Scotland. The Executive wants the opportunities that the legislation will provide to be available to all rural communities, not to a restricted few. The extended consultation that has taken place has made it clear that an overwhelming majority is in favour of extending the legislation to cover all rural and

remote Scotland. I hope that that answers the point about the structuring of the proposals.

The Deputy Presiding Officer (Patricia Ferguson): Will you wind up now please, Mr MacKay?

Angus MacKay: I have not been able to deal with a number of points, as this has been a wide-ranging debate.

I finish by stressing the fact that the Executive has gone out of its way to make the process of consultation—which began before its existence—on land reform as thorough, open and lengthy as necessary, but within a time frame that allows it to deliver the legislation early in the new Parliament's programme. We are happy to take a consultative approach all the way through to the legislation's enactment. We will listen to all viewpoints as they continue to be aired—those that have been mentioned today and those that have not.

I commend the motion.

Subordinate Legislation

The Deputy Presiding Officer (Patricia Ferguson): The next item of business is consideration of Parliamentary Bureau motion S1M-307. I ask Iain Smith to move that motion on behalf of the Parliamentary Bureau.

The Deputy Minister for Parliament (Iain Smith): The motion is rather dryly phrased, but the order will start to move the spending priorities of the Government towards those set out in the partnership agreement and the programme for government. It deals in particular with the £80 million of additional money for education.

I move,

That the Parliament agrees that the draft Scotland Act 1998 (Transitory and Transitional Provisions) (Appropriations) Amendment Order 1999 be approved.

Decision Time

17:33

The Deputy Presiding Officer (Patricia Ferguson): There are seven questions to be put following today's business. The first question is, that amendment S1M-314.2, in the name of Mr Alex Salmond, seeking to amend motion S1M-314, in the name of Ms Wendy Alexander, on social justice targets, be agreed to. Are we all agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Campbell, Colin (West of Scotland) (SNP)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Lochhead, Richard (North-East Scotland) (SNP)
 MacDonald, Ms Margo (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McGugan, Irene (North-East Scotland) (SNP)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Robison, Shona (North-East Scotland) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Mr Alex (Banff and Buchan) (SNP)
 Sheridan, Tommy (Glasgow) (SSP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Ullrich, Kay (West of Scotland) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)

AGAINST

Adam, Brian (North-East Scotland) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Davidson, Mr David (North-East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Dewar, Donald (Glasgow Anniesland) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)

Eadie, Helen (Dunfermline East) (Lab)
 Fergusson, Alex (South of Scotland) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)
 Gallie, Phil (South of Scotland) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Johnston, Mr Nick (Mid Scotland and Fife) (Con)
 Johnstone, Alex (North-East Scotland) (Con)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 MacLean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLeish, Henry (Central Fife) (Lab)
 McLetchie, David (Lothians) (Con)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 Munro, Mr John (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Ms Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Thomson, Elaine (Aberdeen North) (Lab)
 Tosh, Mr Murray (South of Scotland) (Con)
 Wallace, Ben (North-East Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)
 Young, John (West of Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 32, Against 83, Abstentions 0.

Amendment disagreed to.

The Deputy Presiding Officer: The second question is, that amendment S1M-314.1, in the name of Bill Aitken, seeking to amend motion S1M-314, in the name of Ms Wendy Alexander, on social justice targets, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
Davidson, Mr David (North-East Scotland) (Con)
Douglas-Hamilton, Lord James (Lothians) (Con)
Fergusson, Alex (South of Scotland) (Con)
Gallie, Phil (South of Scotland) (Con)
Goldie, Miss Annabel (West of Scotland) (Con)
Harding, Mr Keith (Mid Scotland and Fife) (Con)
Johnston, Mr Nick (Mid Scotland and Fife) (Con)
Johnstone, Alex (North-East Scotland) (Con)
McAveety, Mr Frank (Glasgow Shettleston) (Lab)
McGrigor, Mr Jamie (Highlands and Islands) (Con)
McIntosh, Mrs Lyndsay (Central Scotland) (Con)
McLetchie, David (Lothians) (Con)
Monteith, Mr Brian (Mid Scotland and Fife) (Con)
Mundell, David (South of Scotland) (Con)
Scanlon, Mary (Highlands and Islands) (Con)
Tosh, Mr Murray (South of Scotland) (Con)
Wallace, Ben (North-East Scotland) (Con)
Young, John (West of Scotland) (Con)

AGAINST

Adam, Brian (North-East Scotland) (SNP)
Alexander, Ms Wendy (Paisley North) (Lab)
Baillie, Jackie (Dumbarton) (Lab)
Barrie, Scott (Dunfermline West) (Lab)
Boyack, Sarah (Edinburgh Central) (Lab)
Brankin, Rhona (Midlothian) (Lab)
Brown, Robert (Glasgow) (LD)
Campbell, Colin (West of Scotland) (SNP)
Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
Crawford, Bruce (Mid Scotland and Fife) (SNP)
Cunningham, Roseanna (Perth) (SNP)
Curran, Ms Margaret (Glasgow Baillieston) (Lab)
Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
Dewar, Donald (Glasgow Anniesland) (Lab)
Eadie, Helen (Dunfermline East) (Lab)
Elder, Dorothy-Grace (Glasgow) (SNP)
Ewing, Dr Winnie (Highlands and Islands) (SNP)
Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
Fabiani, Linda (Central Scotland) (SNP)
Finnie, Ross (West of Scotland) (LD)
Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)
Gibson, Mr Kenneth (Glasgow) (SNP)
Gillon, Karen (Clydesdale) (Lab)
Godman, Trish (West Renfrewshire) (Lab)
Grahame, Christine (South of Scotland) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Iain (Edinburgh Pentlands) (Lab)
Hamilton, Mr Duncan (Highlands and Islands) (SNP)
Henry, Hugh (Paisley South) (Lab)
Home Robertson, Mr John (East Lothian) (Lab)

Hughes, Janis (Glasgow Rutherglen) (Lab)
Hyslop, Fiona (Lothians) (SNP)
Ingram, Mr Adam (South of Scotland) (SNP)
Jackson, Dr Sylvia (Stirling) (Lab)
Jackson, Gordon (Glasgow Govan) (Lab)
Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
Kerr, Mr Andy (East Kilbride) (Lab)
Lamont, Johann (Glasgow Pollok) (Lab)
Livingstone, Marilyn (Kirkcaldy) (Lab)
Lochhead, Richard (North-East Scotland) (SNP)
Lyon, George (Argyll and Bute) (LD)
MacDonald, Ms Margo (Lothians) (SNP)
Macintosh, Mr Kenneth (Eastwood) (Lab)
MacKay, Angus (Edinburgh South) (Lab)
MacLean, Kate (Dundee West) (Lab)
Macmillan, Maureen (Highlands and Islands) (Lab)
Martin, Paul (Glasgow Springburn) (Lab)
Marwick, Tricia (Mid Scotland and Fife) (SNP)
Matheson, Michael (Central Scotland) (SNP)
McAllion, Mr John (Dundee East) (Lab)
McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
McGugan, Irene (North-East Scotland) (SNP)
McLeish, Henry (Central Fife) (Lab)
McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
McNeill, Pauline (Glasgow Kelvin) (Lab)
Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
Muldoon, Bristow (Livingston) (Lab)
Mulligan, Mrs Mary (Linlithgow) (Lab)
Munro, Mr John (Ross, Skye and Inverness West) (LD)
Murray, Dr Elaine (Dumfries) (Lab)
Neil, Alex (Central Scotland) (SNP)
Oldfather, Ms Irene (Cunninghame South) (Lab)
Paterson, Mr Gil (Central Scotland) (SNP)
Peacock, Peter (Highlands and Islands) (Lab)
Peattie, Cathy (Falkirk East) (Lab)
Quinan, Mr Lloyd (West of Scotland) (SNP)
Radcliffe, Nora (Gordon) (LD)
Raffan, Mr Keith (Mid Scotland and Fife) (LD)
Reid, Mr George (Mid Scotland and Fife) (SNP)
Robison, Shona (North-East Scotland) (SNP)
Robson, Euan (Roxburgh and Berwickshire) (LD)
Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
Russell, Michael (South of Scotland) (SNP)
Salmond, Mr Alex (Banff and Buchan) (SNP)
Sheridan, Tommy (Glasgow) (SSP)
Simpson, Dr Richard (Ochil) (Lab)
Smith, Elaine (Coatbridge and Chryston) (Lab)
Smith, Iain (North-East Fife) (LD)
Smith, Margaret (Edinburgh West) (LD)
Stephen, Nicol (Aberdeen South) (LD)
Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
Sturgeon, Nicola (Glasgow) (SNP)
Swinney, Mr John (North Tayside) (SNP)
Thomson, Elaine (Aberdeen North) (Lab)
Ullrich, Kay (West of Scotland) (SNP)
Wallace, Mr Jim (Orkney) (LD)
Watson, Mike (Glasgow Cathcart) (Lab)
Welsh, Mr Andrew (Angus) (SNP)
White, Ms Sandra (Glasgow) (SNP)
Whitefield, Karen (Airdrie and Shotts) (Lab)
Wilson, Allan (Cunninghame North) (Lab)
Wilson, Andrew (Central Scotland) (SNP)

The Deputy Presiding Officer: The result of the division is: For 19, Against 96, Abstentions 0.

Amendment disagreed to.

The Deputy Presiding Officer: The third question is, that motion S1M-314, in the name of Ms Wendy Alexander, on social justice targets, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Dewar, Donald (Glasgow Anniesland) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)
 Gillon, Karen (Clydesdale) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 MacLean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McLeish, Henry (Central Fife) (Lab)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Munro, Mr John (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Ms Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)

Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Thomson, Elaine (Aberdeen North) (Lab)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Adam, Brian (North-East Scotland) (SNP)
 Campbell, Colin (West of Scotland) (SNP)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Lochhead, Richard (North-East Scotland) (SNP)
 MacDonald, Ms Margo (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McGugan, Irene (North-East Scotland) (SNP)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Robison, Shona (North-East Scotland) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Mr Alex (Banff and Buchan) (SNP)
 Sheridan, Tommy (Glasgow) (SSP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Ullrich, Kay (West of Scotland) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)

ABSTENTIONS

Aitken, Bill (Glasgow) (Con)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Fergusson, Alex (South of Scotland) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Johnston, Mr Nick (Mid Scotland and Fife) (Con)
 Johnstone, Alex (North-East Scotland) (Con)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLetchie, David (Lothians) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Mundell, David (South of Scotland) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Tosh, Mr Murray (South of Scotland) (Con)
 Wallace, Ben (North-East Scotland) (Con)
 Young, John (West of Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 64, Against 33, Abstentions 18.

Motion agreed to.

That the Parliament agrees that social justice should be the hallmark of Scottish society; welcomes the publication by the Scottish Executive of the groundbreaking report Social Justice ...a Scotland where everyone matters and the targets, milestones and developments in budgetary mechanisms that it contains, and commends this as an example of the success of the Partnership Agreement and as an appropriate opportunity to work with the UK Government for the betterment of Scotland.

The Deputy Presiding Officer: The fourth question is, that amendment S1M-313.2, in the name of Mr Alex Salmond, which seeks to amend motion S1M-313, in the name of Mr Jim Wallace, on land reform, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Adam, Brian (North-East Scotland) (SNP)
Campbell, Colin (West of Scotland) (SNP)
Crawford, Bruce (Mid Scotland and Fife) (SNP)
Cunningham, Roseanna (Perth) (SNP)
Elder, Dorothy-Grace (Glasgow) (SNP)
Ewing, Dr Winnie (Highlands and Islands) (SNP)
Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
Fabiani, Linda (Central Scotland) (SNP)
Gibson, Mr Kenneth (Glasgow) (SNP)
Grahame, Christine (South of Scotland) (SNP)
Hamilton, Mr Duncan (Highlands and Islands) (SNP)
Hyslop, Fiona (Lothians) (SNP)
Ingram, Mr Adam (South of Scotland) (SNP)
Lochhead, Richard (North-East Scotland) (SNP)
MacDonald, Ms Margo (Lothians) (SNP)
Marwick, Tricia (Mid Scotland and Fife) (SNP)
Matheson, Michael (Central Scotland) (SNP)
McGugan, Irene (North-East Scotland) (SNP)
Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
Neil, Alex (Central Scotland) (SNP)
Paterson, Mr Gil (Central Scotland) (SNP)
Quinan, Mr Lloyd (West of Scotland) (SNP)
Reid, Mr George (Mid Scotland and Fife) (SNP)
Robison, Shona (North-East Scotland) (SNP)
Russell, Michael (South of Scotland) (SNP)
Salmond, Mr Alex (Banff and Buchan) (SNP)
Sheridan, Tommy (Glasgow) (SSP)
Sturgeon, Nicola (Glasgow) (SNP)
Swinney, Mr John (North Tayside) (SNP)
Ullrich, Kay (West of Scotland) (SNP)
Welsh, Mr Andrew (Angus) (SNP)
White, Ms Sandra (Glasgow) (SNP)
Wilson, Andrew (Central Scotland) (SNP)

AGAINST

Aitken, Bill (Glasgow) (Con)
Alexander, Ms Wendy (Paisley North) (Lab)
Baillie, Jackie (Dumbarton) (Lab)
Barrie, Scott (Dunfermline West) (Lab)
Boyack, Sarah (Edinburgh Central) (Lab)
Brankin, Rhona (Midlothian) (Lab)
Brown, Robert (Glasgow) (LD)
Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
Curran, Ms Margaret (Glasgow Baillieston) (Lab)
Davidson, Mr David (North-East Scotland) (Con)
Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
Dewar, Donald (Glasgow Anniesland) (Lab)

Douglas-Hamilton, Lord James (Lothians) (Con)
Eadie, Helen (Dunfermline East) (Lab)
Fergusson, Alex (South of Scotland) (Con)
Finnie, Ross (West of Scotland) (LD)
Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)
Gallie, Phil (South of Scotland) (Con)
Gillon, Karen (Clydesdale) (Lab)
Godman, Trish (West Renfrewshire) (Lab)
Goldie, Miss Annabel (West of Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Iain (Edinburgh Pentlands) (Lab)
Harding, Mr Keith (Mid Scotland and Fife) (Con)
Henry, Hugh (Paisley South) (Lab)
Home Robertson, Mr John (East Lothian) (Lab)
Hughes, Janis (Glasgow Rutherglen) (Lab)
Jackson, Dr Sylvia (Stirling) (Lab)
Jackson, Gordon (Glasgow Govan) (Lab)
Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
Johnston, Mr Nick (Mid Scotland and Fife) (Con)
Johnstone, Alex (North-East Scotland) (Con)
Kerr, Mr Andy (East Kilbride) (Lab)
Lamont, Johann (Glasgow Pollok) (Lab)
Livingstone, Marilyn (Kirkcaldy) (Lab)
Lyon, George (Argyll and Bute) (LD)
Macintosh, Mr Kenneth (Eastwood) (Lab)
MacKay, Angus (Edinburgh South) (Lab)
MacLean, Kate (Dundee West) (Lab)
Macmillan, Maureen (Highlands and Islands) (Lab)
Martin, Paul (Glasgow Springburn) (Lab)
McAllion, Mr John (Dundee East) (Lab)
McAveety, Mr Frank (Glasgow Shettleston) (Lab)
McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
McGrigor, Mr Jamie (Highlands and Islands) (Con)
McIntosh, Mrs Lyndsay (Central Scotland) (Con)
McLeish, Henry (Central Fife) (Lab)
McLetchie, David (Lothians) (Con)
McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
McNeill, Pauline (Glasgow Kelvin) (Lab)
Monteith, Mr Brian (Mid Scotland and Fife) (Con)
Muldoon, Bristow (Livingston) (Lab)
Mulligan, Mrs Mary (Linlithgow) (Lab)
Mundell, David (South of Scotland) (Con)
Munro, Mr John (Ross, Skye and Inverness West) (LD)
Murray, Dr Elaine (Dumfries) (Lab)
Oldfather, Ms Irene (Cunninghame South) (Lab)
Peacock, Peter (Highlands and Islands) (Lab)
Peattie, Cathy (Falkirk East) (Lab)
Radcliffe, Nora (Gordon) (LD)
Raffan, Mr Keith (Mid Scotland and Fife) (LD)
Robson, Euan (Roxburgh and Berwickshire) (LD)
Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
Scanlon, Mary (Highlands and Islands) (Con)
Simpson, Dr Richard (Ochil) (Lab)
Smith, Elaine (Coatbridge and Chryston) (Lab)
Smith, Iain (North-East Fife) (LD)
Smith, Margaret (Edinburgh West) (LD)
Stephen, Nicol (Aberdeen South) (LD)
Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
Thomson, Elaine (Aberdeen North) (Lab)
Tosh, Mr Murray (South of Scotland) (Con)
Wallace, Ben (North-East Scotland) (Con)
Wallace, Mr Jim (Orkney) (LD)
Watson, Mike (Glasgow Cathcart) (Lab)
Whitefield, Karen (Airdrie and Shotts) (Lab)
Wilson, Allan (Cunninghame North) (Lab)
Young, John (West of Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 33, Against 82, Abstentions 0.

Amendment disagreed to.

The Deputy Presiding Officer: The fifth question is that amendment S1M-313.1, in the name of Alex Johnstone, which seeks to amend motion S1M-313, in the name of Mr Jim Wallace, on land reform, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
Davidson, Mr David (North-East Scotland) (Con)
Douglas-Hamilton, Lord James (Lothians) (Con)
Fergusson, Alex (South of Scotland) (Con)
Gallie, Phil (South of Scotland) (Con)
Goldie, Miss Annabel (West of Scotland) (Con)
Harding, Mr Keith (Mid Scotland and Fife) (Con)
Johnston, Mr Nick (Mid Scotland and Fife) (Con)
Johnstone, Alex (North-East Scotland) (Con)
McGrigor, Mr Jamie (Highlands and Islands) (Con)
McIntosh, Mrs Lyndsay (Central Scotland) (Con)
McLetchie, David (Lothians) (Con)
Monteith, Mr Brian (Mid Scotland and Fife) (Con)
Mundell, David (South of Scotland) (Con)
Scanlon, Mary (Highlands and Islands) (Con)
Tosh, Mr Murray (South of Scotland) (Con)
Wallace, Ben (North-East Scotland) (Con)
Young, John (West of Scotland) (Con)

AGAINST

Adam, Brian (North-East Scotland) (SNP)
Alexander, Ms Wendy (Paisley North) (Lab)
Baillie, Jackie (Dumbarton) (Lab)
Barrie, Scott (Dunfermline West) (Lab)
Boyack, Sarah (Edinburgh Central) (Lab)
Brankin, Rhona (Midlothian) (Lab)
Brown, Robert (Glasgow) (LD)
Campbell, Colin (West of Scotland) (SNP)
Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
Crawford, Bruce (Mid Scotland and Fife) (SNP)
Cunningham, Roseanna (Perth) (SNP)
Curran, Ms Margaret (Glasgow Baillieston) (Lab)
Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
Dewar, Donald (Glasgow Anniesland) (Lab)
Eadie, Helen (Dunfermline East) (Lab)
Elder, Dorothy-Grace (Glasgow) (SNP)
Ewing, Dr Winnie (Highlands and Islands) (SNP)
Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
Fabiani, Linda (Central Scotland) (SNP)
Finnie, Ross (West of Scotland) (LD)
Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)
Gibson, Mr Kenneth (Glasgow) (SNP)
Gillon, Karen (Clydesdale) (Lab)
Godman, Trish (West Renfrewshire) (Lab)
Grahame, Christine (South of Scotland) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Iain (Edinburgh Pentlands) (Lab)
Hamilton, Mr Duncan (Highlands and Islands) (SNP)
Henry, Hugh (Paisley South) (Lab)
Home Robertson, Mr John (East Lothian) (Lab)
Hughes, Janis (Glasgow Rutherglen) (Lab)
Hyslop, Fiona (Lothians) (SNP)
Ingram, Mr Adam (South of Scotland) (SNP)
Jackson, Dr Sylvia (Stirling) (Lab)

Jackson, Gordon (Glasgow Govan) (Lab)
Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
Kerr, Mr Andy (East Kilbride) (Lab)
Lamont, Johann (Glasgow Pollok) (Lab)
Livingstone, Marilyn (Kirkcaldy) (Lab)
Lochhead, Richard (North-East Scotland) (SNP)
Lyon, George (Argyll and Bute) (LD)
MacDonald, Ms Margo (Lothians) (SNP)
Macintosh, Mr Kenneth (Eastwood) (Lab)
MacKay, Angus (Edinburgh South) (Lab)
MacLean, Kate (Dundee West) (Lab)
Macmillan, Maureen (Highlands and Islands) (Lab)
Martin, Paul (Glasgow Springburn) (Lab)
Marwick, Tricia (Mid Scotland and Fife) (SNP)
Matheson, Michael (Central Scotland) (SNP)
McAllion, Mr John (Dundee East) (Lab)
McAveety, Mr Frank (Glasgow Shettleston) (Lab)
McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
McGugan, Irene (North-East Scotland) (SNP)
McLeish, Henry (Central Fife) (Lab)
McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
McNeill, Pauline (Glasgow Kelvin) (Lab)
Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
Muldoon, Bristow (Livingston) (Lab)
Mulligan, Mrs Mary (Linlithgow) (Lab)
Munro, Mr John (Ross, Skye and Inverness West) (LD)
Murray, Dr Elaine (Dumfries) (Lab)
Neil, Alex (Central Scotland) (SNP)
Oldfather, Ms Irene (Cunninghame South) (Lab)
Paterson, Mr Gil (Central Scotland) (SNP)
Peacock, Peter (Highlands and Islands) (Lab)
Peattie, Cathy (Falkirk East) (Lab)
Quinan, Mr Lloyd (West of Scotland) (SNP)
Radcliffe, Nora (Gordon) (LD)
Raffan, Mr Keith (Mid Scotland and Fife) (LD)
Reid, Mr George (Mid Scotland and Fife) (SNP)
Robison, Shona (North-East Scotland) (SNP)
Robson, Euan (Roxburgh and Berwickshire) (LD)
Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
Russell, Michael (South of Scotland) (SNP)
Salmond, Mr Alex (Banff and Buchan) (SNP)
Sheridan, Tommy (Glasgow) (SSP)
Simpson, Dr Richard (Ochil) (Lab)
Smith, Elaine (Coatbridge and Chryston) (Lab)
Smith, Iain (North-East Fife) (LD)
Smith, Margaret (Edinburgh West) (LD)
Stephen, Nicol (Aberdeen South) (LD)
Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
Sturgeon, Nicola (Glasgow) (SNP)
Swinney, Mr John (North Tayside) (SNP)
Thomson, Elaine (Aberdeen North) (Lab)
Ullrich, Kay (West of Scotland) (SNP)
Wallace, Mr Jim (Orkney) (LD)
Watson, Mike (Glasgow Cathcart) (Lab)
Welsh, Mr Andrew (Angus) (SNP)
White, Ms Sandra (Glasgow) (SNP)
Whitefield, Karen (Airdrie and Shotts) (Lab)
Wilson, Allan (Cunninghame North) (Lab)
Wilson, Andrew (Central Scotland) (SNP)

The Deputy Presiding Officer: The result of the division is: For 18, Against 97, Abstentions 0.

Amendment disagreed to.

The Deputy Presiding Officer: The sixth question is, that motion S1M-313, in the name of Mr Jim Wallace, on land reform, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Dewar, Donald (Glasgow Anniesland) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)
 Gillon, Karen (Clydesdale) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 MacLean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McLeish, Henry (Central Fife) (Lab)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Munro, Mr John (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Ms Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Sheridan, Tommy (Glasgow) (SSP)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Thomson, Elaine (Aberdeen North) (Lab)

Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Fergusson, Alex (South of Scotland) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Johnston, Mr Nick (Mid Scotland and Fife) (Con)
 Johnstone, Alex (North-East Scotland) (Con)
 McGregor, Mr Jamie (Highlands and Islands) (Con)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Mundell, David (South of Scotland) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Tosh, Mr Murray (South of Scotland) (Con)
 Wallace, Ben (North-East Scotland) (Con)
 Young, John (West of Scotland) (Con)

ABSTENTIONS

McLetchie, David (Lothians) (Con)

The Deputy Presiding Officer: The result of the division is: For 62, Against 18, Abstentions 1.

Motion agreed to.

That the Parliament commends the openness of the Scottish Executive's approach to land reform, as demonstrated by the extensive consultations on the Land Reform White Paper published in July; recognises the scale of their overall commitments to legislation and other action on land reform as set out in the Land Reform Action Plan published in August, and welcomes the progress to date as shown in the first Progress Report published earlier this month.

The Deputy Presiding Officer: The seventh question is, that motion S1M-307, in the name of Mr Tom McCabe, on the approval of the draft Scotland Act 1998 (Transitory and Transitional Provisions) (Appropriations) Amendment Order 1999, be agreed to.

Motion agreed to.

That the Parliament agrees that the draft Scotland Act 1998 (Transitory and Transitional Provisions) (Appropriations) Amendment Order 1999 be approved.

Tobacco Sales

The Deputy Presiding Officer (Ms Patricia Ferguson): We now move on to members' business. I ask members who are leaving the chamber to do so quietly.

The final item of business is a debate on motion S1M-250, in the name of Ms Irene Oldfather, on the subject of tobacco sales to under-age children. The debate will conclude, without any question being put, after 30 minutes. Members who wish to speak in the debate should press their request to speak buttons now.

Motion debated,

That the Parliament notes that surveys by trading standards officers in North Ayrshire and the Borders indicate that tobacco continues to be sold to under-aged children; notes that those retailers who are successfully prosecuted are treated leniently; and supports the establishment of a system of negative licensing under the jurisdiction of local licensing boards, whereby retailers who repeatedly sell tobacco to young people will lose their right to sell age restricted products altogether.

17:41

Ms Irene Oldfather (Cunninghame South) (Lab): I would like to thank members from all parties in the Parliament who have supported this motion, thereby allowing tonight's debate to take place.

I would like to address two issues: why do we have to act and how can we act? There is a clear answer to the first question. Within the next hour, someone, somewhere in Scotland will die from smoking. Tobacco is addictive. It is a drug and it kills, yet tonight children the length and breadth of Scotland can purchase that drug and the people who sell it to them—people who put private profit before children's health—can do so with impunity.

Unfortunately, tobacco is a drug that, for whatever reason, is attractive to young people—90 per cent of smokers will have started to smoke before the age of 18. Indeed, figures suggest that a high proportion of smokers will have started before the age of 15—at least one year before the age at which they can legally purchase cigarettes. That is why it is crucial that we look carefully at how we can stop children smoking in their early teens.

Education has a part to play. The Scottish Executive is committed to ensuring that young people are a target group in its healthy living agenda, but a significant part of the solution would be to reduce the supply of tobacco to the young.

A recent survey by North Ayrshire trading standards officers discovered that cigarettes were sold to an under-age child in 13 out of 13 shops.

Smoking prevention groups confirm that by estimating that 83 per cent of under-age smokers buy cigarettes from shops.

Very few retailers are prosecuted. In 1996-97, there were no recorded prosecutions, convictions or fines for sales of tobacco to under-age children in Scotland. When action has been taken, offenders are treated very leniently. That says something about how society views tobacco sales to children. We owe it to our young people to make tobacco sales to children socially unacceptable—a taboo in the same way that drinking and driving has become a taboo.

Phil Gallie's motion S1M-219, which was debated last week, offered a way forward for many honest shopkeepers who face real difficulties trying to judge the age of a young person. However, steps are also needed to deal with shopkeepers who are prepared to sell cigarettes to under-age children.

I am aware that one of the major stumbling blocks to better enforcement has been the problem of child witnesses. For entirely valid reasons, the Crown discourages prosecutions based on test purchases involving children. Unfortunately, the result is that children continue to be exploited by cigarette companies, because a culture of non-prosecution exists in Scotland that is at odds with experience in the rest of the United Kingdom.

A possible solution would be to take statements from those involved, similar to the section 9 statements used in England. That would ensure that the accused had a chance to review any statement prior to the hearing and allow questions to be written to overcome any concerns that may arise from the European convention on human rights. I am aware that many of my colleagues favour that form of action.

The motion deals with another possible solution—negative licensing. Negative licensing would lead to a retailer who repeatedly sells tobacco to young people losing the right to sell cigarettes or, depending on the scheme, any other age-restricted product. The system would be established under the jurisdiction of local licensing boards, effectively putting sales of tobacco to under-age children on the same footing as sales of alcohol to that age group. That would act as a deterrent, hitting retailers where it hurts—in their pockets. It would also act as a preventive measure, gradually restricting the supply of cigarettes to young people. Negative licensing is just one of many possible solutions, but it is one that I believe has significant advantages.

We must ask ourselves whether there is a will to act. Forty years ago, young people in Scotland were the product of a generation for which it was

fashionable to smoke. Now that we know the facts, we cannot turn a blind eye. The bottom line is that we have a responsibility and a duty to protect our children. Local authorities are calling for this Parliament to support them by acting now. I hope that this evening's debate will mark the beginning of that process. Let us send a message to all Scotland that the Parliament is listening and is not afraid to act to protect our young people. I look forward to hearing colleagues' and the minister's views on the issue.

17:48

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): I congratulate Irene Oldfather on raising this issue in debate. I imagine that it is not one on which there is any party political divide. All members are gravely concerned about the damage that tobacco causes, particularly to young children.

I confess that I began smoking as a teenager. I am aware that teenagers are contrasuggestible. You may believe, Presiding Officer, that some adults, such as me, remain contrasuggestible, but that is another matter. I know that if one tells teenagers not to do something, that is almost a guarantee that they will do that very thing. Warm words, pious statements and good intentions are therefore not the currency of success in what I imagine is a common aim.

It is up to us to take concrete steps; Irene Oldfather's proposal seems to be a small, sensible and practical step. Although there are difficulties, which she set out clearly and factually, she is to be congratulated on raising the issue.

I was very concerned to learn from press reports that the related issue of the ban on tobacco advertising is apparently being thwarted by the threat of action by tobacco companies against the Government south of the border. That is quite disgraceful and I hope that the Government south of the border and the Executive north of the border will stand up to the tobacco barons. Regardless of whether they have links with Margaret Thatcher, they should be taken on and soundly thrashed. It is outrageous that tobacco barons should seek to thwart the legitimate aims of the Government. I am quite convinced that if we were to ban tobacco advertising we would deglamorise smoking, which is what we need to do.

17:50

Ben Wallace (North-East Scotland) (Con): I point out to Fergus Ewing, in response to his comment about Margaret Thatcher, that Irene Oldfather's motion is underpinned by an all-party belief in the need to prevent smoking and the damage it causes. I am grateful to Irene Oldfather

for lodging a motion that is so good that I am able to support it fully.

Many of us hold different views on smoking in public places and on how smoking affects adults. We can go some way towards limiting and preventing problems in the future by ensuring that people are prevented from getting hooked on smoking at a young age. Before speaking today, I researched the penalties that tobacconists face if they sell cigarettes to under-age children. They are not high. Someone who is found guilty—which would be a miracle, because the number of prosecutions is limited—faces a maximum fine of £2,500.

Irene Oldfather's suggestion of negative licensing would be a good step. Phil Gallie has left the chamber, but his suggestion of the need for a decent system of identity cards would go some way towards clearing up the confusion for tobacconists and licensees. During last week's debate on Phil Gallie's motion, I popped into a newsagent's shop to buy a bar of chocolate. A young boy was buying a packet of cigarettes. I am sure that it was only my presence and that of the policeman to whom I was chatting that made the newsagent go through the rigmarole of asking for some form of ID.

Smoking has a damaging effect on Scotland's health. The problems will not go away. The adults who smoke have many years left to use up a lot of national health service resources.

I have my own views about smoking in restaurants and so on, but I hope that tobacconists will take responsibility for the drug that they sell. I smoke, having started as a teenager because I was not allowed to and wanted to rebel. I remember the days of those rather lame adverts featuring Nick O'Teen battling against Superman. They did me no good and it was never hard to get cigarettes over the counter.

I support Irene Oldfather's motion. I believe that there is a will to prevent the illegal supply of tobacco to young teenagers.

17:53

Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD): We are all in reminiscent mood. I remember the first time I smoked. It was in a big rhododendron bush in the grounds of a hotel on the island of Bute. I smoked two cigarettes and was lucky to survive, because about 10 minutes later they caused me to seize up, nearly killing me. I never smoked again.

My wife's experience was quite different. She started smoking when her mum sent her out to buy cigarettes. She used to buy 10 Craven A and a packet of Polo mints, because it was said to be

smooth on the throat. She then moved on to Senior Service, because she liked sailors. Later she moved on to Capstan full strength—another naval connection—because she wanted to be one of the lads.

Peer-group pressure can be a most powerful influence. It was terrible when all my pals smoked and I did not. Talking to teenagers about the long-term dangers of smoking is not the answer. We must make smoking uncool, so that teenagers look down on others who smoke. Teenagers must realise that smoking is dirty and unpleasant.

As teenagers we may have thought that smoking was fun, but as adults we know what smoking can do to us. Smoking cannot go unchallenged. It will be difficult to stop teenagers smoking, but what we are talking about will make it easier. It is terribly upsetting when we see that under-age smoking is on the increase—as a teacher, I thought that it was decreasing. It is terrible to find out that more girls are smoking than boys and that 14 per cent of children aged between 12 and 15 are regular smokers. People who start smoking young are three times more likely to get cancer than someone who starts a bit later.

As Irene Oldfather suggests, there would be a major benefit in clamping down on the sale of tobacco products. It is difficult to see how the partnership can achieve targets for a healthier Scotland without doing something to cut off the supply to youngsters.

Ben Wallace mentioned that there is a fine of £2,500 for selling tobacco to under-age children, but people tend to be fined only about £250. That sends out the wrong messages. A recent survey showed that, in the Borders, 100 per cent of traders had sold tobacco to under-age children. I can hardly believe that, as I know some of the shopkeepers there. I assume that they did not monitor the right ones.

We must support trading standards officers who are trying to enforce the regulations and we must have more prosecutions if the evidence justifies them. The direct penalties must be more effective and the threat of negative licensing should be a real possibility. I understand that, when a similar scheme was used in Illinois a decade ago, the number of outlets selling tobacco illegally was cut by 65 per cent to only 5 per cent.

I support the motion wholeheartedly.

17:57

Hugh Henry (Paisley South) (Lab): Irene Oldfather is to be congratulated on introducing the motion. It identifies a serious problem and makes positive and succinct suggestions about how to

tackle the problem. That is often lacking in our debates.

It is appalling to find people who are prepared to sell cigarettes to under-age children simply to make a profit. It would be remiss of us to allow such a practice to continue in what we hope is a civilised and progressive society. We must protect our children from themselves and from people who are more interested in money.

Dr Richard Simpson (Ochil) (Lab): Does Hugh Henry agree that the solutions that Irene Oldfather has proposed apply equally to mobile shops? We have to ensure that the withdrawal of a licence from a van also applies to the operating company.

Hugh Henry: Absolutely, there is a range of outlets that we have to consider.

We in this Parliament are proud of the fact that we have the opportunity to initiate legislation ahead of other parts of the United Kingdom, but this debate identifies an area in which we are behind other parts of the country.

I hope that, following this debate, we can persuade the relevant committees, or the Scottish Executive, to take seriously the suggestions that Irene Oldfather and Richard Simpson have made and to propose changes. I have been impressed by the range of the Scottish Executive's proposals. It has shown its determination to improve the quality of life for people in Scotland. I am disturbed, however, that tobacco consumption and health is probably the one area of weakness in what has been considered. Irene Oldfather has suggested proposals that the Scottish Executive could take up to remedy that one weakness in the armour.

18:01

Mr Kenneth Gibson (Glasgow) (SNP): Like all other members who have spoken, I congratulate Irene Oldfather on introducing this motion. It is important that the Scottish Parliament's views are heard on this issue.

Unlike other members who have spoken today, I have never smoked a cigarette and neither have my parents. Part of the reason for my family's non-consumption of tobacco may be that my paternal grandfather died of lung cancer at the age of 51 and my maternal grandfather died of emphysema at the age of 41.

We should consider the type of people who, increasingly, are smoking. In the constituency where I stood in the election—Glasgow Pollok—lung cancer levels are 85 per cent higher than the Scottish average. That constituency has the second highest level of poverty in Scotland. It is clear to anybody who examines the figures that the socially excluded are suffering most at the

hands of the tobacco barons. For whatever reason, they are consuming cigarettes more and more. Perhaps because of the stress of daily life, they are finding it harder to give up.

Two out of three smokers want to stop smoking. There is concern about the increase in the number of young people who smoke. In the past 10 years, the number of adolescent girls in Scotland who smoke has doubled. I have three children and I have great concerns that, at some point in the future, my daughter will be hiding cigarettes in her bedroom. I hope that that does not come to pass.

Every year in Scotland, 14,000 people die because of tobacco use and many lives are ruined. This is not just about people who die of lung cancer, heart disease or stroke—it is about people who lose legs through gangrene. We must take cognisance of that and of the other effects of smoking, which are not so widely publicised.

I welcome Irene Oldfather's initiative. As Hugh Henry said so eloquently, she has not just reiterated what the problems are; she has given us solutions. I hope that the Executive takes this on board and addresses the topic positively.

18:03

Mr Brian Monteith (Mid Scotland and Fife)
(Con): I thank Irene Oldfather for introducing this motion. It is a serious and sincere contribution to the debate about tobacco.

The motion suggests what might be done to limit young people's access to tobacco. I think that "repeatedly", as in "repeatedly sell tobacco", may be the one flaw in the argument. As Irene explained, prosecution is often difficult.

I must declare that I used to work as a consultant for an organisation called the Freedom Organisation for the Right to Enjoy Smoking Tobacco, which represents the rights of smokers. One of the policies it proselytised, which I did not agree with, was the idea that young people who purchase tobacco should be prosecuted. I can see some logic behind the argument that prosecution of those who are breaking the law by selling a product should be extended to those who seek to conspire to break the law by buying the product illegally, but I do not feel that that would help.

We have to ask what makes young people smoke. I do not accept that advertising is the cause: I do not agree that the glamour of Reg advertising Regal cigarettes or the surrealism of Silk Cut adverts is responsible. Indeed, the most prominent feature of many adverts is the health warning.

In my view, the biggest influence is undoubtedly peer-group pressure—the icons and fashion cycles that matter to young people. I was a

member of a family that smoked, but I chose not to smoke—possibly for the reasons that Fergus Ewing suggested. That may also be why I turned out to be a Tory, as everybody else in my family was a Labour voter. After taking up smoking at a young age in order to be accepted by their peers and to fit in with fashion, it is no wonder that by their mid-20s people decide to stop smoking. They become more concerned about their health and the financial pressures of smoking, and they no longer place so much value on being part of a peer group. Fifty per cent of people aged 16 have tried drugs, but I do not see many adverts for drugs. That is why we have to focus our attacks on peer-group pressure.

I would support moves to introduce identity cards, as they would provide newsagents with a more accurate guide to people's age. Newsagents can identify very young children and should definitely be prosecuted for selling to them. The difficulty lies with those at the margins, the 14 and 15-year-olds; newsagents find it hard to tell whether such children are 16. That is why some pubs are not open to people under 21 years of age—it is not because the publicans cannot tell whether their customers are 21, but because they cannot tell whether they are 18. We need to work with newsagents to find ways of making the age of young people clear to them, so that they can continue to go about what is, after all, a legal business.

18:07

The Minister for Health and Community Care (Susan Deacon): I will start by being unoriginal and congratulating Irene Oldfather on raising this issue. On a lighter note, the image of Ian Jenkins in a rhododendron bush will remain with me for a long time.

The discussion has shown that we are agreed on the importance of the issue. In her opening remarks, Irene demonstrated very effectively that we must address two questions: why we need to tackle this issue and how we should tackle it. In the few minutes that are available to me, I will try to provide answers to both.

In answer to the first question, it is worth reiterating the cost of smoking-related illness—first and foremost in terms of human suffering and human life and, secondly, in terms of health service resources. We estimate that around one in five deaths in Scotland is the result of smoking-related illness. That is 13,000 deaths every year. On top of that, we estimate that there are some 33,500 hospital admissions as a consequence of smoking-related illness. The cost to the health service is estimated at £140 million per annum. This Executive is determined to take action to deal with that.

The second reason we need to address the issue concerns the Executive's particular commitment to the health of children and young people, which I support. Establishing how and why young people start smoking and taking action to ensure that they do not are crucial. That does not mean that we should not take action further down the line to help adults to stop smoking, but it is particularly important to find ways of stopping young people from starting in the first place. The issues that have been raised in this debate touch on that important point.

I think Irene Oldfather made this point earlier, but I will reiterate it: we estimate that between 80 and 90 per cent of adults who smoke start smoking in their teens. We know that the first puff, be it behind the bike shed or in the rhododendron bush, can lead to a lifetime of addiction, then premature death. We will make a difference if we can stop that first puff.

The third reason we have to do something is the Executive's commitment to taking particular action to help people in our most deprived communities, which Kenny Gibson touched on. Social justice—tackling social exclusion—is a central priority for the Executive. We know that the incidence of smoking is higher and that health is poorer in our deprived communities. We are determined to take steps that will improve the health of the poorest in society, as was outlined in the public health debate in September.

I have said why we have to take action. How—I know that I am rushing—do we take that action? I say to Hugh Henry that we take this issue very seriously. I do not accept that our position is weak in any sense. I will outline briefly some of the steps that we are taking and intend to take.

First, we need to address the issues that Brian Monteith raised: why people smoke, why they remain smokers and how they can be helped to stop smoking. That requires a sound analysis and policy basis. In the main, we have that.

Many members will be familiar with the white paper, "Smoking Kills". It is inherited work, but I am happy to have it to hand in progressing this agenda. We have a strategy group in Scotland to oversee the measures outlined in the white paper. The group is actively addressing this issue and it is relevant for the group to address the suggestions and ideas that have been raised in this debate.

The second step that we must take—this is all encompassed in the white paper—is to consider education and awareness, which is why the Executive's emphasis on working across departmental boundaries is so important. I cannot tackle education and awareness in isolation—I must work with education colleagues, for example,

in considering how to get health messages across in our schools and in the other environments where young people are found. Health promotion messages are part of that awareness-raising exercise; conversely, they are also about reducing the promotion of tobacco.

Tobacco advertising has been mentioned—and rightly. I reiterate the Executive's absolute commitment to a ban on tobacco advertising and sponsorship in Scotland. As members are aware, a legal challenge by the tobacco companies against the UK Government is taking place south of the border. Our considered opinion, as set out in my answer to a parliamentary question today, is that any move by us to lay regulations in Scotland would inevitably lead to similar litigation here.

We will not move one step further down the road to achieving a ban unless and until those legal issues have been resolved. I assure members—on this occasion, I speak on behalf of the UK Government—that the UK Government is vigorously fighting that challenge in the courts. We are monitoring the situation carefully. Our commitment to introducing the EC directive on a ban of tobacco advertising and sponsorship is absolute and we will take that action as soon as we are able to.

Enforcement has been covered fully. It is important to ensure that we reduce sales of tobacco to young people. There are many ways of doing that and I have placed no constraints on the strategy group that is progressing the white paper—I am more than happy for it to look at all the options. I am not convinced that a negative licensing scheme is the best way forward, nor am I convinced that another tier of regulation and bureaucracy is the most effective way of delivering that reduction. I find it odd saying that when Ben Wallace, of all people, is saying that, in this instance, regulation may be a good thing. I stress that I am happy for the strategy group to consider all suggestions.

We are working closely with the Convention of Scottish Local Authorities, the Association of Chief Police Officers in Scotland and trading standards officers to consider all available avenues. I suspect that my time is up; I have not been speaking for 33 minutes, but I may have been speaking for five.

I shall draw together the strands of the issues on which I have touched. I welcome this discussion. There is no simple way to reduce smoking in Scotland, but we are committed to ensuring that we do and in our health targets—reiterated in our social justice targets, which were published today—we set ourselves the firm and demanding target of doing just that. We can do that only if we work together, both within the Parliament and with organisations outside it. We are determined to do

that. Also, we can do it only if we work across our policy areas.

On the day our social justice paper has been produced, I return to the issue of improving the health of the poorest in our society. If our poorest are to be healthier and happier, and are to lead more fulfilled lives, we have to tackle their health at every level. We have to give them hope, opportunities and self-esteem. That is what we are attempting to do across all our work. In doing that, we will improve their health and quality of life. I am grateful to have had the opportunity to address some of those points very briefly here tonight.

The Deputy Presiding Officer: That brings this evening's business to a close. I thank members for their attendance.

Meeting closed at 18:16.

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