

MEETING OF THE PARLIAMENT

Thursday 20 January 2000

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Scottish Parliament

Thursday 20 January 2000

[THE PRESIDING OFFICER *opened the meeting at 09:30*]

The Presiding Officer (Sir David Steel): The first item of business this morning is a statement by Jim Wallace on family law. The minister will take questions at the end of the statement, so there should be no interventions.

Roseanna Cunningham (Perth) (SNP): On a point of order, Presiding Officer. I want to raise an issue—it has been raised before—about the notice that is given to the Parliament of the business that will be discussed in the chamber. In particular, this morning's statement—a copy of which was not vouchsafed to Opposition parties until 8.30 this morning—was heavily discussed and journalists were briefed on it yesterday. Yesterday afternoon, I was phoned by journalists, advised on what the statement was going to contain and asked for comment. I watched a lengthy item on the matter on one of last night's news programmes. This morning, when the statement was handed to Opposition parties, the minister was being interviewed on "Good Morning Scotland" about its contents.

This is a matter of some concern to many members—this week, my colleague Nicola Sturgeon was put in the same position. Presiding Officer, I ask you to address the question of information being given in advance to those outside the Parliament and the inability of Opposition parties adequately to deal with the issues because of the actions of the Executive.

Euan Robson (Roxburgh and Berwickshire) (LD): On a point of order.

The Presiding Officer: Mr Robson, do you have the same point of order?

Euan Robson: No.

The Presiding Officer: I share Ms Cunningham's concern. As I have said before, the issue of when Opposition spokespeople get advance copies of statements is not a matter for the chair; it is a matter for negotiation between the parties. However, if it is the case that copies of the statement are being given out to the press before they go to Opposition party spokespeople, I deplore it. Although there is every reason to distribute a morning statement to the media so that the evening press and midday bulletins can carry it, I see no reason for statements to be given out the day before. I hope that that practice will stop. If it does not, I may refer the matter to the Procedures Committee.

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): I am not aware that any statement was given to the press. Those people who heard me on "Good Morning Scotland" would have heard me say very clearly that Parliament had to get the detail—I spoke only about the general principles. We are talking about a consultation document and nothing is particularly new—much of the information was already in the public domain. I will check that the statement was not given to the press. It is my understanding that journalists did not receive copies of the statement in advance.

The Presiding Officer: I would be grateful, minister, if you would check that and find out what happened. I heard the interview on "Good Morning Scotland" and I have to say that I thought that you were skating on thin ice—although rather successfully. That is something to be admired but not necessarily encouraged.

Family Law

09:34

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): In March last year, my colleague, Henry McLeish, issued a consultation paper called "Improving Scottish Family Law". I can announce today how we propose to take those matters forward. I will be following up this statement with a white paper in May, which will explain our conclusions in more detail and set out issues on which we are still seeking views.

The consultation document, "Improving Scottish Family Law", was based on reports by the Scottish Law Commission, which were themselves the result of consultation processes. Therefore, most of the issues on which we consulted were not new. We have received a wide-ranging and encouraging response, for which we are grateful. I am placing copies of the responses in the information centre today. The responses have been considered carefully.

On most issues there was wide consensus. However, on some issues, particularly the questions of the grounds for divorce and parental rights and responsibilities for unmarried fathers, there was a range of opinion. That is not surprising. Those are emotive issues, which is why our white paper will invite further views on some matters.

Our starting point is one of support for the family. Families today take diverse forms. However, we believe that the family provides the best setting for the care and upbringing of children. The welfare of children is crucial for the future of our society. Social exclusion often goes with family breakdown and all the stresses and strains associated with it, including fragmented relationships, poverty, homelessness and unemployment. Children's welfare can suffer. In this important area of social policy—family law—we want to ensure that any changes that we make promote the welfare of families and, in particular, children.

We support marriage as the most recognisable and widely accepted way of signalling to society a couple's commitment to each other and to their life together as parents. However, we must also take account of the fact that many couples choose not to marry but to live together in stable relationships in which they bring up children. Any changes in family law must take account of that.

We recognise the reality that families break up, whether or not the parents are married. It is not the role of the Executive or of this Parliament to be judgmental about marital breakdown; our role is to

adopt the policies and legislation that minimise the damage to families and, in particular, to children.

Against that background, we have made the following proposals, the first of which concerns grounds for divorce. When marriages break down, we must ensure that the divorce process is handled with as much dignity and as little pain as possible. There is considerable evidence that acrimony between parents is damaging to children.

We agree with the Scottish Law Commission that the existing periods of separation are too long. That may lead to couples taking the more acrimonious route to divorce by using the unreasonable behaviour ground in order to get a quicker divorce. Most responses to our consultation agreed that change was needed. We therefore propose to shorten the period required to establish breakdown of marriage from two years to one year if both parties consent, and from five years to two years without consent.

At this time, we do not propose any change to the fault grounds—adultery, desertion and unreasonable behaviour. However, consultees were divided on the value of such grounds, and we do not rule out further change, particularly the replacement of the three grounds with a single unreasonable behaviour ground. We have an open mind and will be seeking further views on that point.

Almost 40 per cent of children are now born to unmarried parents. Many unmarried fathers do not realise that they have no parental rights and responsibilities. There is a procedure for an unmarried father to obtain parental rights and responsibilities, but it is not well understood and it is little used. We believe that change is needed to enable unmarried fathers to obtain parental rights and responsibilities more easily from the time of the birth of the child.

Provisionally, we think that the best way forward is that—from the commencement of the new legislation—parental responsibilities and rights should be conferred automatically on all fathers who have registered the birth of the child jointly with the mother. For those who have jointly registered in the past, parental responsibilities and rights would take effect from the date on which the implementing legislation is commenced. From that date, existing unmarried fathers would be entitled to consent to, or enter into discussions on, decisions on education, medical treatment, adoption, children's hearings and other matters.

Inevitably, some will think that that does not go far enough. For instance, some would want automatic rights and responsibilities for the father, whether or not he is registered as such. Others might consider that the proposals already go too

far and that there should be some greater hurdle to ensure that a woman who has just had a baby is not put under undue pressure to register the birth jointly with a father whom she considers unsuitable.

We are anxious to strike the proper balance between those views. We think that our proposals would do that, bearing in mind that it would still be open to the courts to grant parental responsibilities and rights to, or take them away from, anyone. The courts' paramount consideration in all such matters would, of course, be the best interests of the child.

However, we are interested in gathering further views on this difficult subject. Our white paper will set out the proposals, the possible alternative courses of action and their implications, and will invite further views.

We will also introduce measures to enable step-parents to obtain parental responsibilities and rights by registering an agreement with both natural parents. Although many step-parents form close ties with their new family, they currently have to go to court to prove that it is in the children's best interest that they should have parental responsibilities and rights. The proposed new agreement would need the signature of the other parent as well. Indeed, one of the merits of this scheme is that the absent parent can retain parental responsibilities and rights and stay involved with the children. It will be important in such a scheme for the views of the children that are to be affected by it to be taken into account by the parents and step-parents. That is an element of our proposals that we will work up along with interested organisations such as Stepfamily Scotland.

Any changes that we make in family law must be designed to ease the transitions that some families undergo as a result of breakdown, and in particular to minimise the damaging effects on children. An important role is played by organisations such as Couple Counselling Scotland, Family Mediation Scotland and Stepfamily Scotland in providing services to families in transition.

We propose to set up a new statutory grant scheme to support those organisations and others like them. We already provide about £500,000 a year and we hope that, by focusing the new grant scheme on those and similar organisations, we will achieve better targeting of the money that we already give. As a first step, the administration of the existing section 10 grants to these organisations will pass to the justice department from April.

To avoid doubt, I should also add that we have no proposals to make mediation compulsory for

those undergoing divorce. The present arrangements whereby mediation may be undertaken voluntarily and the court may refer a couple for mediation at any time in the divorce process under a rule of court will remain in place.

An important aspect of the Scottish Law Commission's work was its recommendations to strengthen the legal protection available to victims of domestic abuse. Matrimonial interdicts will be extended to former spouses and cohabitants; we propose that they be renamed "domestic interdicts". They will be extended to last for up to three years and will not fall when a divorce is granted. Furthermore, they will be able to cover more than just the immediate home; they will be able to protect vulnerable people at their workplace or at their children's schools.

Members have rightly been concerned that people who have been threatened by, or consider themselves under threat from, their spouses or cohabitants should get the protection that they need and deserve. Both the Parliament and the Justice and Home Affairs Committee signalled their interest in this at an early stage.

Our proposals will improve protection to members of families disrupted by abuse. By the time that our white paper appears, we will have had the benefit of the conclusions of the Scottish Partnership on Domestic Abuse, which we will examine carefully to see whether anything more needs to be done.

There will be many other technical improvements to various aspects of family law to make it fairer in its operation to, for example, cohabitants when relationships break down. We hope that the resulting family legislation will be easy to understand and will meet the needs and expectations of the people of Scotland. The details will follow in our white paper and we look forward to the debate on them.

Before concluding, I will mention three other points. First, the Scottish Law Commission recommended the abolition of the old Scottish law of marriage by cohabitation with habit and repute—common-law marriage. However, the responses to the consultation have persuaded us to retain that measure in the meantime. Secondly, in response to comments by faith groups, we consider that judicial separation should be retained. Thirdly, we propose to end the status of illegitimacy in Scotland. The children of unmarried parents have long had equal rights in almost all respects, and it is right and proper that the status of illegitimacy should now be removed from the statute book.

I am proud to be able to announce the Executive's way forward on the wide range of issues that will affect Scottish families in the years

to come. The publication of our white paper will promote further public debate on some of those issues. The proposals that I have outlined will require primary legislation in due course and they will be introduced when parliamentary time permits.

The Presiding Officer (Sir David Steel): There will now be questions to the minister. I call Roseanna Cunningham.

Roseanna Cunningham (Perth) (SNP): I should preface my question by referring back to the minister's comments on my point of order. Despite those comments, *The Scotsman's* report on today's statement extensively quotes the special adviser, Mr David Whitton, on some of the specific proposals. Furthermore, at least two other journalists yesterday had chapter and verse on the detail of this morning's announcement. Although the actual bits of paper that we have been handed this morning may not have been given to journalists, I can assure the minister that the detail was handed to journalists early yesterday, and I stand by my point of order.

The SNP is in broad support of the proposals on the specific issues raised by the statement. The reduction of time limits for divorce is welcome and the extension of parental rights to unmarried fathers rights another inequality in the system. I am sure that family support organisations will welcome the provisions for funding that will be put in place. Nevertheless, I am concerned about the time scale for the proposals, especially for the introduction of the new domestic interdicts.

I welcome the recognition that the work of the Justice and Home Affairs Committee is encouraging the Executive to move faster on some issues that might otherwise have been left behind. However, the issue of legal aid is not addressed anywhere in the paper. The provision of legal remedies on paper is one thing—it is particularly important in the case of domestic interdicts—but the ability to afford access to those remedies is another thing entirely. According to present information, many people, especially women, are denied access to legal remedies because they cannot afford to take them up; they must refuse the offers that the Scottish Legal Aid Board makes them. What does the minister intend to do to ensure that the new remedies are available not just on paper, but in fact, to the people who would most gain from them?

Mr Wallace: I thank Ms Cunningham for her general welcome and broad support for the proposals that I have announced.

On the time scale, I indicated my hope that the white paper would be published in May of this year. Thereafter, having raised expectations, we will want to proceed to legislation. However, I

cannot anticipate the legislative programme for the next parliamentary year.

Moreover, as I am sure Ms Cunningham will be the first to admit, the justice department and the Justice and Home Affairs Committee have a substantial work load, regardless of whether the specific measure on domestic violence to which she refers is dealt with in a separate bill or in a family law bill. Clearly, we will consider the timing in due course in co-ordination with the committee.

I take Ms Cunningham's point about legal aid, which is as relevant to the law as it stands as it would be to any of the proposed changes that I have announced today. The matter was raised when I met the Scottish Legal Aid Board. I am not in a position today to indicate any changes to legal aid, but my department, the Scottish Legal Aid Board and I are well aware of the issue and will continue to address it.

David McLetchie (Lothians) (Con): On behalf of the Scottish Conservatives, I give a cautious welcome to the minister's statement and a particular welcome to the fact that there will be a white paper later in the year, as well as further consultation on some of the more contentious issues to which he referred.

The statement raises some profound issues about the role of marriage and the family in society and, in particular, about the role that the Government should play in devising a framework of laws that actively promotes those institutions. If the minister subscribes to the view, as my colleagues and I most certainly do, that Government should actively promote those institutions, does not he think that his comment that it is

"not the role of the Executive or of this Parliament to be judgmental about marital breakdown"

is regrettable? Frankly, I believe that we should be judgmental about marital breakdown. The high incidence of divorce and marital breakdown in this country is profoundly damaging and exacts a heavy toll in human and financial terms on members of our society.

Given that this issue is more than just a matter of civil law and has implications for wider policy areas, will the minister undertake to discuss it in the joint ministerial committee—which I note has been established between the Scottish Executive and the Westminster Government—particularly in relation to child poverty? I am sure that the minister will acknowledge that marital breakdown is a factor in child poverty in many households. We must have—to use the fashionable phrase—joined-up thinking on the subject.

Although most people will welcome the reduction in the period for divorce without consent

from five years to two, we must consider the time scale for divorces with consent—currently two years—to see whether the proposed reduction is justified in the circumstances. We must not get into a situation where our laws encourage quickie divorces that trivialise marriage and turn it into a conditional contract, terminable at short notice, rather than a commitment that people should solemnly enter into with the undertaking that it be for the duration of their lives.

Call me old-fashioned, but will the minister agree that the surest way to improve the rights of unmarried fathers is for them to marry the mothers, preferably before they conceive the children? That is what the responsibility of parenthood, in marriage, is about. By extending the interdicts as proposed—this is why I think that we need further consultation—we may, paradoxically, encourage parental irresponsibility with people not undertaking the commitment of parenthood within the institution of marriage.

Finally, will the minister—

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

The Presiding Officer: Mr Rumbles, there can be no interventions. This is meant to be a question.

David McLetchie: I have asked four questions, and I am about to ask a fifth.

Mr Rumbles: I have a point of order.

The Presiding Officer: I beg your pardon.

Mr Rumbles: On a point of order. I know that it is appropriate to ask to intervene during a member's speech, but is this a question or a speech?

The Presiding Officer: It is a series of questions.

David McLetchie: It is a series of well-informed questions, to which I am sure the minister will give a comprehensive reply. I recommend that we listen both to the questions and to the answers so that we become better informed.

I draw the minister's attention to a report on his statement. The report appears on the BBC Scotland web page and says:

"Possibly the most contentious reform will be that which will provide increased recognition for gay couples.

The legal acknowledgement that such relationships exist and the extension of some legal protection will form part of the reforms."

That matter was not in the minister's statement to Parliament this morning, and I would be grateful if he could clarify the Executive's position on that issue, as reported.

Mr Wallace: I am grateful to Mr McLetchie for his welcome—albeit cautious—to the Executive's proposals on behalf of his party. He invites me to say that the Executive, and indeed the Parliament, should be judgmental on marital breakdown. I do not know what kind of practice Mr McLetchie had when he was a solicitor but, when I was an advocate in the days when divorces were dealt with in the Court of Session, I saw many cases of marital breakdown. I do not think that it is appropriate to pass judgment on what happens in relationships in such cases.

I think that Mr McLetchie would agree that, whenever relationships break down, for whatever cause, that leads to human suffering and tragedy. Breakdown is a tragic event in people's lives and he is right to say—as I did in my statement—that it can often lead to social exclusion, perhaps to poverty. I do not think that that is a matter that will necessarily be discussed in the joint ministerial committee, although I hear what Mr McLetchie is saying. It is recognised that breakdowns can be a contributory factor to poverty and deprivation.

The fact that breakdown and divorce can lead to so much unhappiness is why a willingness and incentive to take as much acrimony out of divorce proceedings as possible underlies the Executive's proposals, although I doubt that divorce proceedings will ever be easy for those involved.

The quickie divorce is not about a reduction from five years to two, or two years to one. It concerns a person who might have to wait five years for a divorce and so chooses other grounds for that divorce, such as unreasonable behaviour. Acrimony in divorce proceedings is often the result of behaviour, rather than of separation. As I said, there is plenty of evidence that such cases can have an adverse effect on children—we make these proposals to address that issue.

As I said in my statement, we believe that the family established by marriage is the most secure unit in which to bring up children, but we must take account of reality. Parliament would be putting its head in the sand if it did not recognise the fact that almost 40 per cent of children in Scotland today are born to unmarried parents. In such situations, it is to be welcomed that many fathers want not only the rights but the responsibilities of parenthood. We want to ensure that the rights and responsibilities are available to unmarried fathers without their having to use the very cumbersome current arrangements.

I said nothing about same-sex partnerships in my statement because that subject does not form part of these proposals. Press speculation is not always right. When the Law Commission issued its report on family law, it indicated that it had received representations on that issue, but it did not address it. It was not addressed in the

consultation document on which this reform of family law is based, so these proposals contain no changes in the legal status of same-sex couples.

Malcolm Chisholm (Edinburgh North and Leith) (Lab): I welcome the introduction of domestic rather than matrimonial interdicts but ask the Minister for Justice to address in his white paper the financial barriers to obtaining such interdicts. I also ask him to explain what is wrong with the new procedures on the rights and responsibilities for unmarried fathers that he and I were involved in introducing only five years ago in the Children (Scotland) Act 1995.

Mr Wallace: As I said to Ms Cunningham, we will have to address the financial arrangements for domestic interdicts. On the existing arrangements for paternal rights and responsibilities, it is my recollection of the debate in committee—in which Lord James Douglas-Hamilton and, if I remember rightly, Ms Cunningham took part—that there was a lot of dissatisfaction with the way in which the law was left at that time. From my own constituency postbag and from meetings with constituents, I know that to invite unmarried couples to register their agreement in the books of council and session is not an everyday or realistic arrangement; there are also fees attached to that.

Euan Robson (Roxburgh and Berwickshire) (LD): I, too, welcome the statement. Is the Minister for Justice proposing legislation for the autumn, with the summer to review the white paper? Does he envisage a power of arrest being attached to the new domestic interdict?

Mr Wallace: As I said to Ms Cunningham, we will have to discuss timing—it would not be right for me to anticipate the legislative programme when the Executive has not yet considered it. However, the end product of a white paper is legislation and, as I said in my statement, we will legislate when parliamentary time permits.

With the domestic interdict, we are trying to extend protection for those who are vulnerable. It is almost arbitrary that protection ends at the time of divorce, when there can be a continuing threat. We wish to extend that protection beyond divorce for a period of three years and to extend the number of places where it applies. The white paper will flesh out the detail of the power of arrest, but we must ensure that protection is effective and readily accessible to those who need it.

Tommy Sheridan (Glasgow) (SSP): I, too, welcome the minister's comments and the general outline of his statement. I am sure that members were impressed by Mr McLetchie's speech—I do not know whether to call it the Cecil Parkinson speech, the Jeffrey Archer speech or the Steve Norris speech. In any event, it was illuminating.

Does the idea of making divorce quicker and easier have anything to do with the forthcoming discussions about the Cubie report?

Mr Wallace: Nothing whatever.

Mr Kenneth Macintosh (Eastwood) (Lab): Is the minister aware of any submissions from the Jewish community in Scotland on improving Scottish family law? Is he further aware of the widespread agreement throughout that community that divorce law needs to be changed because it affects the rights of women, particularly in the Jewish community? Will the Executive promise to listen to those views?

Mr Wallace: Responses were received from the Jewish community. One of the questions that was asked in the white paper related to religious marriages. Last night—at a reception that was hosted by the moderator of the General Assembly of the Church of Scotland—I talked to representatives of the Jewish community, who said that they wanted to make further representations to me on that point, which I encouraged them to do. This issue is one of the more detailed aspects in the family law reform consultation document and it will be addressed in the white paper that will be presented in May.

Christine Grahame (South of Scotland) (SNP): As one who practised family law for 12 years, I broadly welcome the proposals. I also welcome the fact that the cooling-off period is not to be included in the proposal to speed up divorces, as there is an obligation on lawyers to establish whether there is a chance of reconciliation.

The minister mentioned couples who cohabit by habit and repute. Will he say whether division of property between cohabiting couples will be examined? At the moment, that issue is covered only by normal property rules. Will he also examine the role of grandparents, who can often play a positive and healing role in cases of matrimonial breakdown?

Mr Wallace: Those are aspects of the consultation on which the Executive has not yet finalised its views. Those views will flow from the questions that were asked in the consultation paper. I do not remember that grandparents were included in the consultation, but those are matters that will be addressed in greater detail when the white paper is published.

Dr Richard Simpson (Ochil) (Lab): I welcome the statement, but I would like Mr Wallace to consider a number of things before legislation is introduced. Financial support for couple counselling is extremely varied throughout Scotland and the prevention of breakdown of marriages is of considerable importance. Will he talk to the Minister for Health and Community Care

about focusing primary care counselling on relationship support and about ensuring that primary care counsellors are adequately trained to provide that support? Will he also examine family mediation services, some of which—particularly in central Scotland—are having considerable financial difficulties?

Mr Wallace: I am grateful for Dr Simpson's comments. As I said, the Executive recognises that organisations such as Couple Counselling Scotland, Stepfamily Scotland and Family Mediation Scotland play an important role in society. That is why we are setting up a new statutory grants scheme to ensure that the resources that we are able to channel to such groups are better targeted. Those organisations will then be better placed for providing what we all recognise are valuable services. We will have to discuss those matters with the organisations, but we intend that their role be better recognised.

I will draw to Susan Deacon's attention Dr Simpson's comments on the primary health care sector and the need to address many issues relating to relationship breakdown.

Lord James Douglas-Hamilton (Lothians) (Con): Taking into account the best interests of the child, what is the minister's policy on gay couples adopting children?

Mr Wallace: I am aware that the courts have dealt with such matters but, as I said to Mr McLetchie, they are not the subject of this reform of family law, which flows from a consultation document. Our intention is to progress the results of the consultation exercise, which did not address that issue.

Robert Brown (Glasgow) (LD): I want to press the minister on Christine Grahame's point about cohabitees and property rights. Does the minister accept that such rights are, in a way, the counterbalance to the proposed increase in rights of access to children and that, with the increasing number of cohabitees, there is increasing urgency for greater remedies in law than currently exist? Will he undertake to take these comments on board, if not in the white paper, then in the consultation procedure that will follow?

Mr Wallace: As I said, those points are not the subject matter of today's statement. I have heard what Mr Brown and Ms Grahame said and I undertake to address their points in the light of the comments made in the chamber today.

Michael Matheson (Central Scotland) (SNP): I, too, welcome the minister's statement. I wish to touch on the issue of mediation services, which was raised by Richard Simpson. Will the minister confirm that the figure to which he referred constitutes an increase in funding for mediation services in Scotland, which have an important role

in protecting the rights of children of divorcing couples? Will he also ensure that the new grants system and the targeting of grants will not result in larger grants being provided to one area of service to the detriment of another?

Does the minister have any plans to examine the court reporter system in order to see whether it can be improved? That is another important service that protects the needs and rights of children.

Mr Wallace: I mentioned the sum of £500,000 a year, which is provided at present; I was not announcing an increase in funding. Although we would all like to see more money, the financial realities are such that I am not in a position today to promise it. As I suggested both in my statement and in response to Dr Simpson's question, by making these changes and by setting up a new statutory grant scheme, we may be able to target resources better and make more effective use of the money that is currently provided. I take Mr Matheson's point that it would be almost counterproductive to our objective if one organisation or one geographical area benefited while others were left less well off as a result. That is the opposite of our intention, which is to ensure that, with better focusing, the money that is spent brings far more effective and productive returns. Finally, I will certainly consider the court reporter system.

Drug Misuse

The Presiding Officer (Sir David Steel): We turn now to the debate, which is to last all day, on tackling drug misuse in Scotland.

A large number of members wish to take part in this debate. If all speeches last the full four minutes, not everyone will be called. In particular, my office was in touch with the four parties' spokespeople about the length of opening speeches, in the hope that they might cut the amount of time that they have been allocated. We have had no positive response to that contact, but I would appreciate it if the front-bench spokespersons for the four parties could ensure that they do not overrun. Indeed, whoever succeeds me in the chair will ensure that they do not overrun and, preferably, that they underrun, so that we can accommodate everyone who wishes to take part in the debate.

Mr Keith Raffan (Mid Scotland and Fife) (LD): On a point of order. I wish to be helpful, Presiding Officer—can you indicate what length front-bench speeches should be? I know that they do not fit neatly into the timetable decided by the Parliamentary Bureau and I will try to cut down my speech to assist you.

The Presiding Officer: I am surprised by your question, Mr Raffan, as my office communicated with all four parties. The Executive will have 25 minutes, the SNP will have 20 minutes and the Conservatives and Liberal Democrats will have 18 minutes each for opening speeches. These times are very generous and I would appreciate shorter speeches.

Roseanna Cunningham (Perth) (SNP): As a point of information, Presiding Officer, that information was not communicated to me—this is the first that I have heard of it.

The Presiding Officer: I will look into that. If I have overstated the position, I am sorry. However, that is what I was advised before I took the chair.

Anyway, I appeal for short speeches. This is an important debate—we have all day for it, but many members wish to take part.

Tommy Sheridan (Glasgow) (SSP): On a point of order. I am sure, Presiding Officer, that you will not be surprised if I remind you that there are six parties in the chamber. The Scottish Socialist party has certainly not been involved in any bureau discussions about the allocation of time for speeches. However, may I ask for your comments on why you did not accept my amendment?

The Presiding Officer: You can ask me, but I will not comment. I do not give reasons for selecting or not selecting amendments. Yesterday,

I initially declined the amendment that was lodged by the Conservative party, so you should not feel persecuted in this matter.

10:10

The Deputy Minister for Justice (Angus MacKay): I should begin by indicating that I have prepared a speech on the basis that I have 25 minutes, but I will attempt to deliver it as quickly as is practicable.

I want to put it on record that I believe that it is right that we should spend a full day discussing drugs misuse in this Parliament. Scotland has a very serious drugs problem and other developed countries suffer with us. We are targeted daily by an aggressive international business, whose products bring pain and loss—for drug users, for families and for communities.

In this debate, we could talk for a long time about lives crippled and lost, the huge toll of drug-linked crime, the diseases spread, the fear in neighbourhoods, the damage to families and the loss of youth and opportunity. However, I do not need to spend too much time pressing home that message here, because members have already heard it directly and bluntly from families and communities in their areas.

I am also not going to talk today about the decriminalisation of cannabis or the legalisation of currently illegal drugs. We can debate those issues, but we cannot act on them. I want to focus on matters that we can discuss and on which we can act.

This debate must be about how Scotland can protect its young people and communities, how we can bring those of our people who already have drug addictions back into health and into contributing positively to our communities, and how we can dismantle the criminal organisations that fuel and profit from our drugs problem. The debate is about how we can do all that together, in step with the Executive's targeted drugs strategy, which is endorsed and is being implemented by the key agencies involved. That is the purpose of today's debate: to get all of Scotland working together in partnership to tackle drug misuse effectively.

Drugs are an extremely lucrative illegal business. Drug trafficking is worth the world trade in oil and gas combined. Like all business, it depends on a balance between supply and demand. Supply disruption is therefore critical to damaging those illegal businesses. However, today I want to emphasise that the Executive's approach is much wider than that. Only by devastating the demand for drugs can we hope to be successful in destroying this business in the long term. That requires concerted and focused

action across four key areas: availability, communities, treatment and young people.

Drug criminals and drug misuse do not recognise boundaries, whether geographical or institutional. They do not respect school gates, workplace rules, age, family structures, working hours or any of the other conventional boundaries that condition our lives. They are there 24 hours a day, seven days a week, 365 days a year. That is why we must respond by dissolving departmental and agency boundaries; by pooling budgets, experience and decision making; by ensuring that those in enforcement contribute to the work in education and treatment; and by ensuring that all those delivering treatment and education understand and support the work that is needed to deliver effective enforcement. It is why we must search every budget to support those in our communities who are willing to get involved in the fight to reclaim their streets, their neighbourhoods and their communities—sometimes their family members—from the destruction of drugs.

The programme for government, “Making it work together”, underpins the Executive’s partnership approach to government. That approach is the key to how we are tackling drug misuse, and we are determined that it will be seen plainly in the decisions that ministers take—in our policies, in the advice that we take, in the services that we provide, in the way that we measure success or failure, and in the way that we involve all of Scottish society in that action.

The Executive made a fresh start on 1 July 1999, building on the adoption of Scotland’s drugs strategy, “Tackling Drugs in Scotland: Action in Partnership”, which supplies the tools for the job. Co-ordination and action are led by ministers. The Executive is taking a new cross-cutting approach, which does not recognise departmental boundaries. Tough new objectives have been set, for example, on reducing drug-related deaths. Those objectives will be openly measured and there will be transparency and increased accountability. Most important, the 20 drug action teams across Scotland have the role of shaping locally sensitive drugs strategies on the ground, and of building services around the real and changing nature of localised drug misuse patterns.

That co-ordinated and performance-led thinking starts at the top of the Scottish Executive. There is a Scottish Cabinet committee with ministers from the key areas of justice, health, communities and education.

Ms Margo MacDonald (Lothians) (SNP): Do locally sensitive drugs strategies include locally sensitive punitive measures, which might involve the criminal justice system? We should hear more about how that could be done.

Angus MacKay: I am sure that Margo MacDonald will have the opportunity to inform us how that could be done when she makes a speech in the debate. Enforcement agencies, and a number of other agencies, are represented on the drug action teams that are developing local strategies, so there is an opportunity to develop a wide range of approaches.

We are asking ourselves hard questions about effectiveness; about gaps; about measuring progress against objectives; about the cost of drug misuse; about matching resources to strategic objectives; and about what makes it easier for young people to resist drug use, and harder for criminals to sell drugs that damage and kill.

The breadth of our approach extends to the advice that we take. We take advice from the Scottish Advisory Committee on Drug Misuse, whose members span the community—the voluntary sector, police, prisons, social work, public health, drugs forums, psychiatry, customs and local government.

That approach is also the central thread of the Executive’s drugs strategy, “Tackling Drugs in Scotland: Action in Partnership”. The four pillars of that strategy—young people, communities, treatment and availability—are not separate issues to be dealt with in isolation. They are a set of linked programmes, which are designed to be mutually reinforcing and effective.

The linked programmes are focused on key objectives for each of the pillars. We will measure progress against specific action priorities, such as the development of effective shared care arrangements and integrated drug misuse services. We will match resources progressively to those priorities to achieve maximum impact and value for money.

Some steps are big; some are small. The action programme for delivering the drugs strategy will include measures such as the effective training of teachers; expanding integrated drug misuse services; improving the availability and quality of outreach work; sharing information and best practice among those implementing the drugs strategy; and ensuring that best practice guides investment decisions. That is not an easy task, and it will take time. The people of Scotland will not judge success by counting the number of committee meetings or nicely worded reports, and neither will the Executive.

What counts for us all is removing the scourge of drugs from our streets and playgrounds; making available effective drug misuse services; creating peaceful communities; helping those who are rebuilding their lives to make an effective contribution to their communities; and doing all we can to prevent young people from turning to drugs.

Patricia Ferguson (Glasgow Maryhill) (Lab):

In light of an incident in my constituency yesterday, in which a constituent discovered a bottle of methadone outside a primary school, does the minister intend to review how methadone is dispensed, particularly during holidays?

Angus MacKay: That is an important point, which—if the member will bear with me—I will address directly later in my speech.

We have launched a new approach within the Executive to deliver this agenda. We know that we need to break down the traditional departmental barriers to joined-up action on drugs. That means sharing budgets, joint policy development, developing and delivering innovative and pragmatic solutions to difficult social problems, and operating in a climate of transparency and accountability.

As the minister with overall responsibility for all drug matters, I lead that process. We will publish an Executive drug action plan within the next 90 days. That action plan will spell out clearly what action the Executive has already taken, is currently taking and will take in the future to play its part in supporting the implementation of the drugs strategy by the agencies in the field. It will signal the key milestones that we need to achieve through the drugs strategy so that all the agencies involved know what they, and we, must do and by when.

Partnership with key agencies is the cornerstone of the strategy. We have been turning that commitment into practical action so that the delivery of public services for drug misuse fits round people, rather than people being expected to fit round existing structures. We have a planning structure that co-ordinates action and achieves agreed objectives, and changes in the way in which we work have reinforced that approach. Those changes include expanding agency representation on our main Scottish Advisory Committee on Drug Misuse. That committee now has new operations and research groups drawing all agencies into play, backed up by regular contact to keep all the key players in touch and ensure that we are all moving in the same direction.

The work of the Executive and all the agencies is being progressively strengthened and a number of new initiatives have already been launched to ensure that efforts are properly focused. We now have a unit dedicated to drug misuse information with a budget of £300,000 a year. It has 10 full-time staff and its purpose is to ensure that the Executive, the drug action teams and other agencies plan and act upon the best possible up-to-date information. By April, the team will publish an improved drug misuse statistics bulletin that will show clearly the extent and nature of drug misuse

that must be tackled. It will show, for example, the extent of needle sharing broken down area by area. Such useful information will in turn inform the action taken by agencies at local level.

I will be launching a drugs website.

Mr Raffan: Will the minister give way?

Angus MacKay: I shall finish this point first.

I will be launching a drugs website by April. It will feature policy and strategic development documents, latest news and links to helping agencies. Most important, it will provide up-to-date statistics, research and good practice in a variety of settings that will be of direct and practical assistance to those developing and delivering services throughout Scotland. It will offer real practical advice and support for those agencies and for the drug action teams throughout Scotland.

Mr Raffan: I am grateful to the minister for his comments, because the issue of needle exchange is crucial. Beyond that, however, we must consider legalising the use of drugs paraphernalia including aluminium spoons for heating heroin. Mr MacKay knows as well as I do that that is a crucial issue connected with the increasing incidence of hepatitis C that worries all Scottish health boards. Will he assure us that he will examine that issue?

Angus MacKay: I can assure Mr Raffan that we will review every issue pertaining to drug misuse. We rule out nothing before we have properly evaluated all approaches.

Brian Adam (North-East Scotland) (SNP): Can the minister assure us that, in gathering statistics on needle use and on other issues, he will conduct prevalence studies in areas in which we do not have good information? Information could be gathered from those in treatment programmes, from those who attend casualty departments for a variety of reasons, or from studies on causes of death. That would enable us to discover whether there are common threads or areas on which we can target resources in future. I suspect that, in the past, such studies have not been conducted properly.

Angus MacKay: Mr Adam's question has anticipated the very next paragraph of my speech, so I will answer his point directly. I would like to press on with the rest of my speech, as I am aware that time is limited and many other members want to contribute.

Scotland's first ever systematic drug misuse research programme is being prepared by the Scottish Advisory Committee on Drug Misuse. That programme will ensure that research efforts actively inform the delivery of the drugs strategy on the ground and will help us to act on priority areas. For the first time, we will know where the

need is greatest. In the past fortnight, we have commissioned a drug misuse prevalence study at a cost of £300,000.

Because they get help to people who need it and because they reduce the burden of crime on local communities, we are continuing to fund methadone treatment programmes and will be expanding the drug treatment and testing order pilots. Those pilot programmes will have a budget of £3.1 million over the next three years and are designed to break the cycle of crime.

Those initiatives are a first step in trying to move away from the imprisonment of non-serious drug offenders, in which we see continuous cycles of reoffending and unbroken drug dependency. Imprisonment is costly and the drug treatment and testing orders may well represent a more successful and cost-effective way of dealing with some offenders, which will break their addiction.

Spending on treatment has already been boosted by an additional £6 million over a three-year period, which brings the visible annual spend to £11.3 million. That represents a 20 per cent rise on previous levels and means that for Glasgow—where additional resources were matched by local funding—16 new initiatives are up and running, targeting priority actions in the drug action team strategy. Those initiatives include a Mothers Against Drugs through care service for greater Easterhouse; two additional addiction psychiatry teams to treat drug users with mental health problems; a new young people's arrest and referral scheme; additional support for pregnant drug users; and additional services in all the council areas.

Rehabilitation services are critical; we are examining how best to develop the services available to drug misusers in the community and how to make them more effective. We have a specific commitment in the programme for government to expand such services. Projects that can develop links with further education programmes and provide training and employment opportunities need the most urgent attention. Dealing with someone's addiction is just one part of the problem. We need projects and services that can do that, but which can also address the other issues that affect an individual's ability to cope, to get into a positive lifestyle and to change the factors that encourage and foster their drug misuse. Some very positive models exist, which deal with drug misusers holistically rather than just in terms of their drug addiction. Learning from such models is important for the future shape of service delivery.

However, to do all that effectively, we need more information on what works and for whom. It is clear that different people have different needs and respond best to different approaches, but we

do not yet have firm information on who will benefit most from what. For example, will a person get most benefit from a residential service, a harm reduction service in the community, or a service that focuses on helping people to make lifestyle changes? We must ensure that services are well focused and concentrate on outcomes. We must shape services to meet the needs of particular clients, rather than expect clients to fit the shape of existing services.

Some people have expressed concern about the methadone programme. The success of methadone in reducing crime, death, disease and drug use is well documented. Its provision leads to stability, not only for the drug user but for the families and communities involved. Methadone is the most effective treatment for heroin addiction. Compared with other major drug treatments, methadone is the most rigorously studied and has yielded the best results. Methadone treatment reduces the frequency of injection and of needle sharing. Arrests for drugs offences and other offences decline, because methadone patients reduce or stop buying and using illegal drugs.

Methadone also drastically reduces, and often eliminates, heroin use among addicts. Studies here and abroad consistently show that methadone treatment is extremely cost-effective. However, the Executive is asking all health boards to report on the steps that they have taken to ensure that, wherever practicable, methadone is taken under supervision. That includes addressing problems that may arise over weekend and holiday periods. Investigations in Glasgow into 65 recent drugs deaths found that 10 per cent had taken methadone, although in only one case was methadone the only drug taken. The balance of benefit is hugely in favour of prescribing methadone, but we must make that use safe and watertight. That is what we are asking the health boards to secure. It is extremely important that that valuable treatment is delivered as part of an integrated package, which draws together all the agencies involved in a cohesive approach.

We have taken a long hard look at what drug misuse in Scotland costs the country. One of the first decisions of the Cabinet drugs committee was to commission the Executive policy unit to undertake a comprehensive audit of expenditure relating to drug misuse in all departments. The purpose of that audit is to look carefully, establish how much is being spent and assess the effectiveness of that spend.

The previously accepted figure for such spend has been in excess of £50 million, but the figure will be a good deal more than that. Early indications are that the spend may in fact be in multiples of that sum. That means that we will be asking serious questions about the effectiveness

of current funding, the amount of new funding required to make inroads into drug misuse and the need for powerful evaluation of existing service delivery through all agencies. With the information produced by the policy unit's work, we will be able to see what more can be done to match resources to priorities. The results of the audit are expected in the spring, and will feed into the spending review to take place in 2000.

Mr Lloyd Quinan (West of Scotland) (SNP): Will the audit look at the size of the black economy that comes from the drug trade in Scotland?

Angus MacKay: No. It is an internal Scottish Executive audit looking at the money that goes out of the Executive's door.

Ms MacDonald rose—

Angus MacKay: I am sorry, but I must make progress because I am running out of time.

The audit will set spending plans for 2002-03 and beyond. The process in Whitehall is already well under way, with a view to announcements in July. The fight against drugs is one of our major initiatives, and additional resources for drug misuse will be addressed in the review. As I have said, there has nevertheless already been major new investment this year in drugs treatment and enforcement.

It is vital that the Executive has the capacity to evaluate good practice, thereby ensuring compatibility and consistency, and to promote evidence-based approaches and interventions that will reduce drug misuse and its cost to society. Earlier this year, I announced funding of £300,000 to establish, for the first time in Scotland, a dedicated prevention and effectiveness unit. Today, I am able to announce details of how that money will be spent.

The new unit will be located at the heart of the Executive. It will be an integral part of the Executive's drug misuse cross-cutting team in the public health policy unit. That unit, and its location, will optimise the delivery of the strategy by researching and evaluating best practice and value for money. It will promote the replication of best practice in all drug action team areas, and its efforts will support our agenda of "What's best, is what works." It will therefore also help to identify failed and failing projects, services and approaches, which in turn will assist the Executive and drug action teams in making decisions about switching resources to action that delivers. The unit is an important step towards aligning resources to strategic objectives.

I am also pleased to announce today additional moneys to underscore the capacity of our communities and businesses to fight drug misuse and engage in prevention activities. Drugs corrode

communities and destroy lives. They create despair. It is essential to give young people a lead, and our communities real hope. People need to see pathways out of that despair, and they need support for their efforts to protect their communities. The Executive is therefore allocating an additional £1 million to the Scotland Against Drugs campaign, to increase its existing community and business work through the Scottish challenge fund. The purpose is to expand the work being done by individuals and community groups.

If drug misuse is to be tackled effectively in Scotland, the whole community needs to be involved and to take ownership of the problem. Given the right lead and support, communities will organise to protect themselves. I have already mentioned Mothers Against Drugs as an example.

Many community groups have clear ideas about tackling drug misuse, and some valuable projects have already been developed. I am therefore pleased to announce today that the Executive is making available an extra £1 million in each of the next two years to fund work in communities to tackle drug misuse. Those resources will be made available through social inclusion partnerships. The community dimension will be vital. SIPs already include community representatives, and we expect proposals for funding to be developed with the active involvement of the community and drug action teams.

The Executive also recognises the importance for those working in the front line of Scotland's drug problems to have access to effective and structured training. Training of staff is critical. Drug workers need proper training, as well as being informed and knowledgeable. A wide range of work is already taking place in that regard. Organisations such as Fast Forward are involved in drugs awareness training, not just for drug workers, but for parents, teachers and employers. We are trying to achieve a culture of information and awareness, not ignorance. Therefore, we will be announcing an important new training initiative in the coming three months.

I want to refer briefly to drug enforcement. Much has been said about the drugs enforcement agency. Members will almost certainly be aware of the scope of its remit and its budget, but it will have a role beyond enforcement. Once the director of the agency is appointed next month, the agency will turn its mind to operational implementation. However, the agency will not just be about enforcement; it will be about working with the community-based organisations supporting former drug users back into work and family life. The new agency will have a dedicated Scotland-wide liaison officer post. That individual will work with police in the community and in schools to

liaise directly with those delivering education and rehabilitation services.

I am coming close to the end of my allotted time, so I unfortunately I will have to cut my contribution short. I shall refer briefly to drug action teams. We expect drug action teams and their partners at a local level to deliver on the strategy. We are finding out where action is not being taken or where action is slow. That information will be an important focus for our actions in the coming weeks and months. We will not hesitate to act when problems arise, be they general problems or specific to individual drug action teams.

We are moving forward in meeting a range of tough challenges. We have invested more in measures that have a proven effect. We have improved the information and intelligence base for tackling drug misuse. That will be boosted by the national prevalence study that is already under way. We are examining what is spent on drug misuse and how it is spent. We are evaluating strategies that work, learning from Scottish and international experience. That, and the work of the new effectiveness unit, will guide our future investment.

The Scottish Executive has put tackling drug misuse at the heart of its work and we hope that other agencies will do the same.

I move,

That the Parliament commends the multi-agency role of the key agencies across Scotland in implementing Tackling Drugs in Scotland: Action in Partnership; acknowledges the Executive's support for the agencies involved in implementing the priorities and strategy, and welcomes the Executive's cross-cutting approach and the efforts being made to reverse the tragic level of drug deaths and drug misuse in Scotland.

10:36

Roseanna Cunningham (Perth) (SNP): We are all keen to make the most of this opportunity to debate what is a serious issue for the whole of Scotland. Drug legislation, specifically the Misuse of Drugs Act 1971, is reserved to Westminster. Despite that, we have all recognised that in many of the devolved areas—health, education and justice, for example—there is the capacity for an enormous amount of work to be done and for effective change to take place. Scotland can still be an example to the rest of the United Kingdom if it chooses to be. We can be an example of best practice and achievement rather than a provider of depressing statistics, which appears to be our role at the moment. That means that this Parliament can play an important role in the debate. Are we doing so?

Today's debate should be as constructive as possible. We might not all agree on every aspect

of the way forward, but we agree that a way forward must be found, for the good of all Scotland. The problem is enormously complex. If there were simple answers, we would have found them by now. Some of the things that are currently being done might not work; others that have not been tried might succeed. The complex nature of the problem becomes clear when we consider that there is not only one problem but a series of them. It follows that there cannot be one solution. That poses a policy challenge for us all.

Different drugs are used in different ways, often by different groups of people. Cocaine is used across society and its use has increased exponentially in the past decade. Information has, in the past, suggested that most cocaine users are professionals and, because such individuals normally have the financial means to support their drug use, the authorities have remained unaware of the extent of the use of the drug. We usually receive only anecdotal information about it from our newspapers or from certain scenes on football fields. Recent information suggests that the pattern of the use of the drug might be changing. If that is true, it will be interesting to see whether the tone of media coverage of the problem changes. There are signs that that is happening.

Not so long ago, heroin was cheaper than cannabis, a fact that helped fuel its widespread use. The European Union drugs monitoring survey suggests that 2 per cent of British 15 and 16-year-olds have tried heroin at least once. I would suggest that that puts Mo Mowlam's recent confession of past cannabis use into perspective. Heroin seems to be the UK's drug of choice—the same survey indicated that nearly half of all heroin seized in the European Union is seized in the UK. We all know the serious problems that Scotland has with heroin. Although the survey does not allow us to ascertain the Scottish figure, there is an apprehension that the figure would be higher than 2 per cent in that age group.

We know that cannabis is used widely. The survey indicated that almost 40 per cent of 15 and 16-year-olds in England and Wales had tried cannabis; the figure is probably higher in Scotland. The debate surrounding the use of cannabis is familiar to most of us—some members might speak about that issue today—so it will be sufficient to say that most people do not put cannabis in the same category as drugs such as heroin. That fact is reflected in its classification in the legislation. On top of that, there is the problem posed by the so-called recreational drugs, principally ecstasy, and the additional difficulties that arise as a result of amphetamine and tranquilliser use and abuse.

None of that addresses the problems that are posed in society by alcohol abuse. If there are

many offenders in our courts for whom one might reasonably say that the real reason for their appearance is their drug habit, the same can be said, perhaps even more emphatically, about alcohol. There has been much debate in the press recently about the shocking drug death statistic in Strathclyde, with 146 drug-related deaths in 1999, an increase of 50 per cent on the previous year. That is an appallingly high number. Equally appalling would be the number of directly alcohol-related deaths in the same one-year period: it would be four figures, not three.

By raising the issue of alcohol abuse, it is not my intention to minimise the drug problem; instead, it is an attempt to widen the debate to deal with the issue of what might be better termed substance abuse and, separately, the question of addiction. In a sense, what we are doing when we seek answers to the various drug problems and set in place the appropriate rehabilitation resources is to deal with the very real medical question of addiction.

I will leave a more detailed discussion of that to those who may be better qualified than myself on the medical side. The point that I wish to make, in raising the issue here, is that what is required is a strategy that deals across the board with the problem of addiction. As we all know, addiction is not confined to illegal drugs. Any national strategy in Scotland must, as the Executive motion recognises, operate on a multi-agency basis. That should include a realistic and pragmatic approach to reducing the demand, together with accessible education packages and an acceptance that harm limitation has a part to play.

I confess that I am losing track a little of the number of units, task forces and groups that are being set up. I notice that more were announced today; it would be useful if at some point we could see a chart that clearly identifies all those that are in practice and how they work with each other. It should be part of the approach that there is regular research carried out that identifies both successes and failures. I hope that some of what the minister announced today will help that. We should not be shy about making clear assessments of what has not worked and why it has not worked. It is better to establish that one approach is not appropriate than to try no approach at all. In turn, failure should be seen not as a disaster, but as the elimination of one particular way of dealing with an issue.

However, identifying successful ventures carries with it a heavy responsibility. We cannot be in the business of doing what happens frequently: money is put into pilot projects or schemes that provide options to the few individuals who are lucky enough to live in the catchment area but which, successful or not, never seem to be

followed up anywhere else. That leads to a patchy mishmash of provision, a form of postcode lottery.

It is not just in this particular area that that can happen. I understand the need and the desire to roll out schemes on a pilot basis. Indeed, that is often the only way to start the process. The problem is how to turn the pilot into something that operates right across the country, which is where we begin to fail in Scotland. It is not something that is confined only to the past couple of years; it has been endemic for decades.

Many members may wish to express concern about the lack of provision in their own areas—I know that such concern exists. Often, the lack of resources impacts on other aspects of dealing with the problem. One of the biggest difficulties we face in Scotland is that unevenness of provision. I hope that the minister will directly address that difficulty in his closing remarks.

I turn to some aspects of the debate that fall more neatly into the justice remit, but which were not heavily canvassed in the minister's initial contribution. The Scottish National party is keen to learn about best practice in other countries. The minister has frequently, although not today, expressed his admiration for the work that the Irish have been doing in the area of criminal assets confiscation. I wish to raise some specific questions with him about his understanding of that experiment, which is very popular in Ireland.

According to some sources in Ireland, the operation of the Criminal Assets Bureau has forced several major drug dealers to relocate their assets—and in some cases, their criminal activities—abroad, primarily to the UK, Netherlands and Spain. From the Irish point of view, that is a desirable outcome. However, it may be less desirable from the point of view of the countries on the receiving end of those displaced persons and activities. It might be argued that, by this means, every jurisdiction will be forced to adopt the same policy and, eventually, such activity will be displaced from the European Union altogether. That will take some considerable time.

Does the minister have any comment to make about the likely effect on our near neighbours in Europe and the rest of the United Kingdom if Scotland chooses to go down the same road as Ireland?

Angus MacKay: Members of the European Union have for some time been actively engaged in discussion about how we can create a uniform network of approaches to civil forfeiture. We are actively involved in discussions with the Home Office about legislating in Scotland, if that is seen to be appropriate.

Roseanna Cunningham: I know that discussions take place at a European level about

several transnational problems, including drugs. I have some concerns about the lack of direct involvement of the Scottish ministers with the European debate. Perhaps we should come back to the matter in a different debate.

Helen Eadie (Dunfermline East) (Lab): Will the member answer a question? Between 1994 and 1999, the SNP's two MEPs, Winnie Ewing and Allan Macartney, were members of the rainbow group, the European Radical Alliance. That group included the Transnational Radical party, the main aim of which was the legalisation of all drugs, across Europe. Members of that party were regularly arrested and prosecuted for the distribution and abuse of drugs in public places; in one case a member was dressed as Santa Claus. Will Ms Cunningham explain how her views sit with those of Winnie Ewing in relation to that?

Roseanna Cunningham: The member will recall that I prefaced my remarks by saying that I hoped that the debate would be constructive. Although I have questions for the Executive, I am trying to put them reasonably and sincerely, to elicit information. I do not think that comments such as those made by the member are in any way helpful to the debate.

I would like to return to the question of the Criminal Assets Bureau. Try as I might, I can get no clear statistics—

Helen Eadie: My question deserves an answer.

The Deputy Presiding Officer (Mr George Reid): Order. Are you making a point of order, or are you intervening?

Helen Eadie: The member has not answered the question.

The Deputy Presiding Officer: Are you addressing your point to Ms Cunningham?

Helen Eadie: Yes.

The Deputy Presiding Officer: Ms Cunningham, will you take that point?

Roseanna Cunningham: No, I am not taking another intervention from the member.

I can get no clear statistics to support the proposition that the work of the Criminal Assets Bureau has led to a perceptible reduction in the amount of drugs entering and sold in Ireland. As the onus of proof in cases involving the bureau is on the accused—which runs counter to every established precept of Scots law—only one individual whose assets have been seized has thus far been convicted of a recognisably criminal offence. I believe that the person was convicted of murder and not of dealing drugs. Does the minister have different information and, if so, will he take the opportunity to add that to the debate?

I hope that the minister agrees that it would be most unfortunate if we moved to a situation in which we taxed dealers punitively by this method, yet did not take them off the streets. That may be one reason why no model has yet been proposed for Scotland—perhaps, despite the initial interest, a closer inspection showed that the Irish Criminal Assets Bureau has not been the success in reality that it has been in terms of public relations.

There are questions to be asked about the drugs enforcement agency, to which the minister referred. I have some concerns about what has been announced so far. The Executive seems to have launched the agency with no clearly set targets and despite the fact that other agencies that are involved in enforcement, such as Customs and Excise, have had to endure cuts over the years.

To the concerns about the direction of the drugs enforcement agency must be added the furore over the clawback of £13 million from the Scottish Prison Service, a cut that will lead directly to job losses and prison closures. I have some quotations from the minister that directly contradict quotations from the person who is presumably his boss in the Cabinet. I refer the minister to today's report in *The Scotsman* about the number of deaths that occur in the weeks immediately following release from prison. That suggests that the problem of drugs in prison is not, as yet, being addressed properly. We are taking money out of the Prison Service—perhaps there should be a rethink on that.

Dr Richard Simpson (Ochil) (Lab) rose—

Roseanna Cunningham: It may be that the drugs enforcement agency will be a resounding success. However, there is a lack of any substantial information on anything but its immediate future. Without that information, it is difficult to come to any reasonable judgment. I hope that the minister will address some of those questions, and the ones that I suspect my colleagues will put later in the debate.

Angus MacKay: I will take the opportunity to pass on to Roseanna Cunningham some information that I think may be helpful. At the time of the launch of the drugs enforcement agency, we set out its key objectives. The director of the new agency will be appointed next month. It will be for the director to establish the operational objectives of the agency, as is appropriate, and there will certainly be an opportunity for comment at that stage. I do not think that anyone could reasonably expect the Executive to set out directly those operational objectives—that would break all known precedents for policing agencies.

We have not cut the budget of the Scottish Prison Service. The base budget of the service will

rise in succeeding years from this point onwards. That should be emphasised from the start. No drug rehabilitation services in prisons will be affected by the transfer of £13 million into the broader Executive budget.

Roseanna Cunningham: The information in *The Scotsman* today suggests that the rehabilitation services in prisons are not sufficient to deal with the problem.

Angus MacKay: But that is different.

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): That is different.

Roseanna Cunningham: Well, the ministers say that it is different, but no matter what Mr MacKay says, £13 million has been taken out of the Scottish Prison Service, money that may well have been better used within the service to do the kinds of things that are required.

Dr Simpson *rose—*

Roseanna Cunningham: No, I have a time limit, which—even if the Presiding Officer adds on time to allow for interventions—will cause me difficulties.

The Deputy Presiding Officer: I will add only a very little time.

Roseanna Cunningham: The drugs enforcement agency is an idea that originated in the United States of America, and the Criminal Assets Bureau is an Irish example for us to consider. Another example from international experience, which might be useful for us in Scotland to consider, is one that I have raised before: drugs courts. They are beginning to spring up in many countries, for example, in the USA, Canada, Australia, New Zealand and, as I understand it, in Ireland too, as of this month. The aim of those courts is to provide a treatment-led response to drugs and drugs-related crime, a response that builds on a partnership between law enforcement agencies and treatment services.

The minister has mentioned that part of the drugs enforcement agency's work will be done in partnership with some of those agencies. That would be another way of building that into the justice system. The courts bridge the gap between punishment and treatment for the user, and not—it should be emphasised—for the dealer. The discipline that is imposed on the offender is very challenging, and failure to comply is likely to result in a return to the mainstream courts and a swift incarceration thereafter.

Dr Simpson *rose—*

Angus MacKay *rose—*

Roseanna Cunningham: No, if the minister does not mind, I would like to continue, as I am

struggling for time.

The individuals who are dealt with in drugs courts may be those who appear because of drugs-related offences. However, the courts may also target people who are there for apparently non-drugs-related offences, but for whom the real problem is their substance abuse.

I note that the Scottish Drugs Forum has gone public in calling for the introduction of drugs courts in Scotland. In the past, ministers have not wanted to dismiss the idea completely; but this particular minister has apparently gone on record as saying that he believed that the American system could not be used in Scotland's current judicial set-up. I am not clear why he thinks that. Scotland's court structure provides opportunities for the development of such drugs courts; equally, the children's panel system offers a culture of non-adversarial proceedings that could be extended into adult courts.

The point about the model of drugs courts that is beginning to appear in the countries that I listed earlier is that they are essentially methods by which we can divert from custody those for whom the drugs courts represent the next most likely disposal option for the judge. Entry into the programme occurs within days of arrest, and not when people appear before the court at a trial. The courts are fast working. They are not the whole answer, but they may be part of an answer. To work properly, they require investment in the infrastructure of rehabilitation and through care.

As Scotland is not a model of provision, I concede that, at this stage, the only reasonable option is to develop a model that is appropriate for Scotland's justice system and pilot it in an area where the provision of back-up services is at least adequate. One positive suggestion is the introduction of drugs courts. As already mentioned, the Scottish Drugs Forum has endorsed the idea and I understand that the Convention of Scottish Local Authorities has been actively considering it for some time. It fits perfectly with the multi-agency approach that is vital if we are to make any headway with the overall problem. I commend it to the minister.

I also ask the minister to give serious backing to the proposal for a committee of the Parliament, which we have suggested should be called the substance misuse strategy committee—although I will not go to the barricades about the committee's title. It is vital for the Parliament to take ownership of the growing problem of substance abuse in Scotland. Such a committee, the members of which could come from the various interested committees, would perfectly reflect the multi-agency commitment in the Executive's motion.

At the moment, it is possible for all four of the

named committees—Justice and Home Affairs, Education, Culture and Sport, Health and Community Care and Social Inclusion, Housing and Voluntary Sector—to address at any one time some aspect of the debate as part of their own agendas, but in isolation from each other. In a sense, the Parliament currently reflects the lack of co-ordination of approach and we need to take our own rhetoric on board.

Doing so would send out a signal to all other parties in the debate that we are really serious about the multi-agency approach. I know that the minister is likely to counter that comment with reference to his task force; however, the important issue to address is that we in this chamber were elected by Scots voters to find Scottish answers to the very real problems in our society. If we do not respond with a more consistent approach than the occasional debate or the occasional inclusion of the subject in the busy agendas of already overworked committees, we might find ourselves being judged harshly by those very voters.

For no other reason than that, I urge the chamber to support the SNP's amendment.

The Deputy Presiding Officer: I am grateful to the member for sticking to the time limit, and I would be even more grateful if she would formally move amendment S1M-437.2.

Roseanna Cunningham: I move amendment S1M-437.2, to leave out from "acknowledges" to end and insert:

"recognises that there is neither a single drug problem nor a single solution; is concerned that at present there are insufficient resources available to those who desire to address the problems of addiction; welcomes the contribution which can be made to the debate by reference to international experience and, accepting that a cross-cutting approach is required to deal with the challenge posed to society by substance abuse, agrees to reflect that in the Parliament itself by the establishment of a Substance Misuse Strategy Committee which would facilitate the multi-agency debate required."

10:58

Mrs Lyndsay McIntosh (Central Scotland) (Con): I will begin by expressing my thanks to the Executive for responding so quickly to my request. A full debate on tackling drugs misuse in Scotland is long overdue and my colleagues and I hope that, unlike yesterday, we can share a common purpose with members on all sides of the chamber.

The purpose of my amendment is not to deter the Executive, but to encourage it to be as bold and radical in tackling drugs misuse as the problem demands. I hope that the Executive will accept the amendment in the helpful and constructive spirit in which it is offered.

Time and again, poll after poll has shown us that the social consequences of drugs misuse is the single issue of greatest concern to Scots. To begin with, we should try to engage those people for whom drugs is the scourge of their lives and to speak to them in a language and a manner with which they can identify.

The term "recreational drugs" is an important and commonly used term that we must eradicate from use. I hope that we can reach a consensus today to banish it from our vocabulary. It is a misnomer in everyday use. For the public to identify with our debate, we must deal with the reality that there are two drugs cultures. I will return later to the distinction between them. However, we will not allow this issue to be trivialised by allowing reference to recreational drugs.

A dictionary definition of the word "recreation" is refreshment of health or spirits by relaxation and enjoyment; an activity or pastime that promotes that; or an interval of free time between school lessons. The horror of the reality is that, all too often, the interval between lessons is indeed when some of our youngsters abuse drugs. I have a shocking memory of visiting a school as a lay member of an HM inspection team when the police were called because a youngster had been found in possession of illegal drugs. That was in the same week as the burial of a child at the same school who had died as a consequence of drug involvement. The reality is that children die.

Our amendment seeks to support and uphold every effort to save lives and to save people from the misery and degradation that drug misuse trails in its wake. Any reference to recreational drugs is misplaced and profoundly misleading. Indeed, in addition to moving my amendment, I move that we strike the term from parliamentary language.

I mentioned earlier the distinction that exists between two drugs cultures in our society. The first—and profoundly more evil—is the culture of the habitual drug user, hooked on the hardest drugs, who feeds his or her habit by pursuit of criminal activity. That lifestyle cannot be hidden from family and friends, because the user is preoccupied with his or her next fix, without time or compassion for the trail of devastation that they leave in their wake.

The second culture is quite different and distinct and we alienate the people involved in it at our peril. That culture is inhabited by young professionals, students and youths on a night out with their friends, funded by their mum and dad. There is the culture of the casual user of drugs such as ecstasy, speed, hash and sulph. That club culture is where our teenagers and 20-somethings choose to spend their time. It is a distinct and different problem for us to address.

We are not talking about the discos and clubs that people my age look back to with fond memories of "Disco Inferno" the first time around. We had enough to contend with dealing with the other drugs—alcohol and tobacco. Those are also serious problems and I am sure that Mrs Deacon would agree that the use and abuse of those legal drugs have huge health implications. Today, however, we are concerned with illegal drugs.

Clubbers do not see themselves as criminals to be condemned, but they must be included in the debate so that we can understand what motivates them to endanger their lives without any prospect of long-term gain. Clubbers are young people with hopes and aspirations, typically from backgrounds where there is a support mechanism, in contrast to the habitual user.

Before anyone argues that the risk to life is marginal, we should think about previous deaths and remember Leah Betts and others. They never thought that it could happen to them, but their families will testify to the outcome of one bad drug and one bad piece of advice.

The club culture user is unlikely to land in prison alongside the users who fund their appetite for drugs through crime. However, what the two cultures share is the source of the material—a callous, calculating drug dealer. I have already referred to prisons. Criminal activity of every kind deserves the appropriate punishment. It is for the courts to decide on the best course of rehabilitation for those who break the law to fund their drug habit. Nevertheless, the dealer is a far more desirable target for imprisonment. For them, there can be no sympathy. Clearly, the public interest is best served by removing dealers from our streets, but sentencing policy does not serve as a big enough deterrent. Now is the time to toughen up our position and to send a clear message to those who pollute society and prey on its weakest members.

Today, we on the Conservative benches make it clear that, having listened to the public, we are committed to implementing a minimum sentence of two years' served imprisonment for dealers. That is in distinct contrast to a sentence of two years that means 12 months, which is anything but an effective deterrent. The sentence that dealers hear in court should be the sentence that they serve.

Prisons have an important part to play in the rehabilitation of offenders detained as a result of drugs. Dealers require incarceration as a penalty for their deeds and as a deterrent to reoffending, but drug users require rehabilitation and, importantly, reasons to stay clean on their release. Our Prison Service therefore needs the resources to tackle the smuggling of drugs into our jails and their illicit use inside. The statistics of the Minister

for Justice, provided to me prior to the Christmas recess, show that the prisons are being starved of those resources, which the Conservatives intend to provide—and I entirely share Roseanna Cunningham's thoughts about the prison system.

In addition, we must ensure that programmes are available within jails that successfully wean users off the drugs that got them there in the first place.

Brian Adam: The deputy minister has assured us today that there are no cuts in the rehabilitation services as currently provided in prisons. Is Mrs McIntosh aware that the through-care services provided by external agencies, for example by Drugs Action to Aberdeen prison, have been cut because of the cuts in local health service budgets?

Mrs McIntosh: I am aware of that and I condemn the cuts. We have spoken briefly about that matter on an all-party group. It is also a question of through care after people leave prison. There is little reason to get someone clean when they are in jail if they are let out on to the streets without having someone there to provide the support that they need once released.

Structured programmes such as supervised methadone prescription and consumption are beneficial, provided adequate safeguards accompany their use. Is it ethical, however, to maintain people on methadone for what is left of their lives? The amount must be reduced over time, because methadone is more dangerous than heroin. The supply must be controlled so that the strength and also the amount that the user consumes is reduced to facilitate the sustainable non-use of heroin.

It is important that the taking of methadone is supervised: all too often, users are now—I hate this word—regurgitating their methadone for sale on the black market. I apologise if any members have just come here from breakfast. That, ladies and gentlemen, is the unsavoury side of the matter, but it is a fact of life.

Brian Adam: Will Mrs McIntosh take another brief intervention?

Mrs McIntosh: If it is a very brief one. Is it about regurgitating that part of my speech? I could not face it again.

Brian Adam: It is commonly known as spit-back.

Mrs McIntosh: I know.

Brian Adam: We are aware of statistics on methadone use in Strathclyde provided today in various newspapers. Is Mrs McIntosh aware that in Grampian, in one recent year, there were more deaths caused principally by methadone than by

heroin?

Mrs McIntosh: That is undoubtedly a shocking statistic.

The sale of methadone on the black market can be easily dealt with if the methadone is taken in front of a supervisor, be it a doctor or a pharmacist. If the client is forcibly retained for a reasonable period of time after the methadone has been consumed, that provides a sensible, structured approach to those genuinely wanting to kick their drug habit by getting weaned off heroin. Greater Glasgow Health Board has been in the van, thanks to the efforts of Dr Laurence Gruer.

Let us speak here today, and in communities tomorrow, in the language that people identify with. Let the message be loud and clear: the Scottish Parliament is so committed to tackling drug misuse that a minister with sole responsibility will lead the team—I am trying to talk up Angus MacKay's job.

The Scottish Conservatives are clear about their objectives, and on the methods of achieving them. Dealers are going to get it; users are going to get the support they need. Victims of the consequences of drug use and misuse will get priority treatment. Helping people with a vested interest in cleaning up their communities is paramount. There is a lot of help out there, some good, and some not so good—the deputy minister alluded to that. Millions of pounds are invested in drugs programmes; we have a duty to ensure that the very best value is achieved for every penny. Let us see what works, and use it.

The all-party parliamentary group is keen as mustard that the best programmes are implemented. It is happy to share any information and knowledge that it gains. I urge members who have not yet partaken to get involved with the group. Let us support the professionals and those with the proven methods that we require to succeed. Let us never again flippantly refer to drug use as a recreational activity. Recreation means football, bowling, tennis, fishing or going to the pictures. After that sort of recreation people can expect to live. Drugs kill.

I move amendment S1M-437.1, to leave out from "welcomes" to end and insert:

"while welcoming the Executive's cross-cutting approach and the efforts being made to reverse the tragic level of drug deaths and drug misuse in Scotland, notes that the present framework for dealing with drug abuse is exceptionally bureaucratic and complicated and calls upon the Scottish Executive to appoint a minister with sole responsibility for drugs within existing ministerial numbers and budgets to help streamline this system, making it more easily understood and accessible to the people it seeks to serve."

11:10

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

I welcome the debate and hope that it will become an annual event to have a general, all-day debate on tackling drug misuse in Scotland. I also hope that we will have specific debates on aspects of the issue. We look forward to the appointment of the director of the drugs enforcement agency and to his setting the agency's operational objectives. Shortly after that happens, we should have a debate on the agency.

The Social Inclusion, Housing and Voluntary Sector Committee is about to embark on a detailed inquiry into the impact of drug misuse on deprived areas. I do not want to speculate on when that inquiry will be concluded, but it may be some time in the summer, and in the autumn I hope that we will debate the committee's report in the chamber. That seldom happens with select committee reports in the House of Commons and I hope that we will not adopt the extremely bad habit of not debating what are often excellent reports.

Liberal Democrats are concerned about the imbalance in the UK Government's approach to and expenditure on tackling drug misuse. Of a total expenditure of £1.4 billion, 75 per cent is spent on enforcement, 13 per cent on treatment and 12 per cent on education. That is despite the finding of the Department of Health's research study on national treatment outcomes in April 1998 that for every £1 spent on treatment, £3 is saved elsewhere. I was reassured by the tone of the speech by the Deputy Minister for Justice, which suggested that the emphasis is beginning to change. This is a partnership Government, and we look forward to that change of emphasis. It is important that we do not replicate the UK imbalance in Scotland.

I was concerned by the reported remarks of the Deputy Minister for Justice at the joint Scottish Drugs Forum and COSLA seminar on drugs and crime on 28 September. It is always dangerous to concentrate on one excerpt from a speech, but I understand that he said that the short-term priority was enforcement, with treatment and rehabilitation for drugs misusers being a medium-term priority.

Angus MacKay rose—

Mr Raffan: Not yet—I want to finish the point. We must have a change of emphasis to treatment, rehabilitation and education. I was reassured by what the Deputy Minister for Justice said today—if he wants to reassure me further, I will give way.

Angus MacKay: It has always been the Executive's approach to take a balanced way forward. This is not a matter of our having either enforcement or rehabilitation and education; it is a

matter of doing both. In the remarks to which the member refers, I was trying to convey our belief that, in the short term, the most immediate impact on drug misuse may come through enforcement, but that, in the medium and longer terms, rehabilitation and education will deliver the goods.

Mr Raffan: I am reassured by that, but we need to see the evidence—

Dr Simpson rose—

Mr Raffan: I am not going to give way again at this stage. We need to see the evidence of that balance in terms of spending. As I said, the Government's own figures show that for every £1 spent on treatment, £3 is saved elsewhere. I want to be constructive, but we need to focus more on treatment and rehabilitation.

As the Deputy Minister for Justice said, the ministerial group is cross-cutting, with justice and home affairs, communities, education and—[MEMBERS: "Health."]—and health. It is all right, I have got there. I hesitated because I was not sure whether I had them in the right order as I cover them in my speech.

I would like to mention, first, justice and enforcement and in particular the drugs enforcement agency. In the past few weeks, I have met one chief constable and one deputy chief constable. I will not name them, but they both have concerns about the DEA. One of them felt—and I will happily discuss this with the minister, as it is important—that resources would be better spent on treatment. The other was more concerned with the operational effects; he was worried that he might lose some of his senior drugs officers to the agency, which would create difficulties for him in his force area. There are reservations and it is important that we carry senior police officers with us if there is to be an effective drugs enforcement agency.

On 6 October 1999, the Minister for Finance announced a comprehensive audit to cover treatment, rehabilitation and education. I know that the minister is in touch with what is going on, but many voluntary agencies in particular are concerned about what seems to be an obsession with measuring effectiveness rather than with helping to improve effectiveness. I am not saying that they are right, but that audit should be independent, and not, as the minister said, internal; it should be across the board and cover enforcement. I am not against having an audit, for the good reason that Roseanna Cunningham gave, which is that there are 112 agencies operating in this field. A chart should be drawn up or—to use the trendy term—a mapping exercise should be conducted. That would allow us to see how all the agencies relate to one another so that duplication of functions can be avoided and co-

ordination can be ensured.

I am not going to cover too many points relating to justice in my speech. My colleague Euan Robson will, in winding up for the Liberal Democrats, cover the issues of drug courts, forfeiture of assets and decriminalisation. However, I want to make some points about prisons, of which I have visited three in the past year—HM Prison Edinburgh, HM Establishment Cornton Vale and HM Prison Aberdeen. Figures are bandied about, but we all know that 70 to 80 per cent of prisoners use drugs at some stage and that many are in prison for drugs-related offences. Visitors' facilities in some prisons are totally inadequate, HM Prison Aberdeen at Craiginches being a case in point. Visitors' facilities are the main route into prison for drugs and Craiginches needs more adequate facilities that can be more easily monitored by prison officers.

I am strongly in favour of drug-free zones, but counselling and treatment within prisons ranges from the inadequate to the non-existent. I make no criticism of prison governors, all of whom I have been impressed by, including, most recently, Kate Donegan at Cornton Vale. They do their best in difficult circumstances, but Parliament must examine the issue. It is of no use merely to get prisoners off drugs cold turkey—we must provide treatment and counselling. We should follow the excellent Simpsons House prisoner offenders project model of through care. There is no point in offering treatment and counselling services in prisons if prisoners will then just go back to using drugs with the people and in the places that they used to. We must provide through care. Current provision is totally inadequate.

I would be grateful if the minister would, in winding up, refer to CARATs schemes—counselling, assessment, referral and advice through care services schemes—which have been introduced in English prisons. They are financed by the UK Government, which will give them £60 million over three years. Under that scheme, a prison applies to have a drug treatment unit. Tenders are then invited from drug treatment specialists; when a tender has been accepted, a unit will be installed. There is no similar scheme in Scotland, but I have heard that the Scottish Prison Service had expected that some of the £13 million might have gone towards funding such a project in Scottish prisons. We must examine urgently the introduction of a similar scheme in Scottish prisons.

Dr Simpson rose—

Mr Raffan: I must press on. I apologise to Dr Simpson—he and I have similar thoughts on many of the issues. I am sure that he will make his points in his own speech.

Dr Simpson: Will Mr Raffan give way?

Mr Raffan: Okay. I will give way to Dr Simpson.

Dr Simpson: I thank Mr Raffan. The English scheme to which he referred is very important. The English prison system developed from being behind our system to the point where it is ahead of our system. Does he agree that it is important not only that the English Prison Service has focused on that issue as a priority, but that there has been an insistence on schemes being developed with agencies in the prisons' local communities? The schemes must involve a comprehensive through-care system, which the English are developing, whereas we are not.

Mr Raffan: I absolutely agree with Dr Simpson. Frankly, there is no point instituting such a scheme, spending money on it or investing in treatment—residential or otherwise—unless through care or after care, such as halfway houses following residential treatment, are provided. That point was made strongly to Sylvia Jackson, the member for Stirling, and me during our recent visit to Cornton Vale. Dr Simpson is absolutely right—through care is crucial.

I wish to move on to the community ministry responsibilities for the drug action teams, which are responsible for co-ordinating strategies. The idea was that they would authorise policy development and expenditure, but we all know that their results have been variable. One or two have been successful, such as the team in Glasgow in particular, whereas others have not. That has been disappointing—strategies may have been developed, but the different bodies that come together in drug action teams have not brought money to the table.

A recent evaluation showed the need for greater cohesion locally and nationally, to which the minister himself referred. The important issues are the dissemination of best practice throughout the drug action teams—three of which are, I think, drug and alcohol action teams—and to fill the gaps, such as the one in Tayside.

I hope that the minister will respond to the point about the new futures fund, which is managed by Scottish Enterprise; from a total of 80 projects that it funds, 12 or 13 are pilot community projects related to drugs. I would like those pilot projects to be extended.

If my colleague, Ian Jenkins, catches the Presiding Officer's eye, he will say more on education, from his experience as a former secondary school teacher. However, the statistics speak for themselves: 15 per cent of drug misusers in Scotland are under 20 and 32 per cent are between 20 and 24. Moreover, 63 per cent started having serious problems when they were under 20, which highlights the crucial role of

education. The February 1999 report by Her Majesty's inspectors pointed out some weaknesses in drug education and a lack of policy in the management of drug misuse incidents in and around schools.

Ms MacDonald: Will the member give way?

Mr Raffan: No—I have taken enough interventions and I really must make progress.

There is too much variation from one education authority to another. We need best practice to be shared and we must emphasise the importance of making information available outside schools. It is a sad truth, but when pupils are told something by adults in schools, they tend to rebel against it, whereas when they hear something from their peers or youth workers in drop-in centres, they tend to listen. That is a crucial difference.

We need more of the excellent drop-in centres for young people, such as the Youth Advice Project in Inverurie, The Corner in Dundee and Off the Record in Stirling. Those centres are as valuable—if not more so—as what is taught in schools in terms of drugs education. Should Donald Gorrie catch the Presiding Officer's eye, I know that he would like to say more about drugs education and youth.

I also wish to praise the work of Crew 2000 in the dance and rave scene. Every weekend there are, on average, 500,000 ecstasy users in the UK. Crew 2000 is an excellent example of youth workers working with young people; young people respect and listen to them and they achieve an enormous amount in terms of harm reduction. When Lloyd Quinan and I attended Crew 2000's recent annual general meeting, we were impressed by the quality of the debate and discussions.

I have a range of points to make about health and will try to be as quick as I can. We must not be committed to any one treatment model, as we need variation in the type of treatment. However, we do not want variation in the availability and quality of treatment. That is a crucial distinction—treatment must be available throughout Scotland. Roseanna Cunningham referred to "unevenness", which is a better word than "variation", as it is more critical and, possibly, more accurate. We must try to raise the quality of treatment in many areas because currently there is unacceptable variation between health boards.

For example, the areas covered by Ayrshire and Arran Health Board and Fife Health Board are demographically similar—both are made up of small communities. However, drug treatment services are far better in Ayrshire and Arran than in Fife. That may be because in Ayrshire and Arran they are consultant led. The consultant responsible is the rather charismatic Dr Charles

Lind. When I asked Dr Lind how he managed to get the resources out of his health board, he said quite simply that he did it by being a pain in the ass. We need more consultants in the different health board areas who are effective pains in the ass so that we can get treatment improved. In Ayrshire and Arran the service is consultant led, but Fife Health Board has yet again delayed appointing a consultant. That may be the crucial difference.

Needle exchange is crucial. We have four needle exchanges in Fife for 4,000 to 5,000 injectors. During the minister's speech, I made the point that not only needle exchange but provision of aluminium spoons is crucial. Even if people have new needles, they can still get hepatitis C if they are sharing spoons. I do not think that I made that point clearly enough in my intervention. European countries provide not only fresh needles, but small disposable aluminium spoons—I have seen one of them, although they are illegal in this country—so that people do not have to share them. I do not need to tell the minister how potentially serious the hepatitis C situation in Scotland is. We have the figures from the Scottish Centre for Infection and Environmental Health; I am indebted to Dr Simpson for information on this question. Even SCIEH says that the figure of 8,000 infected is probably a severalfold underestimate. With Interferon for one patient costing £10,000 a year, one can quickly work out that, as one general manager of a health board told me, this is a time bomb. We must address this serious problem.

On residential in-patient treatment, we have 189 residential beds plus 24 short-stay crisis beds. Ninety-seven of the 189 are exclusively for drugs patients, as opposed to drugs and alcohol patients. That is not enough. We also do not have enough out-patient day care counselling centres. That must be looked at.

Where we really fall down completely, in my view, is on through care. There is no point in investing in residential treatment or, indeed, day treatment and counselling if we do not follow through with halfway houses or after care. Health boards and local authorities may pay for somebody to go into residential treatment for six weeks each, but what is the point if they are then sent straight back into the community from which they came? The first person whom they bump into in the street is their dealer. I know the situation in Buckhaven in Fife. I have had the mother of an addict show me where the dealers live. My God, she was brave. She fought for her son to get into the Links project down in Leith and then into a halfway house. However, she found herself being stopped in the street by her son's dealers and asked how he was and where he was. That shows how crucial through care is.

I agree with what has been said about methadone programmes. However, if they are not consultant led, GPs can be reluctant to prescribe and pharmacists can be reluctant to accept the script. The addict then goes back on heroin—again, I have encountered this in Fife—and returns to crime, particularly shoplifting, to finance his habit.

I want to say something about the speeches that were made by the spokespersons for the other parties. I say to Lyndsay McIntosh that we must do better than just having an extra minister. We do not need a tsar or an extra minister, as we already have four dealing with the issue.

There are practical problems with having a substance misuse strategy committee. As a convener, Roseanna Cunningham knows about the pressures on committees. We should remit this matter to the committee of conveners to be reconsidered in June, after the first inquiry by the Social Inclusion, Housing and Voluntary Sector Committee has been completed.

The Deputy Presiding Officer (Patricia Ferguson): We now move to the open part of this debate. Members will have four minutes to speak. A number of members have indicated that they wish to speak, and it will not be possible to accommodate all of them this morning. However, names will be carried forward to this afternoon.

11:29

Dr Richard Simpson (Ochil) (Lab): The first thing that we should acknowledge is that we are not winning the battle against drugs. There is no doubt about that. The minister has acknowledged that this is a major problem facing our society. It is not limited to the major cities—that notion needs to be put aside right away. Communities such as mine in Clackmannanshire are blighted by drugs. I was speaking to Professor Hannay, who used to be a professor of general practice down in Wigtown; he said that he despairs of the youth in that area, where the number involved in drugs increases daily.

Between 1998 and 1999 the number of charges for possession rose by 63 per cent, and the number of charges for supply rose by 13 per cent. Partly, that reflects the efficacy of the excellent police force in my area, but it also reflects the growth of the problem.

The minister's acceptance of the size of the problem and the establishment of the cross-cutting ministerial committee are welcome and important. The need for research and the constant evaluation of outcomes is vital. For example, £600,000 will be spent on new schemes on diversion, and there is money from the new futures funds for similar things. If the proposal in the SNP's amendment

had been in addition to Executive's motion, I would have voted for it.

Lyndsay McIntosh referred to the number of deaths caused by the methadone programme. However, the savings in terms of the costs of crime are enormous. The movement of people who are addicts to programmes that begin to address their chaotic lifestyles and reduce the harm that they do is very important. We must not damage those programmes.

Mrs McIntosh: I know that Dr Simpson's time is limited, and I hope that he will forgive me for interrupting his speech. I do not condemn the methadone programme; I want to ensure that people are not condemned to be on methadone for the rest of their lives.

Dr Simpson: I agree that the methadone programme should be a reduction programme. However, I had patients who had been on methadone—admittedly, on small doses of 5 ml or 10 ml—since the previous major heroin outbreak in the late 1960s, but who functioned normally. Total withdrawal is not necessarily the answer.

We do not support community pharmacists nearly enough. Would members, for 40p a day, supervise methadone addicts in their shop, in the presence of other customers? Addicts are very difficult and irritable people. The provision of adequate support must be made a priority. We need to expand the role of pharmacists and give them financial and other support.

Mr David Davidson (North-East Scotland) (Con): I am a pharmacist who was involved in such a scheme long before the present system was introduced. The scheme also used pharmacists to control the needle-exchange process, which involved a lot of technical support. Such work has to be done as a package so that there can be a system of needle exchanges across Scotland, like the four exchanges in Fife that Keith Raffan mentioned.

Dr Simpson: I entirely agree. Again, such schemes need to be properly funded.

I will give some figures on crime, which I mentioned in response to a question that David McLetchie asked Jim Wallace in a previous debate. In my area, 12 young men, aged between 17 and 25, who are addicts committed a total of 166 crimes—a significant proportion of crime in my area. The property that they stole was worth £78,000, but the recovery value was £18,000. They created additional property damage of £14,000. The police and support cost of dealing with those crimes was £348,000 and the cost of imprisonment of those young men was £100,000.

Have we got the balance right? Should we be doing this? I believe that the Executive's

programmes on diversion, which it is carefully evaluating, are important. If Kate MacLean catches your eye, Presiding Officer, she will address the difficulty that courts have in securing adequate diversion schemes. We must promote such schemes.

We must break down the cycle of recidivism. The problem, to which Lyndsay McIntosh referred, is that if young men or women go to prison for only a week or 10 days, prisons cannot begin to treat them, so they return, half treated, into the community.

The Scottish Prison Service is producing a new strategy on drugs. I hope that that strategy will recognise the priority that must be given to the issue of drugs. I have concerns about the Prison Service's adequacy in dealing with this problem. It must consult outside agencies and its draft strategy should be available for wide consultation.

Today, I lodged a motion—in case the SNP's amendment was not accepted—that follows my proposal earlier in the session for a standing cross-cutting committee consisting of members from the Education, Culture and Sport Committee, the Health and Community Care Committee, the Justice and Home Affairs Committee and the Social Inclusion, Housing and Voluntary Sector Committee. This Parliament must send a message that this issue is a major priority; the establishment of a cross-cutting committee would do that.

11:35

Brian Adam (North-East Scotland) (SNP): Before I was elected to Parliament, I worked for many years in the health service, dealing with precisely the issues that we are debating today. I dealt with everything from the occupational health problems associated with drugs to the drug problem service arrangements, and from clinical toxicology at the point of arrival in accident and emergency to forensic toxicology after drugs-related deaths.

I also had the privilege of serving on a local council that was helping to develop the drugs strategy for the city of Aberdeen and worked in conjunction with Aberdeen's drug action team. I accept that there are differences in the success of drug action teams across the country. In my experience, there was a strategy but there was not much in the way of action. There was certainly not very much in the way of sharing budgets or direct provision. There was an awful lot of navel gazing, but not much action.

I am delighted with the amendment that my colleague, Roseanna Cunningham, has lodged. I am concerned that, in some areas, single solutions are being adopted. In my area, there is not much co-operation with community groups and

voluntary agencies, and that is a matter for concern. There seems to be a narrow-minded view of how detoxification, rehabilitation and through care can be provided. As I said earlier, even in areas where external agencies are involved, funding is being cut.

We are regularly bombarded with news about the extent of the drug problem in Strathclyde, and I do not want to belittle the problem. The fact that there were 146 deaths there in 1999 is a matter of grave concern. However, there were 31 deaths in Grampian last year—a record number. On a per capita basis, that is considerably worse than the number of deaths in Strathclyde, and that has been the case consistently over the past four or five years.

Articles in today's press discuss the nature of the problem and the individual drugs that may be involved. I can tell members that, in my experience, the pattern of drug misuse in Grampian is completely different from that in other parts of the country. As I said during Lyndsay McIntosh's speech, the north-east's serious methadone problem is being tackled. I had the privilege recently of visiting a major retail chemist outlet in Aberdeen, where I witnessed the sensible approach that has been adopted to deal with the sensitive issues involved with methadone treatment—for pharmacists, for customers and for addicts. That major retailer was able to address the problems and I hope that we will see a reduction in the number of deaths associated with methadone.

People tend not to use just one drug. Addicts who are receiving treatment will typically take two or three drugs. It is rare for them to take only one and they may take up to five or six. Polypharmacy is used in an addict's conscious effort to manage the change from what is regarded as a positive drugs experience to a less positive experience. As Richard Simpson acknowledged, resources for drug treatment are undoubtedly insufficient.

I fully support the idea of a cross-cutting committee. Given my experience of committee work so far, I am not sure that I would necessarily want to serve on such a committee. Its membership should be drawn only from committees that are currently involved in investigating drug misuse. However, all members have the opportunity to attend any committee, and I should be delighted to take advantage of that opportunity should a committee be set up.

I am glad that we are dealing with the issue on a cross-party basis and I share the concerns of many members who have contributed to today's debate. Helen Eadie's earlier intervention was most inappropriate and I hope that there will be no more along similar lines. I encourage members to vote for the amendment that will allow the

establishment of a cross-cutting committee. I commend the Scottish National party motion to the Parliament.

11:40

Mr Michael McMahon (Hamilton North and Bellshill) (Lab): From across the political divides in the chamber, we have all witnessed the scourge of drugs and their effects on our constituencies, our communities and our people, in particular our children. Drug abuse is not unique to Scotland and is no respecter of geographical or political boundaries. As well as being a national and international problem, it affects all our communities.

The key to the fight against drugs is effective research and information that will allow resources to be targeted efficiently. That is why the Executive was right to target £41,000 to fund the research by police in Strathclyde and Fife into the links between drugs and crime, and to increase health board provision for drug treatment services by £2 million a year.

Such money allows the production of reports such as "Behavioural Patterns of Illicit Substance Users in Lanarkshire"—not a very snappy title, but an important document—which was published in 1998 by the Scottish Centre for Infection and Environmental Health. The report was funded by Lanarkshire Health Board and studied a representative sample of drug users in Lanarkshire. Its findings, helpful though they were in planning strategies to tackle drug abuse, made alarming reading, especially for me as a Lanarkshire MSP. The average age of drug users in Lanarkshire is 24 and 79 per cent are male. The preferred drugs of those who participated in the study were heroin and cannabis; 53 per cent of cannabis users stated that they used the drug daily. Ninety-seven per cent of cannabis users and 53 per cent of heroin users said that the drugs were "very or fairly easy" to obtain.

Ms MacDonald: I, too, come from Lanarkshire and appreciate Mr McMahon's concern, but I wonder whether we are well served by those statistics. For example, in the part of Lanarkshire that I come from, the preferred drug of choice is not heroin or cannabis but cocaine, which is being used not by young, high-flying, high-earning executives, but by young kids like we were.

Mr McMahon: There is always a problem with statistics, and the one mentioned by Margo is important, but the ones that I mentioned are included in that particular report.

I am pleased that reducing the availability of drugs—of whatever type—is the new drugs enforcement agency's primary objective.

Far more alarming is the fact that the average age of respondents, when they first encountered drugs, was 14 and a half. Further, the centre for drug misuse research at the University of Glasgow reported in October 1997 that 32 per cent of pupils at Lanarkshire schools said that they had consumed an illegal drug. The offering of drugs to children is not acceptable in any decent society.

We know that drugs misuse does not stand alone, but is often linked with problem drinking. Other reports have shown that 83 per cent of respondents in Lanarkshire use drugs and alcohol simultaneously. In Lanarkshire, it is estimated that there is one alcohol-related death each working day and alcohol misuse costs the area's industry about £20 million annually. Margo MacDonald was right to say that the statistics are important across the board.

We must recognise that both drugs and alcohol cause significant problems that must be challenged. We know all too well that the battle against drugs is about more than statistics. Unfortunately, behind every statistic there is a person, who also has family and friends. One such person in my constituency was Annette McCallum, a 21-year-old mother from Viewpark, who died in November last year after taking an ecstasy tablet in a local disco.

As my local newspaper, the *Bellshill Speaker*, stated this week when it launched its anti-drugs campaign,

"It's easy to remember the faces of the victims, but people quickly forget about those who are left behind."

I welcome the newspaper's initiative and its commitment to people such as Phyllis Woodlock—whose son Andrew was Britain's youngest drugs victim when he died, also after taking one ecstasy tablet—in her campaign to ensure that her son's tragic death would not be in vain.

The Scottish drugs enforcement agency represents an innovative approach to tackling drugs. For the first time, Scotland will have an organisation that is dedicated to tackling and smashing organised drug crime in a co-ordinated fashion.

The battle against drugs requires a range of responses involving a multi-agency approach. That includes dealing with the economic circumstances that might lead to people taking drugs in the first place. As Phyllis Woodlock said,

"There is a need for us to find things for young people to do to keep them away from drugs."

That is absolutely right.

It is important that any new resources are not aimed solely at high school pupils. Drug education information packs should be made available in primary schools. That is central to communicating

the anti-drugs message. To educate our children, we must start from an early age. Eleven per cent of S1 pupils in Lanarkshire are reported to have consumed an illegal drug. That is alarming enough, but the figure rises to 55 per cent by the time they have reached fourth year.

I hope that the cross-party consensus will continue in supporting the Executive's cross-cutting approach and the implementation of "Tackling Drugs in Scotland", and in sending a clear message from this Parliament that the scourge of drugs is not acceptable in this nation.

11:46

Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD): I will try to be brief, because Michael McMahon mentioned points and statistics that I was going to use.

I pay tribute to the work in schools across the country. As Richard Simpson said, the problem is found across the country, and not just in city sink estates. However, teachers have a difficult line to tread. We have heard about enforcement and rehabilitation. Every day, teachers have to deal with the difficult situation in which someone who is caught with drugs in or near a school is an offender—I hope that they are not thought of as a sinner or a criminal—but they might be under pressure from peer groups and subject to cynical exploitation. Certainly, they are vulnerable.

I am worried that schools face the difficult situation of punishing people for offending while not reinforcing their sense of alienation. It is important that statistics and best practice are shared when they become available, and that money is spent to give teachers the support that they need. Money should be used to establish the halfway houses that Keith Raffan mentioned. In conjunction with the school guidance system, they could give a sympathetic hearing to pupils who feel that schools are too authoritarian. Schools need as much support as they can get.

The voluntary sector, such as youth groups, plays an important part in this area. Cross-cutting involves such groups, and that is why their funding is important. As Richard Simpson pointed out, drug-related crime has a phenomenal financial knock-on effect. As Michael McMahon pointed out, society, communities and families are affected.

It is important that we get at the root of the problem and get in early. Schools are practised at that. As the minister acknowledged in his speech, we must ensure that there are trained people with resources, and that there are good relationships between the police, social workers and the voluntary sector in and around schools, to tackle the problem early. Of course, that will not stop people joining the drugs culture later in life; the

people whom I have met who are involved with alcohol and drugs were not of a criminal disposition when they started. If they went in that direction later, it was because we were unable to stop them earlier. Some kind of alienation or programme had started in them and was allowed to continue. Early intervention to tackle the problems is the secret.

11:49

Ms Margo MacDonald (Lothians) (SNP): I welcome the opportunity to have this debate. I am almost tempted to follow Richard Simpson's line and say that I would like to vote both for the Executive's motion and for my party's amendment. However, I am slightly concerned that, although tribute has been paid to the huge amount of voluntary agencies and drug action teams and so on, we are in danger—unless we start rationalising fundamentally—of creating a drugs-solving industry, similar to the poverty industry that we have been accused of having. For that reason, I reserve judgment on the Executive's motion until I hear more about how the new bodies will operate.

What are the enormous financial and social resources tackling? Are we attempting to completely eradicate the use of drugs, including stimulants, opiates, tranquillisers, analgesics, nicotine, tobacco, cannabis, ecstasy, heroin and cocaine? Or does our approach to drug use uneasily acknowledge that drugs of some sort are used and abused by every society in the world? Today's debate seems to suggest the latter to be the case. Although much of what the minister said chimes with my thoughts on the matter, there was no definition of what was meant by the drug problem.

Keith Raffan, whose attention to the issue I respect, talked about a serious drug problem. How do we define that? Which drugs create a serious drug problem? Does a problem become serious only when crime is involved?

The Scottish National party's amendment acknowledges that the motion lacks definition. The amendment recognises that drug use and abuse is a multifaceted area for policy making. The minister described locally sensitive drugs strategies. Although nobody could disagree with the concept, we must ask how such a strategy would be operated in an area such as Lanarkshire. The drug action teams are under the aegis of the health board, which is not coterminous with the local authorities and the police authorities. How will the strategy work in a sensitive area when there is such a conflict in the boundaries of the agencies that are involved as well as a varying pattern of drug use?

When Lyndsay McIntosh made her presentation,

she said that we should face up to our failures and be honest. When the minister talked about the audit process, it sounded as if that would happen. However, he also said that the Scotland Against Drugs campaign—which has no credibility with young people—would continue. I was one of the original people involved with Scotland Against Drugs. I set up Drugline. I am a former chair of the Scottish Drugs Forum. The relevance of many of the agencies that we have should be reconsidered—although the mapping exercise might turn out to be part of the drugs-solving industry.

We require a fundamental examination of which drugs are used, by whom and why. We need to know more about the medical and social effects of the different types of drug use. We have to do that before we commit resources to rehabilitation, detoxification and preventive programmes.

As legislators, we need to understand the effects of cannabis use as opposed to heroin use. We need to examine and evaluate more objectively and consistently the number of young people who are killed or whose lives are ruined by allergic reaction to ecstasy compared with addiction to alcohol, for example. Most important, because of the criminality inherent in the drugs business and young people's disrespect for the laws governing drug use, the Parliament must demonstrate its relevance to young people before it can hope to have more influence over the use and misuse of drugs than the siren voices of pals and pushers. Incidentally, we should remember that pals can be pushers as well as users.

We need a commission. I promise that I will back Richard Simpson's motion if he will sign my motion for the establishment of a commission on cannabis. We could start there, and consider the difference between the use of that drug and the use of other drugs and how we might start tackling the problem in a way that chimes with the users of all drugs in Scotland.

The Deputy Presiding Officer: I remind members of the four-minute limit in this part of the debate. So that we can accommodate as many members who wish to speak as possible, it would be helpful if members adhered to that.

11:55

Mary Scanlon (Highlands and Islands) (Con): I am pleased to say that I have already signed Richard Simpson's motion.

I start with some words by Garry Mackintosh from Nairn that I found very moving. Garry is serving a prison sentence for drugs-related crime in Armley prison in Leeds. He wrote:

"Some call it Brown
Some call it Gear

I call it Death
It's something I fear
'Go on Gaz, dig it'
That's what he said,
Before his last hit.

It didn't last long,
But I knew it was wrong,
He shouldn't be blue,
But I knew what to do
Turn him over
Clear his airway
Phoned 999
They said he'd be fine
I did what I could
They said I did good.

To the hospital
Not far away
Sitting beside him
He died on the way
He'd gone too far under
They couldn't get him back
It's what you expect
When you're hooked on smack!"

I welcome the debate, and I hope that when Garry Mackintosh is finally released from prison, such a debate is not all that he can expect. I hope that we have made a start today in addressing the issue of drugs and the needs of drug victims and their families.

Most families with drug-related problems want help, but either they are too frightened, and worried about what people will think of them, or they simply have no idea where to start. Even schools need to be much more open. Far too many schools worry about their reputation, when that reputation could be enhanced if parents knew that schools were tackling the drug issue head on.

I wish to make three brief points. First, I join the calls for more detoxification and rehabilitation centres; I acknowledge the minister's commitment. Prisoners and other addicts need to sort their heads out and to be made to face up to reality and stop blaming everyone else. I put a point forward for consideration. Could the allocation of money from the Prison Service to the drugs enforcement agency be used to fund a detox and rehabilitation centre for prisoners at one of the three prisons earmarked for closure?

With regard to the after-care service, it took me nine phone calls yesterday finally to get in touch with Narcotics Anonymous. There should be a national organisation, and a freephone helpline giving proper advice, so that addicts and their families can call at any time of the day and night.

Castle Craig Clinic in the Borders, with its proven record, is at the mercy of individual health board—

Ms MacDonald: Will the member give way?

Mary Scanlon: Briefly, as I have very little time.

Ms MacDonald: I thank the member.

On a point of information, such a service does operate. Perhaps that relates to what I have said about the ineffectiveness of some of the existing agencies.

Mary Scanlon: I take Margo's point, but the existence of such a service seems to be little known. I am no expert—I am on a steep learning curve.

There is a need for a consistent approach to health board funding.

My next point concerns methadone. I hear what the minister and others in the chamber are saying. The British Methadone Alliance in London says that maintained patients show improvement in a number of outcomes. However, it concerns me to hear people talking about methadone being used to reduce crime. Are we simply using it for that purpose? If so, is that ethical? Surely methadone should be used, first and foremost, as a medical treatment—and the most appropriate form of medical treatment.

I raise the issue because I read with alarm a research paper from the department of psychology at the University of London and the Institute of Psychiatry, which states:

"Methadone significantly increased both positive craving and negative craving for heroin. Additional methadone made 'prime' cravings for heroin in methadone substitution patients . . . Despite its widespread use, relatively little is known of the acute or chronic effects of methadone".

The main finding was that an increase in daily methadone dosage increased craving for heroin. I suggest that we have a full investigation and report on the effectiveness of methadone as part of a harm reduction programme.

Finally, I am told that children who smoke are more likely to begin to use drugs. I am concerned about the hypothecated taxation on cigarettes, because that will lead to more cigarettes being smuggled—it is a bootlegger's dream. I hope that future increases in health funding will not depend on spending by smokers, who can already buy cigarettes through the internet at £2 per packet cheaper than in our shops.

12:01

Margaret Jamieson (Kilmarnock and Loudoun) (Lab): I welcome the opportunity to take part in this debate about the evil scourge in our society. In particular, I welcome the chance to put the case for a group of people who seem to have been forgotten thus far: those people who live alongside the peddlers of death, the drug dealers.

For most people, drug dealing is not the semi-

glamorous, international jet setting portrayed in so many of the action-packed and violence-filled movies that show in our cinemas. Rather it is the experience of having dealers living in the flat next door or the house across the street, where a constant stream of visitors—sometimes sad, sometimes hard—buy their daily fix. It is the experience of addicts shooting up in the back garden and of children finding used needles in the close or the playing field. It is the experience of noise and disturbance at all times of day and night, day in and day out, and of violence and fear.

Let me share the experience of one of my constituents, a young mum who was streetwise and determined to do all that she could to ensure that her children's lives were better than her own. Unfortunately, a drug dealer lived across the road. As her children got older, they noticed the increase in noise, the banging on the door, the cursing and swearing and the state of those who had claimed the street. Unable to sleep and in fear of what might happen, she split up her family. She sent some children to live with relations and ended up sleeping with the youngest child in the living room.

This brave young mum eventually involved the police and was prepared to be a witness for them. In the end she moved to a house in another area, where she could bring her family back together. However, the memories of the days living in fear will sear her mind, and the minds of her children, for ever. Not everyone has the courage to involve the police. They fear the threats of violence and, in the worst cases, fire bombings and baseball bat attacks. That is not the stuff of an American television series, but is happening now in our cities, towns and villages.

What happens when someone stands up to those dealers? It takes so long to analyse the substance and for the procurator fiscal to decide to bring a case to court that the evil thugs who trade in death are back in their homes, carrying out their vicious trade with impunity. What message does that give to those constituents who want to stand up to the dealers and to regenerate the community? Too often, I have heard people say that reporting the dealers is a waste of time.

I urge the Executive not only to take every step in its power to destroy this cancer in our society, but actively to consider the impact on the innocent and the young who have to share the streets with these criminals. Is it not time to protect the young and the innocent and to give positive support to the various agencies in driving out the evil scum who scar our society?

12:05

Tommy Sheridan (Glasgow) (SSP): I do not

think that anyone has a monopoly on concern, good ideas or wisdom in relation to this serious issue. Right at the outset, I must say that I am not part of the consensus. I do not accept that the Executive's approach is right; I think that it is wrong, and that it is a repeat of a tried, tested and failed approach that has let us down sadly over the past 10 years.

The approach is not balanced. Most of the resources and time will be spent on enforcement and not on education and treatment. That is wrong. I would prefer a much more radical approach to deal with the problems that now confront us. Neither I nor my political party is pro drugs. Simply because we stand for a radical overhaul of drugs laws does not make us pro drugs. I would argue that it makes us very much in tune with everyday reality. Our society is based around drugs. We socialise around drugs—alcohol and tobacco, two of the most dangerous drugs in our society.

Consider for a moment that in the United Kingdom in 1998 we had one ecstasy-related death a month; 12 deaths in that year—12 too many. We had one heroin-related death every single day; 365 deaths—365 too many. But we had one alcohol-related death every 15 minutes. So let us put things in a wee bit of proportion when we are discussing the question of legalisation of the production and sale of cannabis under strict regulations.

Some people argue that legalisation would lead to a massive increase in the use of cannabis in our society. I refer members to the same 1998 European Union survey that Roseanna Cunningham mentioned earlier. It showed that, in a country such as Holland, where production and sale is already legal under strict regulation and licensing agreements, only 4 per cent of young people regularly use cannabis. The figure for young people in the United Kingdom who regularly use cannabis stands at 20 per cent. In other words, in a country where cannabis is already legally produced for sale under strict licensing agreements, the use of the drug is lower than in a country where it is illegal.

Helen Eadie: In the light of Tommy Sheridan's statement on deaths arising from smoking cigarettes, does he accept the opinion of experts that cannabis is six times more carcinogenic than cigarettes?

Tommy Sheridan: I accept that completely. I am not promoting cannabis. I do not use cannabis and I would not encourage anyone else to use cannabis. I am arguing that it is a nonsense to retain cannabis as an illegal drug, because doing so criminalises more than 1 million people in Scotland whose crime is no greater than that of people who smoke cigarettes or drink a pint. That

is the argument that I am trying to get across.

I ask the chamber to consider why it is that in Holland, with its more relaxed drugs laws, the average age of heroin addicts is 37 and rising, whereas the average age of heroin addicts in Scotland is 25 and falling. Our problems are increasing, in direct contrast to some other countries with relaxed drugs laws, where problems are decreasing. We need an approach that is based not on criminal enforcement but on medical and social understanding, and which considers prescribing heroin to adults in safe and controlled circumstances.

We hear that we must drive heroin out of our schemes. I agree. On many occasions, I have been involved, physically, in trying to drive heroin dealers out of schemes. But let us do something that will work in the long term: let us drive heroin out of our schemes and into controlled treatment centres. Let us ensure that we stabilise the life of heroin addicts, but that we also have the consequent stabilisation of the communities from which they come and the consequent reduction in crime.

Why did more than 67 per cent of the Swiss population in a national referendum in October 1997 vote to endorse the very heroin prescription that I have mentioned today? Because it was working; it was lowering the numbers of addicts and people hooked on drugs.

In the past 10 years, we have adopted an approach—an approach that has been asked for again today. After 10 years, we have the worst number of drug deaths, the worst level of addiction and the worst problem in our communities: drug-related crime. The approach is not working, and it is time for radical change.

12:10

Ms Margaret Curran (Glasgow Baillieston) (Lab): One of the problems with Tommy Sheridan's approach is that the greatest clamour for enforcement comes from deprived communities and from the people who live with the situation daily. This Parliament has a duty to listen to those people above all others when they tell us not to legalise cannabis and to retain enforcement policies. They support the Executive's balanced proposals, as I do. I have listened to many of the communities that have been struggling with this issue and I have the greatest respect for their concerns.

One particular issue that always gets missed in such debates is the relationship between drugs misuse, poverty and social exclusion. Members will know that I recently witnessed in my constituency the terrible human cost of failing to tackle the profound social malaise that is

associated with drugs. The final consequences of that particular situation happened yesterday. We will not adequately tackle this problem if we do not fully understand both the causes of addiction and misuse and the effects and the scale of those effects on individuals, families and communities. The evidence is overwhelming that there is a clear link between chronic drugs misuse and poverty, and that any strategy must address that.

As members will know, the Social Inclusion, Housing and Voluntary Sector Committee is about to launch an inquiry into this issue. However, that should not prohibit the rest of the Parliament taking ownership of the issue. I probably agree with Keith Raffan that we should ask the Parliament to examine it. That said, we need to bed the issue into the committee's day-to-day work.

Ms Macdonald rose—

Ms Curran: With every due respect, Margo, I am very short of time and I do not think that these issues have been raised.

Our inquiry will listen to individuals who misuse drugs, families that have struggled to overcome the problem and communities that have suffered disproportionately and are desperately searching for the means to resist being overwhelmed by a culture of collusion and defeat.

In our preliminary investigations, we have been given information by the Health Education Board for Scotland, which said that the most important factor differentiating schoolchildren who had used drugs from those who had not was expectation about the future. Schoolchildren who thought that they would go on to higher education were much less likely to have used drugs.

A recent report called "Drugs Misuse and the Environment" from the Advisory Council on the Misuse of Drugs states that rather than deprivation being strongly related only to the simple fact of use ever, it may relate more subtly to age of first use, progression to dependence, intravenous and risky use, health and social complications abuse and criminal involvement. The report urges that we keep deprivation on the agenda at all times and that policy makers and practitioners work in partnership with local communities.

We cannot underestimate the real scale of desperation within our most deprived communities, which feel overwhelmed and are properly demanding urgent intervention. There is a deep frustration at dealers who operate so blatantly and with impunity, and who both explore and ravage the most vulnerable sections of our community.

Ms Macdonald rose—

Ms Curran: I have to get on, Margo.

We should be aware of the resilience, courage and determination that exists throughout Scotland, and which presents us with a real opportunity. We should not be defeatist. We can and must develop strategies and services that address the root causes of drug misuse and assist those individuals, families and communities in finding the routes out of their situation that they are desperately seeking. Such an approach has not been tried in the past and I think that we are about to find new models for achieving our aims.

In recent months, I have met a number of people and have become aware of the dreadful circumstances that many young people face—abuse, violence and neglect—which have led them into drug use. We must not be defeatist. We have a real opportunity. Throughout Scotland—in the media, in agencies, among staff and, most of all, among communities and users themselves—there is a palpable sense that we can begin to tackle drug misuse. As someone else said, we must be tough not only on the causes, but on the realities of drug misuse.

12:15

Fiona McLeod (West of Scotland) (SNP): I am pleased to follow a number of members who have highlighted the problems of drug misuse among young people. I was pleased to read in the Executive's document "Action in Partnership":

"There are, of course, inextricable links between drug misuse, smoking and alcohol misuse. Tobacco and alcohol use often provide a gateway into illicit drug use."

I am glad that this Parliament and the Executive realise the problems that our young people face. I was going to give some statistics, but we have heard them. My question, therefore, is: what are we doing about our young people's problems with drug misuse?

The most recent report from the Scottish Children's Reporter Administration—the first since drug and alcohol misuse became causes for referral—showed that in the year covered by the report there were 1,114 referrals for drug, alcohol or solvent misuse by young people. The chief reporter went on to say that the low availability of drug treatment services dedicated to the under-16 age group was probably the cause of the under-reporting to the children's panels at the time.

That statement—that we do not have dedicated services for under 16-year-olds—is repeated again and again by all the voluntary and professional organisations working in the field. If we want to prevent continued drug misuse, we must consider how we are going to help the youngest and most vulnerable users.

The key task for any drug misuse strategy for young folk is to develop responsive services. The

problems faced by young drug misusers are not the same as those faced by adults. It is also in this area that it is most important to examine user involvement in the services that we provide.

Young folk's reasons for and choice of addiction tend to swing much more according to fashion than those of long-term and older addicts. In the case of solvent abuse, there is an average of 10 deaths a year in Scotland, but that figure rises dramatically in some years and falls away in others. With young people we must have services that can respond to needs as and when they arise.

Education is another important area where there are swings and roundabouts, fashions and fads. We must evaluate our services and invest for the future in those that work for young people. There is no point in saying one year, "Just say no," and the next concentrating on harm reduction.

I recommend that we examine two areas: alternatives for young people and peer-led services. We must consider alternatives to drug abuse. We must ask why our young people are becoming involved in drugs. Why are we hearing such terrible statistics?

One of the biggest reasons is the sense of alienation that young people across all levels and classes in society feel. Young folk do not see a future, so when they are offered an alternative to boredom and no hope at 14, 15 or 16, they will take it. The worry is where that leads them. We must consider offering alternatives through community-based initiatives.

Another area that concerns me greatly and about which we have heard little is the issue of children who have drug-abusing parents. We must consider how we can support those children, who, when they are a bit older, often take on care of the drug-abusing parent. We learned in the news last night the effects that a chaotic drug-abusing parental household can have on a child, and we have to invest in research to tackle such cases.

We have to applaud aim (i) in "Action in Partnership", which is to prioritise young people. On aim (iv), which relates to the availability of illegal drugs, why is the Scottish Executive not following the UK line, which is that the key objective will be to

"Reduce access to drugs amongst 5-16 year olds"?

Perhaps a cross-cutting committee would ensure that young people are considered at every turn and under every objective.

12:20

Johann Lamont (Glasgow Pollok) (Lab): I would like members to picture the scene: a secondary school in Glasgow. A man is lurking at

the gates, approaching young people as they enter, encouraging them to buy drugs. Cut to a family home. Mum and dad are pacing the floor, fretting about the possibility of their child taking drugs, worried about when that young person will come home. Cut then to a young person being told about the dangers of drugs, stunned into a decision not to take the risk. Finally, cut to the group of people sitting on beanbags, rolling joints, listening to "Tubular Bells", discussing the relative safety of cannabis. All those scenes form parts of our idea of what is happening in relation to drugs. To some extent, they are all rooted in the truth. Across communities and classes, parents fret and young people experiment.

I want to speak about another world: where young people from the poorest parts of our country are 30 times more likely to go into hospital with a drug-related emergency; where there has been a 50 per cent increase in drug deaths in Strathclyde in the previous year; where drugs are not pushed by evil outsiders, but are found in the home; where parents are not striving for the solution because they are the problem; where drugs are woven into the fabric of children's lives; where cannabis is not taken as a drug of choice, but is taken as part of a random, reckless mixture with drink and other drugs; and where, as revealed in a recent report by the University of Glasgow's centre for drug misuse research, far from being motivated to deal with their problem by a fear of death, addicts are often suicidal and depressed and overdose because of their suicidal feelings.

There is little that is more distressing than telling a 13-year-old that he may not reach his 14th birthday if he continues to dabble in drugs as he is doing, knowing that that will not stop him. In some communities, parents are fighting for the resources to protect their children before the drugs kill them.

This is an emotional issue. All Scotland suffers, but the burden of the impact of drugs is hugely concentrated in certain areas. We must recognise that the problems go too far to be sorted out by a drugs policy alone.

I welcome the fact that our drugs policy is placed firmly within our social inclusion policy, and I would resist the temptation to take it away from the responsibility of the Social Inclusion, Housing and Voluntary Sector Committee, as the drugs problem is connected with social exclusion in most of the communities concerned. Those communities' problems will be solved, and change will be delivered by working with communities and addressing the problems of unemployment, poor educational attainment and poor health in the round to form a national commitment, locally shaped and locally delivered.

Of course there is a place for discussing harm

reduction, for drugs education and for methadone programmes. I do not close the door to anything mentioned in this debate that might offer some solution in the future, but, where the drugs problem is most intense, we need to view it as a symptom of a difficulty, and not mix up the debate on lifestyle choice and drug taking with the intense problems of those who are most at risk.

I would be failing in my duty if I did not address the particular problems of my constituency: the pain felt by families who grieve for their children lost to drugs; the intense impact on particular communities; the disturbance experienced by families who live so near to where the drugs are being dealt that addicts shoot up in their close; drug-related crime; anti-social behaviour; and problems at school.

There is also an impact from the increase in the number of people with co-morbidity problems of drug and drink, as identified by mental health agencies in Glasgow. Glasgow has specific problems. It generates huge wealth for Scotland, but is struggling with a massive drugs problem, which represents a divide within Glasgow.

I again call on the Executive to look positively on demands from some of us for a special strategy for Glasgow. That will provide resources to allow the professionals—and our strong communities in Glasgow working together—to take on the complexities of drugs problems and to give our children a better future than the too-sad future that some of them face now.

12:25

Michael Matheson (Central Scotland) (SNP):

The Deputy Minister for Justice will recognise that all parties should be united in trying to tackle the drugs problem. We should work in as constructive a manner as possible to find solutions, although where we have genuine differences we should express them during debate. The Executive should keep an open mind about initiatives proposed by other parties that may be worth considering and about questions, such as those raised by Roseanna Cunningham and Tommy Sheridan, on how different strategies may work.

The Deputy Minister for Justice commented in his opening remarks on enforcement. I recognise that the drugs enforcement agency is an important part of the Executive's holistic approach to the problem. The agency was announced last year and at that time there was only limited information about it, about the number of officers involved and how it would relate to Customs and Excise or local constabularies. Although the Deputy Minister for Justice has put flesh on those bones over recent months, there was concern in other agencies on how they would work together and what the

demarcation lines would be.

The Deputy Minister for Justice said in November that the agency would have 200 officers and that it would have a budget of £5 million annually for the next two years. I am sure that he recognises that those officers will have to be experienced in this field and that recruiting officers from local police forces will have a local impact. Many constabularies are concerned that it will have consequences for their policing numbers.

I look forward to the director of the drugs enforcement agency clarifying the lines of demarcation and giving the drugs enforcement agency's targets. Angus MacKay said that among the agency's purposes was to stem supplies coming into Scotland and to smash organised drug crime at street level. We all support that and I hope that the agency is successful in doing that. However, it is important for the other agencies, such as Customs and Excise and local police drug teams, to be involved and to know what their roles and responsibilities are. When we consider that Customs and Excise has had major staffing cuts, we should question whether we are being as holistic as we should be in tackling enforcement.

I hope the drugs enforcement agency is a success, but it is difficult to know whether it will be until we see the full details. If we are to create good inter-agency co-operation, it is important to have clear lines of accountability and responsibility and to set targets, which I look forward to seeing soon.

The Deputy Presiding Officer: Before moving to the next item of business, I close this part of the debate and remind members that the second part will commence this afternoon at 3.30, immediately after First Minister's question time.

Business Motion

The Deputy Presiding Officer (Patricia Ferguson): We now move to the next item of business, consideration of business motion S1M-438, in the name of Mr McCabe, on behalf of the Parliamentary Bureau.

Motion moved,

That the Parliament agrees

a) the following programme of business—

Wednesday 26 January 2000

2.30 pm Time for Reflection

followed by Ministerial Statement on Water Charges

followed by Stage 1 Debate on the Budget Bill

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business—debate on the subject of S1M-253 Mr Gil Paterson: Protection of Victims in Rape Cases

Thursday 27 January 2000

9.30 am Executive Debate on the British-Irish Council

followed by Business Motion

followed by Parliamentary Bureau Motions

2.30 pm Question Time

3.10 pm First Minister's Question Time

3.30 pm Executive Debate on Sustainable Development

5.00 pm Decision Time

followed by Members' Business—debate on the subject of S1M-361 David Mundell: Rural Sub Post Offices

Wednesday 2 February 2000

2.30 pm Time for Reflection

followed by Executive Debate

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 3 February 2000

9.30 am Non Executive Business on a Motion by the Scottish National Party

followed by Business Motion

followed by Parliamentary Bureau Motions

2.30 pm Question Time

3.10 pm First Minister's Question Time

3.30 pm Executive Debate on The Census (Scotland) Order

5.00 pm Decision Time

followed by Members' Business

and b) that the Subordinate Legislation Committee reports to the Parliament on The Census (Scotland) Order 2000 by Wednesday 2 February,

and c) that Stage 1 consideration of The Budget Bill be completed by 26 January 2000.—[Mr McCabe.]

The Deputy Presiding Officer: The question is, that motion S1M-438 be agreed to.

Motion agreed to.

Census (Scotland) Order 2000

Motion moved,

That the Parliament agrees that the Census (Scotland) Order is taken at a meeting of the Parliament under rule 10.1.3.—[Mr McCabe.]

Meeting of the Parliament (Glasgow)

Motion moved,

That the Parliament agrees to meet in the former Strathclyde Regional Council debating chamber in Glasgow in May 2000 on dates to be confirmed in the Business Bulletin.—[Mr McCabe.]

The Deputy Presiding Officer: Those questions will be put at decision time at 5 pm.

12:29

Meeting suspended until 14:30.

14:30

On resuming—

Question Time

SCOTTISH EXECUTIVE

West of Scotland Water

1. George Lyon (Argyll and Bute) (LD): To ask the Scottish Executive what consultation was carried out with businesses and the general public by West of Scotland Water prior to announcing its plans to introduce a levy to cover costs of collecting, treating and disposing of rainwater. (S1O-946)

The Minister for Transport and the Environment (Sarah Boyack): In December 1999, West of Scotland Water sent more than 15,000 letters to its business customers and representative groups to consult them on proposed changes to the way in which charges are calculated.

George Lyon: So that letter was the consultation process, and no consultation took place with businesses before it was sent out. Who will cover the cost of measuring the roofs to calculate the amount of money that businesses will be required to pay?

Sarah Boyack: This is a wonderful opportunity to clear up some misunderstandings. Mr Lyon's remarks make a great headline, but the reality is that the business community—in particular smaller businesses—requested a fairer assessment of how its water charges are calculated.

Extensive consultation took place before the 15,000 letters were sent out by West of Scotland Water. The proposed changes were also approved by the former Water and Sewerage Customers Council as a better way of assessing the charges. The charges are not new, as the headlines would suggest, but are a reassessment of the existing charges to make them fairer, in particular for some of those businesses that had complained to West of Scotland Water. It is hoped that the previous consultation exercise and the information that went out before Christmas will make the situation much clearer.

George Lyon: If any disputes arise over the amount that businesses have to pay—that is in working out the roof areas that they will be responsible for paying for—is a mechanism in place to resolve disputes between customers and West of Scotland Water?

Sarah Boyack: In the first instance, such disputes would have to be taken up with West of

Scotland Water. I would hope that an amicable agreement could be reached once the principles of the charging approach had been discussed in detail and understood. West of Scotland Water's view is that it will not cost any of those businesses any resources to calculate the new figures. The process that has been adopted should not require any extra resources.

NHS Pay Review

2. Mr Duncan Hamilton (Highlands and Islands) (SNP): To ask the Scottish Executive whether it will list the professions within the national health service in Scotland that are currently excluded from the pay review process. (S10-934)

The Minister for Health and Community Care (Susan Deacon): All staff in the NHS in Scotland have their pay reviewed annually.

Mr Hamilton: Does the minister recognise the historical disparity between the pay offers to those within the official pay review process and those without? Does she accept the claim of many staff within the NHS structure that they are the forgotten professions because they are excluded from the review process? Will she take this opportunity to offer to include officially in the pay review process all staff within the NHS who wish to be part of that process?

Susan Deacon: I regret that—perhaps not for the first time—Mr Hamilton's debating skills are more finely honed than his grasp of the facts.

NHS pay and conditions are a matter of some importance to me and, I am sure, to most members, so I will outline the exact position. Certain professions within the NHS are covered by independent pay review bodies. Those bodies reported this week and I am very pleased to say that the Scottish Executive announced that it would implement in full the recommendations made by the bodies for nurses, midwives, health visitors, professions allied to medicine, doctors and dentists. Other staff in the NHS are covered not by independent pay review bodies, but by separate negotiating machinery. An offer is being considered by the unions' representatives through that negotiating machinery at the moment, and I hope that a settlement will be reached.

In the longer term, we are working actively to put in place a modern, effective pay system for the NHS in Scotland and, with our partners, throughout the UK.

Mr Hamilton: Does the minister concede that some of the offers have still not been agreed from last year, never mind this year? I ask her again, does she recognise that those who have not been covered by the pay review bodies historically have been offered lower rises than those who are

covered by them? What will she do about that?

Susan Deacon: I repeat that, for the current year, the offer for non-pay review body staff is being considered by the unions, and I hope that a settlement can be reached.

As I have said on many occasions, pay systems and structures across the health service owe more to the NHS of the 1940s than they do to the NHS of the 21st century, which is why, through the agenda for change, we are working with the other three UK health departments. We issued a joint statement in September with all the staff negotiating bodies and trade unions setting out how, over the coming period, we will put in place an effective, modern pay system for the NHS in Scotland.

Public Finances

3. Andrew Wilson (Central Scotland) (SNP): To ask the Scottish Executive whether it recognises the existence of the "Barnett squeeze" on Scottish public finances. (S10-939)

The Minister for Finance (Mr Jack McConnell): The Barnett formula delivers the same increases or decreases in spending per head on comparable programmes in Scotland as are planned in England. As Mr Wilson knows, that spending per head is considerably higher in Scotland than in England.

Andrew Wilson: Is the spending per head that the minister outlined fair or not? Is the minister aware of the publication this week by the Scottish Parliament information centre of a review of Mr Blair's uncoded commitment to a 5 per cent increase in health spending over the next five years? Is he aware that that independent report finds that once the Scottish share of the funding has gone through the Barnett squeeze—which is real—it will be £500 million less than it would have been if it were in line with the share for the rest of the UK?

Mr McConnell: I am pleased to have Mr Wilson's support for the promised significant increase in health spending that was given by the UK Government, for which Scotland will get an equivalent per-head share in the years ahead. Mr Wilson is already aware of the £1.8 billion of health spending, which is new money in Scotland, this year, next year and the year after. That money is now guaranteed to continue under a Labour Government at Westminster and an alliance coalition at Holyrood.

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): When the Chancellor of the Exchequer announces the mini-budget or autumn supplement, what will be the mechanism for Scotland to access its slice of the cake?

Mr McConnell: When comparable programmes are announced by the Chancellor of the Exchequer and significant funding increases go ahead, Scotland receives an equivalent per-head share of the cake automatically under the funding policy that was agreed. That is a good deal for Scotland, and it is one from which—as will be seen in the supplementary estimates that are published tomorrow for the use of the Finance Committee next month—we are benefiting already in this financial year, as we will do again next year.

Rural Schools

4. Alex Johnstone (North-East Scotland) (Con): To ask the Scottish Executive what powers it has to protect fragile communities by preventing local authorities from targeting small rural schools such as Boharm primary school in Moray for closure. (S10-933)

The Deputy Minister for Children and Education (Peter Peacock): In limited and defined circumstances, decisions of councils are referred to ministers for approval. Moray Council's decision on Boharm primary school is one such example.

Alex Johnstone: In that case, will the minister take into account during his considerations the details that were supplied to Mr Dewar in a letter, dated 10 January, from the local councillor of the ward in which the school is situated?

Peter Peacock: I can assure the member that in all such circumstances ministers take careful account of all the representations that are made. However, I am a tad surprised that the Tories are raising this matter, because during the period 1979-97, more small, rural schools in Scotland were closed than under any Administration during the entire century. To see the Conservatives now trying to defend this school, when the pressure came from them to close rural schools, is quite rich.

Brian Adam (North-East Scotland) (SNP): I hope that the tone of the minister's reply does not mean that he has made up his mind about Boharm. What factors will he bear in mind when considering the closure of schools such as Boharm?

Peter Peacock: I assure Brian Adam that we take such matters seriously, as we recognise the importance to small communities of local schools. A predecessor of mine, Brian Wilson, set out a test of proportionate advantage when considering such matters. The impact on the children in the school must be weighed against the wider interests of the community and the long-term responsibility of a local authority to plan education provision for this generation and future generations. All those matters are put into the melting pot for

consideration.

Rail Transport

5. Mr Kenny MacAskill (Lothians) (SNP): To ask the Scottish Executive whether it intends to make any representations to the Department of the Environment, Transport and the Regions in respect of the proposed Transport Bill as it relates to railways in Scotland. (S10-936)

The Minister for Transport and the Environment (Sarah Boyack): The UK Transport Bill makes provision for the devolution of certain executive functions relating to the operation of railways in Scotland. That is in line with the announcement made by Henry McLeish on 31 March 1998. The Scottish Executive is in regular and close contact with the Department of the Environment, Transport and the Regions on those matters.

Mr MacAskill: Is the minister aware that section 192 of the bill transfers the powers of the British transport police to the strategic rail authority and not to this Parliament and that section 194(2)(c) gives the powers to make byelaws prohibiting and restricting the smoking of tobacco to the strategic rail authority and not to this Parliament? Is that not both evidence of a democratic deficit and an absurdity?

Sarah Boyack: Once again, we will have to agree to disagree on that matter. I have had some fruitful discussions with the British transport police, examining their strategic priorities for Scotland, tackling the problems of safety on the railways and examining how that fits in with our local community safety strategy. The Transport Bill gives us substantial powers in Scotland to get the railways that we want and need for the future. That is the challenge that we face and we are in regular contact with our colleagues in the rest of the UK to ensure that such matters are delivered throughout the UK.

Janis Hughes (Glasgow Rutherglen) (Lab): Will the minister indicate what criteria might be used when the ScotRail franchise comes up for renewal and whether the opportunity will be taken to set a future vision for the railways in Scotland?

Sarah Boyack: The shadow strategic rail authority has already begun the franchise replacement process. The issues that it is highlighting are relevant. Commitment to higher investment and better service, safety and value for money—those are the things that Scottish passengers want from our rail service. Throughout the franchise replacement process, those are the things that will be at the forefront of my mind.

Mr Murray Tosh (South of Scotland) (Con): Will the minister confirm that the annual subsidy to ScotRail will fall from around £300 million a year in

1995 to £200 million by 2002 and that all the savings will accrue to the Treasury? Does she agree that, if the Transport Bill allowed the Scottish Executive to control those funds, they could be invested in what the minister referred to as the railways that we want and need for the future—electrification of the railway between Aberdeen and Edinburgh, the Waverley line, the Alloa-Stirling line and so on?

Sarah Boyack: We have just heard a fairly fundamental misconception. The fact that the ScotRail franchise costs us less money every year is a result of the original franchise agreement. The investment is coming into Scottish railways. It is a good news story, not the bad news story that Mr Tosh suggests.

There are many issues that we need to consider in terms of the vision for the future of railways in Scotland: the Stirling-Alloa-Dunfermline line; the Borders railway issue; improving the number of services on our lines rather than simply adding more lines; and opening new stations. We want to ensure that we deliver benefits for every rail passenger in Scotland.

Tourist Boards

6. Mr Adam Ingram (South of Scotland) (SNP): To ask the Scottish Executive what measures it is taking to ensure security of funding for local area tourist boards. (S1O-921)

The Deputy Minister for Highlands and Islands and Gaelic (Mr Alasdair Morrison): We will announce shortly the outcome of our review of the method of funding area tourist boards.

Mr Ingram: Will the minister provide assistance to area tourist boards to bridge the funding gap that was created by the Executive's failure to have the applications system in place to access objective 2 funding from the EU in time for the new financial year? What assurances can he give the tourism industry in areas such as Dumfries and Galloway that were hit by the loss of objective 5b funding that the promotion of the area will not falter because of cuts in area tourist board budgets?

Mr Morrison: I can give the assurance that strands of objective 1 money were used to develop tourism infrastructure. European funding is important throughout our programme.

Maureen Macmillan (Highlands and Islands) (Lab): I believe that the Executive's strategy for the tourism industry is due to be announced soon. Will the minister tell me what is proposed to tackle the challenges facing the tourism industry in the Highlands and Islands?

Mr Morrison: Mrs Macmillan raises an important question. Seasonality and regionality are

challenges that we will address in our strategy, which will be launched in a few weeks. I cannot go into specific details, because we are still finalising the strategy, in constructive dialogue with the Enterprise and Lifelong Learning Committee. However, I can assure Mrs Macmillan, and other members who represent rural communities, that the question of seasonality and regionality will be addressed.

NHS Dental Services

8. Allan Wilson (Cunninghame North) (Lab): To ask the Scottish Executive what measures it intends to take to ensure that dentists can continue to offer services uniformly to NHS patients throughout Scotland. (S1O-954)

The Minister for Health and Community Care (Susan Deacon): A number of measures, including the Scottish dental access initiative and the appointment of salaried dentists, are already in place or are being developed to ensure the availability of NHS dental services in Scotland.

Allan Wilson: I thank the minister for that positive response. Access to NHS dentists is critical to those on fixed or low incomes—who do not have the resources to be treated privately—and to the wider dental health strategy. Will she specify what initiatives have been implemented or are being considered at a local level to deal with Scotland's generally poor dental health record? There is an example of such an initiative in Cunninghame North to improve the dental health of my constituents.

Susan Deacon: I agree with Allan Wilson that access to NHS dental services is crucial. I am pleased to say that Mr Wilson's constituency is one of the areas that has benefited from the extension of the provision of salaried NHS dentists in Scotland. That is the direction in which we intend to continue to move. As he rightly identified, we have to get better not just at treating dental decay, but at preventing it from occurring in the first place. The Executive is working actively to consider how to drive forward a range of measures, both nationally and locally, to improve the nation's dental health, particularly that of our children.

Economic Development Services

9. Miss Annabel Goldie (West of Scotland) (Con): To ask the Scottish Executive what the gross annual cost is, including salaries, office provision and support, and loan and leasing charges, of the delivery by local authorities in Scotland of economic development services. (S1O-958)

The Deputy Minister for Local Government (Mr Frank McAveety): I am delighted to tell the

member that that information is not held centrally.

Miss Goldie: I thank the minister for a reply that, if not explicit, is certainly significant. I inquire how, on the basis of such ignorance, his colleague Mr McLeish can announce a business initiative such as he did in *The Herald* yesterday. There is apparently no means of assessing whether that is the best means of delivery, given that we have no means of quantifying the performance audit of such activities.

Mr McAveety: I am surprised at the substance of that question. At the weekend, the Conservatives were speculating that £2 billion was being spent on local economic development. Any reasonable analysis would show last year's figure to be £46 million. Unless we are engaging in what I would call the Norman Lamont counting house scenario, we cannot give any credit to that suggestion. Fundamentally, local authorities themselves will be engaging in local economic development. There are two major inquiries at the moment: the first, on the enterprise network, was announced by the Minister for Enterprise and Lifelong Learning; and the second is being undertaken by the Enterprise and Lifelong Learning Committee. Those will dovetail, and I hope that by the summer we will have a fuller response, which could inform this debate much more than some of the speculation at the weekend did.

Mr John Swinney (North Tayside) (SNP): In the light of the helpful way in which the minister answered that question, does he understand that there is a growing and full debate in Scotland on the most effective way of delivering local economic development services? Does he not think that the contribution that has been made by parliamentary committees on this subject is an interesting example of how the Parliament can truly work to deliver value-for-money services and sustainable economic benefit for Scotland, in addition to what customers are looking for?

Mr McAveety: I recognise what John Swinney has said—my comments identified his work in the Enterprise and Lifelong Learning Committee. Many of the strategies adopted in the 1970s and 1980s need to be revisited. I hope that the report will endorse that and address many of the points that need to be considered in detail. The work of committees is important in ensuring that the Parliament works effectively for the people who elected its members.

Drugs Education

11. Mr Keith Raffan (Mid Scotland and Fife) (LD): To ask the Scottish Executive what the reasons are for the comprehensive audit of all resources currently directed towards drugs education and rehabilitation announced by the

Minister for Finance on 6 October; whether it will be carried out independently of the Scottish Executive and, if so, by whom, how long it will take and how much it will cost. (S1O-945)

The Deputy Minister for Justice (Angus MacKay): The policy unit of the Scottish Executive was commissioned to audit the Scottish Executive's expenditure on tackling drug misuse, identifying the resources that are going into each strand of the drugs strategy. The work will inform policy making across the Scottish Executive and should be completed by the end of April 2000. No additional costs are involved in the project.

Mr Raffan: Will the minister assure me that the audit will not simply be a financial one, but will measure outcomes where possible? Will he also assure me that the public health policy unit will be included in the audit, given the crucial cross-cutting role that it plays in the Executive?

Angus MacKay: The purpose of the audit is to inventory every penny that is spent by the Executive in relation to drug misuse. Therefore, the public health policy unit will be taken into account—as will every other unit in the Executive. Measurement of the outputs of organisations is work that might follow at a later stage, once the audit has reached its conclusions.

Influenza Immunisation

12. Dr Elaine Murray (Dumfries) (Lab): To ask the Scottish Executive whether, consequent to the recent influenza outbreak, it has any plans to improve uptake of the influenza immunisation programme by vulnerable groups in future years. (S1O-949)

The Minister for Health and Community Care (Susan Deacon): As part of its aim of continual improvement of services for patients, the Scottish Executive—as I said in my statement last week—will be reviewing winter planning arrangements, including the flu vaccination programme. Part of that review will be to consider ways of improving uptake.

Dr Murray: I thank the minister for her assurances about the promotion of the immunisation programme. Will she comment on recent suggestions that an anti-viral drug might be used as an alternative to immunisation? Does she have any information about the relative efficacy of those treatments in preventing influenza and whether there are any contraindications or side effects associated with the use of anti-viral drugs?

Susan Deacon: Anti-viral flu drugs have been available for several years—Amantadine, for example. The available evidence suggests that such drugs have limited efficacy; they treat only one flu strain and must be taken for the duration of the flu season. In so far as flu can be prevented,

vaccination remains—according to the advice that we have been given—the most effective method, particularly through the targeting of vulnerable groups. We constantly listen to advice from clinicians on these matters and we continue to prepare policy in the light of that advice.

Christine Grahame (South of Scotland) (SNP): Will the minister agree that, given that the uptake of the flu vaccine by the over-75s was 25 per cent, the campaign was a failure? Will she agree that her advice to people not to go and bother their general practitioners was just the kind of advice that would be taken to heart by elderly people, thus compounding the failure of the campaign? Will she also agree that this year we require additional resources—to which she has not committed herself—for a proper information programme for the immunisation of the over-65s in Scotland?

Susan Deacon: The advice issued over the winter—not just to the elderly, but to everyone in general—was not issued by me, but by the chief medical officer for Scotland. I suggest that politicians are best placed to listen to medical experts on such matters. We will continue to invest on the basis of that advice and to take appropriate steps to protect the health of the Scottish people.

Mary Scanlon (Highlands and Islands) (Con): Will the minister consider giving resources to Scottish GPs to cover some of the costs of administering the flu vaccine, as happens in England? Does she agree with the view of the British Medical Association that the lack of resources meant that the high uptake that is necessary for a truly effective vaccination programme could not be achieved?

Susan Deacon: I addressed this issue fully in my statement last week and in response to questions. However, I am happy to return to the point.

In the current financial year, we have fully funded a flu immunisation programme, spending approximately £2 million in making the vaccine available free of charge to GPs across Scotland—that system does not exist in England, where GPs are required to purchase the vaccine. We will continue to develop the arrangements that are right for Scotland; we will continue to invest record amounts in the health service in Scotland; and we will continue to take practical measures to protect the health of the people whom we represent.

Vulnerable Witnesses

13. Johann Lamont (Glasgow Pollok) (Lab): To ask the Scottish Executive what steps it is taking to progress the issues in relation to vulnerable witnesses raised in the report “Towards a Just Conclusion”. (S10-955)

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): The Executive is still considering the way forward in the light of responses to the consultation document and developments since the paper was published.

Johann Lamont: Will the minister explain the apparent delay in bringing forward proposals? The consultation closed in the spring of last year. Will he assure the chamber that the Executive will give the highest priority to bringing forward legislation to prevent the cross-examination of the victims of sexual crime by the accused? That legislation will give the women of Scotland the same important protection that is being put in place in England and Wales.

Mr Wallace: I assure Johann Lamont that we have not lost sight of this important issue. I accept that there have been delays owing to a number of factors, including the response that we had to make to the Macpherson report following the Stephen Lawrence inquiry, and work of the Lord Advocate’s working party on the evidence of child witnesses. We are continuing to address those matters.

In the consultation paper, aggressive cross-examination was considered and the conclusion was reached that common law as it stands is sufficient to give protection. The paper did not address the issue of any kind of cross-examination by the accused. We recognise the concerns of many women on this issue, but I say to Ms Lamont and the Parliament that any change would give rise to a number of practical issues, including the need to adhere to the European convention on human rights. We want to bring forward legislation, but it is far more important that that legislation is robust and can stand up to challenge than it is to rush things and get the legislation wrong.

Johann Lamont: I am not sure that I would use the word “rush” to describe what has been done thus far. The practical problems that the minister identified seem to have been dealt with south of the border. If it can be done there, surely the Scottish Parliament can do the same here.

Mr Wallace: It has always been recognised that the measures that were introduced south of the border last year could not readily be applied to Scotland for a whole host of reasons, including the rules on cross-examination in Scotland. That does not mean that we should not consider an appropriate Scottish solution. However, in all such matters, it is important to balance the rights of the woman who has gone through a trauma with the rights of the accused. If we produced a system in which a person was acquitted on appeal because we had got the balance wrong, everyone would agree that that would not serve the interests of justice.

Breast Screening

14. Patricia Ferguson (Glasgow Maryhill) (Lab): To ask the Scottish Executive what steps it is taking to encourage women, particularly those in the most vulnerable groups, to attend for breast screening. (S1O-956)

The Minister for Health and Community Care (Susan Deacon): Breast screening attendance is closely monitored by the Scottish screening programme's central co-ordinating unit, which shares evidence of good promotion initiatives with the screening centres across the country. Health boards are responsible for health promotion work in their local areas and for taking a range of measures at local level to improve take-up of screening.

Patricia Ferguson: Given that the target for take-up across Scotland stands at 75 per cent, what action would the minister recommend to Greater Glasgow Health Board—which covers an area where the take-up is only 64 per cent—to encourage women to attend for that vital screening?

Susan Deacon: I am glad that Patricia Ferguson has raised the issue of breast screening, especially in the light of recent press coverage. I take this opportunity to reinforce the message that it is important that women attend for breast screening when called.

I have looked at the figures for take-up in Glasgow, and I am pleased that the most recent figures show that the take-up has increased to 69.9 per cent. That is to be welcomed; it is one of the largest increases in the country. However, we want to do better. Greater Glasgow Health Board is putting in place more mobile screening, promoting local media campaigns and working with ethnic minority groups to encourage take-up. I, too, encourage women in Glasgow and elsewhere in Scotland to make use of the screening programmes.

Ms Margo MacDonald (Lothians) (SNP): I should perhaps declare an interest—I am a patron of the Scottish Breast Cancer Campaign. Will the minister work in partnership with that organisation, which can reach the women that very often official bodies cannot? That might prove a very cost-effective way of spreading the message.

Susan Deacon: I thank Margo MacDonald for her point. A few months ago, I had a constructive and informative meeting with the Scottish Breast Cancer Campaign and was delighted to hear directly about its experience of representing women who have had breast cancer. I hope that we can continue to work in partnership with that organisation in developing policy and designing services for women with breast cancer.

Dr Richard Simpson (Ochil) (Lab): What measures are being taken to encourage health boards to advertise the fact that voluntary breast screening is available to women over the age of 65? Does the minister agree that the uptake of such screening is growing in some areas, which has put some pressure on the service?

Susan Deacon: As I said, various local initiatives have been introduced, which is very often the most effective way of getting across information about screening facilities. It is important that we continually work to increase uptake. Screening plays its part in giving us the figures that we now have—three out of four women are now surviving breast cancer. Although health services for women are improving all the time, women need to get better at using them, and I will continue to work with local health authorities to ensure that that happens.

Cancer

15. Karen Whitefield (Airdrie and Shotts) (Lab): To ask the Scottish Executive what long-term measures it is taking to reduce the number of cancer-related deaths in Scotland. (S1O-948)

The Minister for Health and Community Care (Susan Deacon): Tackling cancer is one of the three clinical priorities for the NHS in Scotland. We are committed to promoting better health to avoid people getting cancer in the first place, and to ensuring both early detection and earlier, more effective treatment.

Karen Whitefield: Does the minister agree that a healthy diet can protect against cancer later in life? Furthermore, does she agree that initiatives such as the food co-op in Caldercruix in my constituency, which is run by local people in partnership with the local primary schools, help to encourage children to eat fresh fruit and vegetables? What other steps are being taken by the Executive to encourage and support healthy eating?

Susan Deacon: Karen Whitefield touches on the important fact that so many cancers are preventable. Cancer Research's figures, which were published a week ago, suggest that as many as a third of all cancers in Scotland could be prevented and that diet is one of the main factors of the high incidence of the disease in Scotland. We are taking forward national work in that area through the Scottish national diet action plan and are encouraging local initiatives such as the food co-operative that Karen Whitefield mentioned. We are about to appoint a national co-ordinator in that area, which we hope will mark a further step forward.

Alex Fergusson (South of Scotland) (Con): Given that more people contract cancer in

Scotland and that cancer survival rates are much lower than in many other developed countries, how can the Scottish Executive ensure that the Scottish cancer group can effectively tackle what is one of the health service's chief priorities, when the NHS holds no data centrally on recent investment in cancer services?

Susan Deacon: I have to question Mr Fergusson's premise. In fact, experts have recognised that the work being done in Scotland is very much at the leading edge of UK-wide work on cancer. The Scottish cancer group's work in collecting, monitoring and using data for long-term planning of services is the way forward and is a model that will be followed by other parts of the UK and the world.

Mr Kenneth Gibson (Glasgow) (SNP): Does not the minister agree that it is absolutely appalling that lung cancer survival rates are lower in Scotland than in Poland? Furthermore, is not it unacceptable that there is a 24-week wait at the Southern General hospital in Glasgow for ultrasound diagnoses and the same wait at the Western Infirmary in Glasgow for a barium meal test? Finally, is not she absolutely embarrassed by the fact that, after five years, prostate cancer survival rates are 36 per cent in Scotland compared with 86 per cent in the US?

Susan Deacon: As was reported in a national newspaper this week, I like to see the glass as half full rather than half empty. Rather than bemoaning some of the statistics on Scotland's health record, we should celebrate the fact that more people than ever before are surviving cancer. It is important that we send that message out, so that, as a society, we remove the taboo that has surrounded cancer for so long.

That said, I am the first to say that we need to continue to work to improve treatment, diagnosis and prevention. However, rather than living—as the Scottish National party does—in the world of quick fixes and magic wands, I want to continue to take practical measures that will make a real difference to the people of Scotland.

Domestic Abuse

17. Mr Gil Paterson (Central Scotland) (SNP): To ask the Scottish Executive what consultation it had, if any, with local authorities on the subject of the establishment of a domestic abuse service development fund prior to the announcement of that fund. (S1O-940)

The Deputy Minister for Local Government (Mr Frank McAveety): The establishment of the fund and the issue of the application guidance were undertaken in full consultation with the Convention of Scottish Local Authorities.

Mr Paterson: Was the matched funding method

of financing the domestic abuse service development fund taken into consideration when local authorities' budgets were set?

Mr McAveety: COSLA agreed with the broad strategy of the fund and the need to address the issue of finding more resources for this critical social problem. Many local authorities, along with other agencies such as Scottish Homes, have engaged in the process in many ways. We have arrived at a flexible arrangement to deliver an increase in the resources available to tackle the issue.

Scallop Industry

18. Mr Jamie McGrigor (Highlands and Islands) (Con): To ask the Scottish Executive what plans it has to ensure the future of the scallop industry. (S1O-923)

The Deputy Minister for Rural Affairs (Mr John Home Robertson): We want to ensure the continued good reputation of Scottish shellfish products in general and of scallops in particular. Scallop licensing was introduced recently to ensure the sustainability of stocks, and technical conservation measures to support that are being developed.

Following the closure of the scallop fishery in certain waters last year because of the presence of the amnesic shellfish poisoning toxin, we are discussing with the industry a long-term strategy to deal with the problems of ASP should they continue to arise in the future.

Yesterday, a round-table meeting was held with the industry catchers, farmers and processing interests at which public health, testing procedures, research into the causes, licensing arrangements and options for the diversification of the scallop sector were discussed.

Mr McGrigor: I am aware that the ban has been lifted in four new areas, but 32 areas are still closed. Licensing restrictions have been eased, but that will allow only an extra four boats to fish. I know also that the minister has had one meeting. Can he explain why the Irish Government is able to protect its consumers' health by end-product standard testing, whereas the Scottish Executive rural affairs department insists on a draconian ban on all scallop fishing? To get this highly significant industry going again, should not we follow the commonsense approach, supported by the Scallop Association and the Association of Scottish Shellfish Growers, that scallops should be tested when they enter the food chain?

Mr Home Robertson: The overriding priority must be public health. That is why Susan Deacon and her officials are, quite rightly, enforcing the regulations in accordance with the right practices for Scotland, the United Kingdom and the

European Union.

I welcome the fact that Susan Deacon was able to reopen the scallop fishery in part of the Minch earlier this week. As Mr McGrigor has acknowledged, at the meeting that we held with the industry yesterday, I was able to announce a relaxation of licensing requirements for fishermen with category C licences to help those who are most seriously affected. I understand also that Highlands and Islands Enterprise can, in special circumstances, give help to fishermen to allow them to diversify.

Alasdair Morgan (Galloway and Upper Nithsdale) (SNP): Does not the minister agree that in many areas the end product that would be produced if the fishermen were allowed to catch it would be well within the permitted toxin limits? Therefore, do not we need to pursue end-product testing with a great deal of urgency, rather than through the rather protracted negotiations that are going on in Europe just now?

Mr Home Robertson: I must reiterate the overriding importance of protecting public health. Alasdair Morgan's question should perhaps be more appropriately addressed to the health department. It would be wrong for the department which sponsors the industry to be seen to be leaning on health officials. Surely we have learned from the BSE crisis. The overriding priority of protecting public health is what Susan Deacon and her colleagues are dealing with.

First Minister's Question Time

SCOTTISH EXECUTIVE

Secretary of State for Scotland (Meeting)

1. Mr Alex Salmond (Banff and Buchan) (SNP): To ask the First Minister when he last met the Secretary of State for Scotland and what issues they discussed. (S1F-29)

The First Minister (Donald Dewar): I last formally met the Secretary of State for Scotland on 1 December 1999. There have, however, been many informal exchanges, both face to face and with the use of the telephone.

Mr Salmond: I know by his wry smile that the First Minister does not necessarily like being asked about when he last met the Secretary of State for Scotland. The question can perhaps be used today to advance a very important issue for Scottish society. Does the First Minister accept that at least some of the concern about the repeal of section 28, or section 2A, has been because people believed that it would take place in a vacuum, before revised guidelines were issued to local authorities and schools? In the light of that, can he confirm the welcome indication given by Jackie Baillie yesterday that the Executive's intention is to bring forward revised guidelines before the repeal of section 28 takes effect?

The First Minister: I welcome the tone of that question. It is important to address the problem realistically. One of the real difficulties that has emerged is that people genuinely imagine that the removal of section 28 will open our schools to all sorts of materials of the kind that are occasionally found when surfing the internet. That is a different, totally unconnected problem.

There are significant, far-reaching guidelines for schools. I believe that the real protection of children is in the proper administration of those guidelines, the vigilance of head teachers, the expertise and professionalism of teaching staff and the concerns of parents. We have made it clear that we intend to re-examine the guidelines. I have had a chance to look at them myself, and I think that they are sound in tone and comprehensive in cover.

Mr Salmond: I accept the logic of much of what the First Minister has said. Yesterday, Jackie Baillie said:

"Before repeal of section 2A comes into force, we will conduct a detailed examination of existing guidelines and revise them if necessary."—[*Official Report*, 19 January 2000; Vol 4, c 254.]

As we know, some of those guidelines are about

section 28. Clearly, they will be overtaken by the repeal of section 28. Could the First Minister be helpful and further indicate that, when the revised guidelines are being prepared, they will be subject to full and specific consultation with all interested parties?

The First Minister: Yes, indeed.

It is a misconception that the suggestion of revising the guidelines has somehow come up under the pressures of the debate of the past week or two. It was announced a long time ago and has been a commitment for some time.

There will of course be consultation. This is a fairly civilised exchange, so I hope that this point will not be open to misunderstanding: one of the difficulties about consultation and about the debate on the matter is the weighting given to the various types of opinion, for example, that of the teaching profession itself, and wider public opinion.

Sometimes there is a difference between the two, which is often exacerbated by a genuine lack of understanding or misunderstanding of the issues. Anything that we can do to close that gap and ensure that we are all talking on an agreed basis about what is a difficult and sensitive issue would be worth while.

Mr Salmond: I accept the tone of what the First Minister says. Therefore, looking to the future, will the First Minister take this opportunity to confirm that the guidelines for Scottish schools and local authorities that will be in place after the repeal of section 28 will make it quite clear that what is at stake is not the promotion of homosexuality in schools, but the trusting of teachers so that they be allowed to discuss sensitive issues in an atmosphere of tolerance and mutual respect?

The First Minister: I very much welcome the tone of what Alex Salmond is saying. It is common ground among all those who have examined the matter with care, including representatives speaking on behalf of the gay community, that no one wants to see the positive promotion of homosexuality. We are all looking at the question of how in our schools we treat a sensitive area with sensitivity and make sure that children who are troubled get the proper support and counselling. I am happy to join Alex Salmond in saying that it is important that the guidelines, which will of course continue in place whatever the outcome of the section 28 debate, reflect that.

Prime Minister (Meeting)

2. David McLetchie (Lothians) (Con): To ask the First Minister when he last met the Prime Minister and what issues they discussed. (S1F-35)

The First Minister (Donald Dewar): I always

wonder what Mr McLetchie does with these answers, but as I am always anxious to be helpful, I can tell him that I last met the Prime Minister on 12 January. The specific matters discussed are, of course, private.

David McLetchie: Thank you. I file the answers away for future reference and will no doubt bring them back to the First Minister's attention at an appropriate moment.

No doubt the subject of the health service came up in the First Minister's discussions with the Prime Minister on 12 January, or perhaps it will in future meetings. The Prime Minister admitted at the weekend that there is a major long-term funding problem with the health service, certainly down south, yet until now the First Minister and the Minister for Health and Community Care have stuck to the Jim Callaghan line of "Crisis? What crisis?" In the light of the Prime Minister's remarks, does he stick by that complacent attitude that all is well with the NHS in Scotland, or will he finally accept that it is under severe financial strain that will only worsen through the announcement of pay increases that are not fully funded?

The First Minister: I am genuinely puzzled by that line of argument on the pay increases. I ask colleagues to imagine what Mr McLetchie would have said if Susan Deacon had announced that we would not implement the pay increases. We would have been excoriated; in colloquial terms, we would have been bloomin' well booted round the chamber, and rightly too. Susan Deacon has very properly made the point that when we invest in retaining staff and staff morale, we are investing in the fabric of the health service. I make no apology. We have looked at the funding and believe that we can meet it.

I am not complacent. I know that the health service is under pressure and probably always will be because of the advance in medical science and ingenuity, new techniques, increasing longevity and all that that means. I am trying to get through to colleagues in the Parliament and to a wider audience that in Scotland we start with 20 per cent more per head expenditure, which is reflected in very real differences north and south of the border. In Scotland, we have 51 consultants per 100,000 population against 39 per 100,000 in England; Scotland has 75 GPs per 100,000 population against 56 in England, an enormous difference. In Scotland, we have 808 nurses per 100,000 population; England has 620.

Those are very substantial differences, for which we should be grateful and which explain why I believe that the situation is different, although we must constantly strive to improve and maintain it.

David McLetchie: Thank you—although the First Minister might have said, in his

characteristically generous manner, that the substantial differences that benefit Scotland existed for the 18 years for which we were in government and that we were major contributors to the improvement of the health service.

To return to the First Minister's discussions with Mr Blair on this subject, Mr Blair has said that he wants to pour extra money into the health service, although it is unclear whether Blair's billions are the real thing or fantasy. As the First Minister has told me in answer to previous questions that he does not believe in hypothecating the Scottish block and has said that there is no real crisis in the health service here, can we assume that Scotland's share of Blair's billions will not go into the health service but will be diverted to finance some of his other pet projects—or should I say frivolities—as his friend Mr Brian Donohoe MP would have it?

The First Minister: Dear me. Mr McLetchie wrote to me on those matters. In his letter, he said:

"Sadly, in your reply you stated your preference for the present arrangements whereby the Scottish Executive has discretion over how money from the Scottish block is spent."

I do not regard it as sad that the Scottish Executive has that power—it is very important. I said clearly to Mr McLetchie that our high priorities are the health service and—in another context—transport. The Executive is determined to stand by the health service and by the transport infrastructure. For that reason, we will spend the money in which Mr McLetchie is so interested in that way.

Karen Gillon (Clydesdale) (Lab): In the light of the First Minister's comments about kicking things around the chamber, will he join me in wishing the Scottish Rugby Union team well in the forthcoming six nations championship? Has he noted the governor of the Bank of England's comments about national rivalries being relegated to the rugby field? Could not it be that the SNP's economic policy should—like rugby—be regarded as a predominantly amateur pursuit? [*Laughter.*]

The Presiding Officer (Sir David Steel): Order. I had to say last week that the First Minister is not responsible for the Conservative party; neither, I am sure he will be relieved to hear, is he responsible for the SNP.

The First Minister: I am very grateful for that protection. I have enough difficult causes to defend without having to take on the indefensible.

There is a serious message that I would like to put across, and I will do so at no great length. The Scottish economy is remarkably sound. That is not a situation with which I would like to gamble by following some of the nostrums that are being proposed in other quarters.

At more than 2.3 million, employment in Scotland is at its highest. The unemployment claimant count is, as members will know, at its lowest for 24 years. If members examine the last yearly figures that are available, they will see that Scotland has outperformed the rest of the United Kingdom in terms of gross domestic product growth and—significantly—in terms of manufacturing sector output growth. We have done well and the Executive intends that we will do better—we would be grateful for a little helpful support.

The Presiding Officer: Supplementary questions must be relevant to the question in the business bulletin, and that last was not.

School Standards

3. Mike Watson (Glasgow Cathcart) (Lab): To ask the First Minister what steps the Scottish Executive is taking to raise standards in Scotland's schools. (S1F-41)

The First Minister (Donald Dewar): The Standards in Scotland's Schools Bill, which was published today, places ministers and local authorities under a duty to promote improvement in education, and it establishes a new statutory framework for raising standards in Scotland's schools.

The Executive has, since the Parliament came into being, been pursuing with considerable energy and through the allocation of significant resources, the aim of improving standards.

Mike Watson: I thank the First Minister for that response—I am sure that the publication of the school standards bill will be widely welcomed, as will his earlier response to Mr Salmond.

Recently there has been considerable implicit criticism of teachers in the context of responses to the Executive's proposals to repeal section 2A of the Local Government Act 1986. Will the First Minister confirm that he has—as I am sure the rest of the Parliament and Scotland has—confidence in the teaching staff in Scotland's schools? Will he further confirm that that should be reflected adequately in the debates during the progress of the school standards bill?

The First Minister: I have no difficulty in agreeing with that. The Executive—and Sam Galbraith in particular—has made clear repeatedly its respect for the professionalism of teachers and its wish to support them. There are difficult questions about the future structure of schools that are being considered by the McCrone committee. We hope that it will be possible to do something positive to help with salaries in return for greater flexibility and for advances in relation to terms and conditions of teachers' employment.

Those negotiations lie ahead of us. I can assure the chamber that teachers will continue to have the support of the Administration as, I am sure, they have the support of members in the chamber.

Nicola Sturgeon (Glasgow) (SNP): Does the First Minister agree that the diversion of savings arising from the assisted places scheme to bail out Scottish Opera was at odds with Labour's 1997 manifesto commitment to use that money to cut class sizes in the first three years of primary school? Does he further agree that that money should not have been taken from education when, at the last count, nearly 30,000 Scottish children in primaries 1 to 3 were still in classes of more than 30 and that there is even further to go in reducing class sizes in all years of primary school?

The First Minister: I hope that Nicola Sturgeon will not think my first point pedantic, but it is important. I understand that there are no children in primary 1 or primary 2 in classes of more than 30. Secondly, the money was diverted because the assisted places scheme process had come to an end, which was another success for our policy and for the Executive's education department.

I am sure that Nicola Sturgeon is well aware that the figures show that this year, there has been a 6.4 per cent increase in the local authority education budget. Next year, there will be an increase of 4.6 per cent—a further £126 million. We are allocating resources on a basis that is well above the rate of inflation. We are getting returns on, for example, the £389 million in the excellence fund over three years.

I say to Nicola Sturgeon—in a friendly spirit, as always—that the trouble with the way in which she presents her argument is that she manages to give the impression that she would rather have seen Scottish Opera go down. I am sure that there will be at least someone on the SNP benches who would disagree with that position.

BBC News

4. Michael Russell (South of Scotland) (SNP): To ask the First Minister what representations the Scottish Executive is planning to make to the BBC in connection with the BBC's previously announced May 2000 review of the need for a Scottish edited and controlled 6 o'clock news programme. (S1F-44)

The First Minister (Donald Dewar): The last thing that an Executive or an Administration should do is to try to dictate to the broadcasters. It is not for me to prescribe—[*Laughter.*] Ladies and gentlemen on the SNP benches may laugh at me, but I can assure the chamber that an Administration or Government that tried to bully or to over-influence the broadcasting process would be open to very considerable criticism. I do not

think that I want to indulge in such a practice.

I welcome the fact that, as a result of the last round of talks in 1998, a further £10 million was given to BBC Scotland—that is probably another 50 or so skilled jobs. The test must be that we should have fair, balanced and accurate coverage in news reporting, that we should have world news, national news and Scottish news, that such reporting should be inclusive and certainly not insular and that the standards and professionalism should be of the highest order. We want to maintain the true traditions of public service broadcasting.

Some might argue, although I do not think that Michael Russell would, that, if we did have a "Scottish Six", politicians from this chamber would appear rather more commonly in the living rooms of the nation. I leave it to other people to decide whether that is an argument for or against.

Michael Russell: The First Minister has the virtue of consistency, at least. He has taken a supine position on the matter since it was first raised.

However, in the light of that position, perhaps it would be advisable for the First Minister to tell the First Secretary in Wales about it. In the excitement of his election on 12 May 1999, the First Secretary said in the Welsh Assembly chamber, during his acceptance speech:

"The BBC was right to decline to break up the six o'clock news."—[*Official Record, National Assembly for Wales; 15 May 1999.*]

In the circumstances, there is no consistency in new Labour's position and there has been bullying and interference.

I hoped that the First Minister and his Administration might address the potential of Scottish broadcasting and help it to develop, first of all in the BBC and, in the emerging crisis, in Scottish Television, as that would be welcome. I hope that the First Minister will be active in the matter.

The First Minister: I hope that I am not supine in these matters although I certainly do not believe that, as a Government, we should be trying to prescribe to the broadcasting authorities. If Michael Russell were to think about going down that road, he would see the dangers of it.

I am not responsible for what happens in Wales. If I understand what Michael Russell said—I may have got it wrong—he invited me to endorse something that was said in Wales, which he would then be able to attack with great ferocity. I am sorry to disappoint him, but I have no intention of taking his rather contradictory advice.

However, in my initial reply, I made the point that

I totally join Michael Russell in urging upon the BBC the need to maintain the standards of public service broadcasting and to serve Scotland, not in the narrow sense, but in the broad, internationalist sense, to which I think we would all want to pay tribute.

Water Charges

5. Tavish Scott (Shetland) (LD): To ask the First Minister what plans the Scottish Executive has to ensure that water authorities are accountable to both businesses and domestic users for their water charges. (S1F-33)

The First Minister (Donald Dewar): As public bodies, the water authorities are both fully accountable to ministers—and through them to Parliament—and directly accountable to their customers for the services that they provide.

The new legislation that came into effect on 1 November last year put in place a water industry commissioner. Mr Sutherland is the first holder of that post and is very active in his duties. He has primary responsibility for promoting the interests of all the authorities' customers. The commissioner will be supported by consultative committees that advise him on the interests of customers. In the past two or three days, Tavish Scott may have seen in the press advertisements for people who wish to serve on those bodies.

Tavish Scott: Does the First Minister recognise that the water commissioner's role is extremely important and that, with the impending announcement of water charges for businesses, there is real concern, particularly in fish-processing and salmon-processing businesses, about possible increases in water and waste water charges? Will he ensure that the Executive keeps a close eye on that, so that businesses are not damaged by those charges?

The First Minister: I recognise that that is a matter for anxiety, and we have certainly been considering it. There are problems in the water industry, because the investment demands are very high. We are talking about literally hundreds of millions of pounds over the next three or four years, if we are to get the kind of improvement in infrastructure that will allow us to have water standards of which we can be proud. That is bound to be reflected in charges to some extent. I know that my colleague Sarah Boyack has been working very closely and constructively with the commissioner to find a proper balance between competing interests that are, frankly, sometimes difficult to reconcile.

Drug Misuse

Resumed debate.

The Presiding Officer (Sir David Steel): Question time has overrun and I must protect the debate because many people are still waiting to speak. The occupants of the chair this afternoon will have very little chance of calling everybody who is hoping to speak, so the briefer the speeches, the greater the number of people who can be called. I appeal to members to leave quietly, if they do not plan to be present for the debate, so that we can begin immediately.

15:33

Des McNulty (Clydebank and Milngavie) (Lab): One of our most important tasks in addressing Scotland's drug problems is to acknowledge and learn from past mistakes. Earlier in the debate, Margo MacDonald mentioned Scotland Against Drugs. In its initial form that organisation was an example of Government failing to engage with the realities underpinning drug misuse.

To people involved in dealing with the problems of drug abuse in Glasgow, Scotland Against Drugs seemed from the beginning to be essentially a cosmetic exercise, with the emphasis on being seen to be doing something rather than achieving change on the ground. The money spent on publicity stunts, such as getting Jim Wallace, Alex Salmond and George Robertson to don tee-shirts and climb on a bus with Michael Forsyth and Tom Farmer, could have been much usefully directed at tackling the causes of drug abuse or its consequences, which are especially severe in some of our more deprived communities. The fact that Donald Dewar was otherwise engaged at the time meant that he missed having to face a sartorial dilemma—I do not ever recall Donald in a tee-shirt.

I was pleased that among the early acts of the Labour Administration was the revamping of Scotland Against Drugs, moving it away from increasingly ineffective media campaigns and towards direct engagement with young people. I was interested to note in passing that the former chief executive of Scotland Against Drugs, Mr Macaulay, was associated with another less than successful media launch yesterday.

In his speech this morning, the minister mentioned the success of the methadone programme in greater Glasgow, and I was pleased to hear the Conservative spokesperson pay tribute for their tremendous work to Dr Laurence Gruer and his colleagues, who are internationally recognised as at the forefront of work on handling

patients suffering as a result of drug misuse. As a former member of Greater Glasgow Health Board, I was fortunate to see at first hand the effectiveness of the methadone substitution programme in providing those addicted to heroin with a route out of the chaotic lifestyles characteristic of drug abusers, which are the main factor in so many drugs-related deaths.

The observed administration of methadone has done a great deal to limit health damage, but the impact of the spread of hepatitis C, which has infected nearly 80 per cent of intravenous drug users in Glasgow, will be felt for many years by those who have been infected and by the health services.

Richard Simpson spoke about the role of community pharmacies. I want to highlight also the positive outcomes that will result from changes that the Government has introduced in primary care. In particular, the establishment of community-based general practice co-operatives will have positive results for the care of the victims of drug misuse.

Continuing the theme of highlighting success, I commend the work of the greater Glasgow drugs action team as an example of an effective local partnership involving the full range of agencies. The DAT has set itself clear objectives and a fully specified action plan. Over the past three years, it has had a real impact in co-ordinating responses to drugs problems in greater Glasgow.

However, it is clear that it will be a huge task even to slow down the increase in the number of drugs deaths or in the number of people engaged in various forms of drug misuse. I welcome the minister's statement that fighting drugs will be a key task for the Executive and that efforts will be joined-up and cross-cutting.

The Executive's commitment would have been more clearly underlined if a specific target for reducing the incidence of drug misuse had been set in the social justice document that was published in December. If there is too much uncertainty for it to be possible to provide numerical output measures, perhaps the minister will consider giving process measures, against which we can assess the number and scope of interventions that he intends to introduce.

On research priorities, I recommend that the minister should not direct funding to prevalence studies, which tend to confirm what we already know, but should commission work on studies that are aimed at improving the effectiveness of interventions, so that best practice can be spread and consolidated. There is a parallel here with work on public health, in which Michael Marmot and others have given us a clear understanding of the causes and nature of health inequalities, but

we have only patchy information about the effectiveness of measures that address these problems and about the effectiveness of different types of local initiatives.

We need to strike the right balance between national efforts and more local work to deal with drug misuse and, equally important, the effect that it has on local communities. Drug problems are different in different parts of Scotland. The Executive will gain most from supporting and encouraging local initiatives rather than national task forces and strategies.

The role of local authorities in these efforts is vital. We need not only to deal with people as patients but to provide the infrastructure to allow them to gain control over their lives. Services that are provided by local authorities, such as housing, education and social work, are vital in that process.

15:37

Christine Grahame (South of Scotland) (SNP): I want to broaden the debate and pick up on what Tommy Sheridan said. One of the biggest addictions in Scotland is, of course, alcohol, but the Deputy Minister for Justice did not even mention alcohol abuse. I hope that it will be covered in the summing-up.

There are 200,000 people in Scotland who misuse alcohol. In the past 25 years, the recorded increase in deaths for which alcohol is recorded as cause of death is 552 per cent for males and 760 per cent for females. Those are gross understatements, as they refer only to cases in which the death certificate records the death as an alcohol death. There is also an increase, up to 64 per cent, in the number of children in the 12 to 15 age category who partake of alcohol. More important, the number of units that they are taking has doubled.

Because of the time lag in the production of statistics, all those figures will be understated. We are well aware that, because of the social acceptability of taking alcohol, much of it goes on, hidden, at home. Like cocaine addiction, alcohol abuse and addiction takes place at all levels in society. Unlike cocaine addiction, it is socially acceptable.

One third of general hospital beds contain patients who have an alcohol problem. All indicators—liver disease, suicides, accidental deaths, and so on—demonstrate that alcoholism in Scotland is 60 per cent to 40 per cent greater than in England, yet in the Scottish Parliament information centre document on drug misuse, only 15 lines out of 22 pages are devoted to alcohol abuse, and only 13 lines to tobacco. Alcohol and tobacco separately cause more deaths and more

misery to people in Scotland than all the other drugs that are commonly discussed.

The document says that misuse of alcohol

"has steadily increased . . . and is a major risk factor associated with disease, homelessness, unemployment, criminality, mental breakdown, domestic violence and child abuse."

To that list we must add lost days at work and the cost to employers, drink-driving and so on. It is essential that alcohol and tobacco problems become part of the remit on drug abuse in Scotland and we ought to extend the definition of the word abuse.

Mary Scanlon referred to the Castle Craig rehabilitation centre in West Linton. Two thirds of patients there are alcohol abusers and one third are drug addicts. There is an age divide, with drug addiction tending to be a youth problem and alcoholism a problem for older people. It is often impossible for the victims of such abuse—and I call them that rather than patients—to obtain a referral to the Castle Craig unit, even when there are no national health service facilities in their area. In some areas, general practitioners are resigned to the situation. As admissions to psychiatric hospitals for alcoholism have declined, admissions to general hospitals have increased. In general hospitals, however, patients will not get treatment for their underlying addiction to alcohol.

Angus MacKay said that drugs create despair. He also said that drugs are extremely lucrative business, and indeed they are. Eighty-five per cent of excise duty on alcohol goes to Her Majesty's Government at Westminster. In 1995, that totalled £9,745.9 million.

I have three questions for the minister. First, will he ensure that the Executive's approach to tackling drugs misuse does not become blinkered and that it addresses alcoholism? Secondly, will he undertake an audit of referrals from NHS areas and other statutory bodies to alcohol rehabilitation units? Thirdly, will the Executive make representations to Westminster to hypothecate a portion of those vast excise revenues to resource an educational programme for all age groups on alcohol and alcohol abuse, and to provide adequate rehabilitation facilities in Scotland? That would have a consequential impact on the availability of general hospital beds.

15:42

Donald Gorrie (Central Scotland) (LD): A lot of good speeches were made this morning and their tenor was, on the whole, constructive. I would like to refer briefly to four of those speeches.

Richard Simpson said that we should accept the fact that we are losing the drugs war in the United

Kingdom. We should start from that vital point. I and many of my colleagues feel that, at the UK level, our drugs policy is rubbish. It oscillates between tsars and tackety boots and heavies, with a bit of rehabilitation thrown in. Part of the reason for our not getting anywhere is, as Margo MacDonald said, that we have no objectives and no strategy. We are fighting a drugs war. A war usually has an objective, such as the capture of Timbuktu. Our drugs war, however, has no objective. We do not know what on earth we are doing so it is no wonder that we fail. We must get a grip on ourselves at a UK level.

Keith Raffan and Tommy Sheridan both stressed the need for more emphasis on rehabilitation and less on enforcement. That is vital. There must be a big switch in our expenditure to rehabilitation and we must seriously examine enforcement measures, some of which are a total waste of time. Tommy Sheridan flew the flag for a bit of a revolution on the subject. In due course, I may sign on for his revolution, but he must understand that people in my position have to ration the number of rebellions that we conduct. *[Laughter.]*

On a serious note, there must be a switch not only to rehabilitation but also to prevention. Richard Simpson gave a good example of the huge cost to the public purse of 12 youths in Clackmannanshire. If Clackmannanshire had sufficient funds—say, £50,000—to set up one or more youth cafes or advice centres, and if that kept just one young person from going down the drugs route, that investment would pay for itself many times over. That is the attitude that we must take to accounting and public finance.

We must involve young people more. It is useless to have people like me on committees talking to young people about how not to do drugs. I have never even smoked a cigarette. To be absolutely accurate, I gave up smoking when chocolate cigarettes were no longer available in 1939. *[Laughter.]* I know zilch about drugs. We must involve the young people who actually know about them; we do not have to agree with everything they say, but they must make a major contribution. We need more locally based, not top-down, action. We must give young people a real say in how their affairs are run, for example, on the youth cafes that keep them out of trouble, and ask them what sort of programmes may work.

Christine Grahame spoke about alcohol, which is critical. Alcohol is a much bigger problem in Scotland than are drugs. That is not a reason to neglect drugs, but nor do we have a reason to neglect alcohol—but we neglect it, because it is damned embarrassing to almost all of us.

Ms Margo MacDonald (Lothians) (SNP): Does Mr Gorrie consider the use of cannabis to be

alongside the use—or misuse as I see it—of alcohol and nicotine?

Donald Gorrie: I have signed Margo MacDonald's motion about holding an inquiry into cannabis use. My serious, lofty colleagues tell me that that is not viewed with favour, because the matter is not within the control of the Scottish Parliament. However, alcohol is under our control and, without prejudicing Margo's desire to have a real look at cannabis, we should have a real look at alcohol. Either the Parliament or the Executive should have a thorough look at alcohol, possibly in relation to drugs and smoking. We keep sticking our heads in the sand about young people and alcohol, about the connection between alcohol and drugs and about the Scotland's macho spirit—whereby unless a man is totally bloated he is not a real man—but that attitude is very dangerous and we must get a grip on it. Let us do that.

15:46

Kate MacLean (Dundee West) (Lab): We have had a reasonably interesting debate today and it is obvious that no one in the chamber is not aware of the problems that are caused by drugs. I will not go into any particular examples from my area, because I am sure that we all have such examples to give.

The people whom we represent are very aware of the issues that surround today's debate on drugs, something that cannot be said of some other debates we have in the chamber. In fact, they understand the issues far better than most of us.

Angus MacKay mentioned a partnership approach. That is the key to trying to tackle the drugs problem, but the partnership has to exist not just between us and outside agencies but within the chamber. We have to accept, as does the Executive, that a wide range of opinions exists and that no one person or political party has a monopoly on caring about the drugs problem or on wisdom when it comes to solving that problem.

I agree with a number of points that have been made by members from different parties. Roseanna Cunningham suggested an audit of services and how effective they have been. I wholeheartedly agree with that. I, too, worry that many agencies, individuals and bureaucracies are spending increasing sums of money on tackling drugs without us really knowing whether any of them are working.

In Dundee and Glasgow, we had drugs prevention teams that seemed to be developing in the right direction; however, they were closed down last spring, possibly so that money could be diverted into a national drugs prevention unit. Those teams were operating on a community

development basis, in partnership with statutory agencies, the private sector and community groups, and were one of the main providers of education on prevention in primary and secondary schools. They built up considerable links in the community and in schools. I am not convinced that a national unit will be able to foster and maintain such links.

I welcome the Executive's obvious strong commitment to deal with a problem that affects every community that we represent, but funding is not the only issue. I will not criticise publicly any particular body, but much of the money that could be spent in communities on rehabilitation, or on preventing people from starting on drugs, is being spent on bureaucracy and enforcement. There are not enough community-based rehabilitation projects; there is not enough relevant and realistic education for our young people. Alarming little emphasis is placed on harm reduction, to which Keith Raffan referred earlier. I will expand a little on those areas.

In Dundee last week, Sheriff Davidson commented, when sentencing a 20-year-old man to a jail sentence, that he felt that there was a need for a residential drug rehabilitation centre. He did not think that going to prison would help that young man—quite the opposite—but he had nothing else at his disposal. That young man had to be taken out of the community, therefore he ended up in prison. That will not help him, and it will not help the community that he eventually comes back to. I hope that the need for a centre will be considered seriously, to allow people like Sheriff Davidson to do the job that they should be doing, which is not just to punish people, but to help them.

In terms of education with a view to preventing kids getting involved in drugs in the first place, it is patchy, and sometimes evangelical. We must ensure that sufficient funding is directed towards relevant education, and not just in schools. For example, it should be directed to The Corner in Dundee, which was mentioned earlier, and is an excellent project. However, such education must take account of the society that our children live in and the pressures that they face, which are different to those that we faced when we were younger.

I welcome the pilot schemes that Angus MacKay announced last year that aim to get kids involved in sport as an alternative to being involved in drugs. However, we must examine the effects of issues such as cuts in local government spending, which have resulted in leisure centre closures in some areas. To give additional funding on one hand but take it away on the other could create problems, so that we would be going round in circles.

I will finish on the important issue of harm reduction. I know that a lot of people are uncomfortable about it, because it means that we have to accept that, in spite of our best efforts, people will take drugs. We would have to commit ourselves to ensuring that the people who take drugs know how to take them safely, and that they have the means to protect themselves with education, needle exchanges, chill-out rooms, access to water in nightclubs and clean paraphernalia, which Keith Raffan mentioned. Those are simple measures to save lives.

We must have a realistic drugs policy. I welcome the commitment of the Executive, but I want every penny that will be spent on drug prevention to make a difference.

15:52

Fiona Hyslop (Lothians) (SNP): I welcome this debate. It is interesting that we are having to address what we mean when we talk about the drugs problem, because numerous issues have been raised, such as anger at dealers, the desperation of parents who have lost their children and the victims of drug-related crime. There are many problems, many issues and many solutions, and there is no quick fix. None of the problems can be tackled until the objectives and strategies are known. On that point I agree with Donald Gorrie.

Of course, there are different drugs. In mentioning substance abuse in our amendment, we include alcohol abuse. If we include alcohol in that category, we will get more respect and attention from young people who so frequently accuse older generations of hypocrisy. That is the approach that other countries, for example, Australia, have taken in tackling their drugs problem.

There are big differences between different areas, for example, between Edinburgh and Glasgow. Types of behaviours with regard to drugs change, and they change quickly. Even in West Lothian, as well as in Edinburgh, we are seeing increased heroin use and availability of cocaine, which has infiltrated the dance culture there. Interestingly, the West Lothian DAT has recognised the importance of alcohol issues as part of the progression of those drugs. Yesterday, I spoke to senior drugs officers in Lothian and Borders police, who told me of the pace and change of drug use. For example, dealers are manufacturing new drugs that escape current statute definitions.

This issue is one of economics. We must tackle supply and demand. We must deal harshly with dealers, but we also know that the economics of the system means that, like the heads of a hydra,

if one dealer is dealt with, another will spring up in their place. We should identify the drugs economy in our schemes and communities as one of the problems to be resolved. We have to provide alternatives.

Ms MacDonald: Does Fiona Hyslop agree that the terminology that she used, with all due respect, can be confusing? The person who makes a profit from selling drugs is not someone whom we want anything to do with, except in terms of punishment. On the other hand, often the dealer is the user is the supplier. That is why we need to look clearly at who is taking drugs, why they are doing so, where they are taking them and when they are taking them. No longer is it enough to talk about dealer and user.

Fiona Hyslop: I think that Margo MacDonald pre-empted some of my comments.

A lot of money that is circulating in communities is drug related. The Scottish Drugs Forum's shared agenda for the Scottish Parliament recommends that there should be substantial investment in legitimate economic activity to counter and undermine the illicit drugs economy that is currently gripping the multi-deprived communities in Scotland. We must provide ways out of drug abuse. The average age of people seeking assistance in Glasgow is 25, with an average of seven years of drug use—seven years without any intervention. We must address that issue.

We have to use joined-up thinking. We need to think about what we are doing in our prisons. In Glasgow, many of those who died because of drugs in the last year had come out of prison less than two weeks before they died. That demonstrates the need for a holistic approach. I know that the Executive wants to do that, but it is important that we have a body that can hold the Executive to account and ask what is happening in our prisons, what is being done to provide alternatives to drugs in our communities and what is being done to address the economic problems of the communities that are badly affected by drugs.

We need to consider the role of the Executive and Parliament. We need to look at the pace of change. We have lost some momentum since the 1994 ministerial task force. I believe that the Executive wants to move quickly, but issues change quickly and need to be continually monitored. A parliamentary committee would allow us to do that. What would the committee do to ensure accountability? We could examine the drug action teams and the audit that is being done. We could find out about the international experience. The Parliament must take ownership of the drugs debate because it is about partnership—partnership within the Parliament and partnership

between the Executive and Parliament. What is missing is the accountability that a parliamentary committee on substance abuse could provide.

15:57

Phil Gallie (South of Scotland) (Con): I apologise for not being in the chamber this morning. My absence was due to personal reasons.

Irrespective of whether the motion is accepted as it stands or is amended, the multi-agency approach will be approved. As Kate MacLean suggested, there is a concern about the multiplicity of agencies involved. Has the minister had any representations made about the individuals who are involved in one or two of the groups, and does he have any concerns about aspects of control of the groups?

A few years ago, I was privileged to work with the Scottish Affairs Select Committee when it examined this issue. Donald Gorrie's comments about the UK's approach being a shambles are reasonable, but the situation applies across the world. When I visited America, I found that there was a range of approaches to the problem and no central drive. That gave great cause for concern.

Much has been spoken today, I understand, about the rehabilitation aspect of action against the drugs problem. Rehabilitation is not a cheap option; it does not last a week or two. To ensure effective rehabilitation, a person might have to be taken away from their community for as long as six months or more. We must provide hope for people when they come out of rehab. Facilities must be provided for them.

Tommy Sheridan (Glasgow) (SSP): Phil mentioned that rehab is not a cheap option. Does he agree that it is better value for money than spending money on enforcement? All observers agree that, for every pound spent on rehab and treatment, £3 is saved on enforcement.

Phil Gallie: There is a balance to be struck. We need the enforcement, but we also need the rehab. This morning, my colleague Mary Scanlon made a suggestion about the future use of Penninghame prison. That would be a positive way forward; I would like to think that some cash could be injected into that, perhaps by enforcing and using the confiscation laws that the minister investigated in Ireland. Perhaps money could be extracted from those who sell drugs, to boost the cash that is available for rehab. I would go along with Mary Scanlon on the proposals that she made this morning.

Comments have been made today about methadone. The Scottish Affairs Select Committee was much divided on that issue. Eric Clarke, for

one, had great reservations. Quite honestly, methadone has to play a part as well—it is about harm reduction. People are not put on to methadone for the long term, but to try to ease them away from heroin. A pharmacist in Ayr approached me about the way that the methadone system works at present. We have to consider methadone; supervised prescription is important. The pharmacist mentioned a situation in which a methadone user was given a litre bottle of the drug. He was later heard to argue that he used 200 ml; the rest was for sale. It is a valuable programme, but we have to guard against such incidents in future.

The issue is wide—there are many concerns. It is not an issue at which we can simply throw money; we have to put heart and soul into it. Kate MacLean referred earlier to the chill-out areas and so on that are needed in clubs. I was horrified when the local licensing committee shut down Hangar 13 in Ayr. However, after that, a bill was introduced, the Licensing (Amendment) (Scotland) Act 1996, that addressed some of the points to which Kate referred.

16:02

Karen Whitefield (Airdrie and Shotts) (Lab): In many ways, I would rather not have had to speak in today's debate. I would rather that we lived in a society without the misuse of drugs. Unfortunately, that is not the case. The abuse of drugs is destroying communities, leaving the people living within them feeling powerless and trapped. The impact that drug abuse can have on health and crime is well documented. Recent research in Glasgow indicates that the city's 8,500 heroin injectors were committing an estimated 2.6 million offences a year.

When that information is added to the evidence of the correlation between deprivation and some types of drug abuse, it becomes apparent that many of our most deprived communities face the greatest difficulties. The overall effect of that is to erode the sense of community within neighbourhoods. That is particularly worrying, as it is that very sense of community—the belief that communities are strengthened by acting together—that is the key to tackling this problem.

Just as communities are being encouraged to be active participants in the process of tackling poverty, we must encourage and support those communities to take an active part in the fight against drugs. I recognise and commend community organisations throughout Scotland that are already engaged in that fight. However, we need many more recruits for this war. We must ensure that communities are given the necessary support to participate on an equal footing within partnerships. We must also ensure that their

opinions are given equal weight. Most important, we must demonstrate that this Parliament understands their fears about drug abuse and is willing to take whatever measures are required to reclaim our communities from those who deal in drugs.

There is no single solution to this problem. We need a multi-faceted approach and tough laws to crack down on those who peddle drugs. We need rehabilitation and harm reduction facilities. As important, we need to educate our young people in a way that is meaningful to them. If we are to do that, the resources used to inform young people must be up to date, engaging and properly targeted. I am pleased to say that, in that respect, Lanarkshire is leading the way.

"What's the Score?" is an education pack written for teachers by teachers. The content of the pack was influenced by discussions with pupils, parents, teachers and relevant agencies. The pack is aimed at children from primary 1 to secondary 4 and was created by North Lanarkshire Council, South Lanarkshire Council and Lanarkshire Health Board with the support of the Lanarkshire drug action team. The pack is evidence of the benefits brought by partnership working and the involvement of the private sector, which funded the printing and publication of the pack. I would like to encourage the Executive to ensure that all local authority education departments have the opportunity to benefit from this excellent resource.

We need a strategic and co-ordinated response to the problem of drug misuse in Scotland. The corporate action plans of local drug action teams must complement community plans, health improvement plans and targets set within our social inclusion partnerships. The commitment to combating drug dealing through a powerful and well-resourced drugs enforcement agency must be matched by a resolve to provide adequate rehabilitation facilities.

The establishment of the ministerial committee on drug misuse is a vital first step in co-ordinating resources, information and policy. I urge the minister to strive constantly to include members of our communities in the process of understanding and tackling the problem. It is only by rebuilding and empowering Scottish communities that we will begin to combat seriously the misuse of drugs.

16:06

Ms Sandra White (Glasgow) (SNP): We have had a good debate and I take on board what has been said, particularly by Christine Grahame, about alcohol abuse—I hope that the Executive will also take that on board. Members were correct in their comments on the extent of alcohol abuse in Scotland and that is why the SNP amendment is

relevant. I hope that members read the amendment carefully and support it.

Although I agree with what was said about the problem of alcohol abuse, I believe that we should be under no illusions about the seriousness of the drug problem that we face in Scotland, particularly in Glasgow and the west of Scotland.

Many experts have pointed to the link between deprivation and drug misuse, as Karen Whitefield said. It is evident that many young people from the worst housing schemes in our cities—particularly Glasgow—have no hope and no prospects and eventually turn to drugs. We have all seen the recent reports of the deprivation in Glasgow. I make no apologies for mentioning Glasgow. I go along with Johann Lamont's suggestion that the Glasgow MSPs and the Executive should get together to present Glasgow as a special case.

There are compelling reasons to believe that deprivation has contributed to the grim statistics, including the 146 drug-related deaths reported by Strathclyde police. Only yesterday, we saw the problems that drug misuse can cause families: a heroin-addicted couple were convicted at the High Court in Glasgow for the terrible neglect of a young child. That is just one example of the misery that drugs cause, not only for addicts, but for their families.

As I said, Glasgow has a major problem with drugs. In 1990, there were an estimated 8,500 drug injectors in greater Glasgow; it is believed that there are now more than that. Research has also found that 40 per cent of 15 to 16-year-olds in greater Glasgow have tried illegal drugs. The majority of addicts are under the age of 30. That is what concerns me most—young people's lives are being snuffed out because of drugs. That is a major problem in Glasgow and we need the facilities to attack it. I hope that the Executive will respond to that. It was also found that those admitted to hospital for drug misuse were 30 times more likely to come from deprived areas of the city, which again demonstrates the link between drug misuse and deprivation.

Research has found that drug injectors in Glasgow spend an estimated £160 million annually on drugs. That spending is financed mainly by crime—from the sale of stolen goods and drug dealing. A recent survey of 168 injectors in greater Glasgow found that they committed an average of 26 offences per month each. Strathclyde police have also identified a strong correlation between drugs and house-breaking.

The misuse of drugs has a devastating effect. It is a major contributory factor in crime—the front page of *The Herald* yesterday carried a report on attacks on the elderly. We all suffer, not just the drug abusers and their families. Whole

communities suffer.

The cost of keeping the estimated 1,000 drug misusers from the Glasgow area in prison is approximately £26 million a year. It is clear that, as well as causing misery for thousands, drug misuse is a major drain on public resources.

The creation of the Scottish drugs enforcement agency and the moves to improve drugs education and awareness are welcomed by everyone, I assume, in the chamber. However, we must create real jobs and real opportunities for young people. It is our duty to restore hope to those communities where all people have is despair. I hope that the Executive will take that on board. As Fiona Hyslop said, providing real jobs and real opportunities is the one way in which we will stop drug misuse in the Glasgow area.

16:11

Pauline McNeill (Glasgow Kelvin) (Lab): Last year, the Justice and Home Affairs Committee heard from the Scottish prison chiefs that drugs are now the No 1 problem in our prisons. During our visit to Low Moss prison, we heard from the governors about some of the ingenious ways in which drugs are brought into an enclosed environment. It is of major concern that that is out of control. I agree whole-heartedly with Richard Simpson, who said this morning that prisons are not equipped to deal with drugs.

Drugs have become the No 1 barrier to tackling social problems, affecting prisons, policing and communities. The Labour partnership is beginning to tackle the problems in the right way.

In my constituency, parts of Anderston are commonly known as the red light district. Anyone who has passed through this city centre area—with its bus station and several hotels—after dark, will say that what they saw was heart-rending.

Fifteen years ago, the police used to say that Glasgow had a prostitution problem. In 2000, that problem is more complex, accentuated by drug use, addiction and a vicious and violent circle—vicious because the women who present themselves on the street have to get high in order to cope with the experience of prostitution, and violent because some of their male partners in the vicinity, as we know from the police, have weapons close by. That is partly to look after the women, but it creates a violent circle from which it is very difficult for the women to get out.

Of the women working on the streets who are referred to by law as common prostitutes, 95 per cent are drug users, mainly using heroin. It is because of such startling facts that I recently joined the Routes out of Prostitution social inclusion partnership, which meets and works in

the heart of the red light district in Glasgow Kelvin constituency. The partnership brings together a range of people—including people from the police, health and social services—who are seriously committed to working together towards finding a genuine alternative for the women and men who are working the streets in Glasgow city centre.

I pay tribute to that project. It has already analysed why those women have become drug addicts. The reasons include: male partners who introduce them to drugs; experience of child sexual abuse, which can lead to drug taking at an early age to blank it out; an introduction to or an increase in drug taking to cope with the experience of prostitution; and homelessness or a hostel culture, which can introduce women—particularly young women—to drugs and prostitution.

To provide effective support to women drug users, the Routes out of Prostitution project has found that it is necessary to acknowledge and understand a range of complex and interrelated factors. Many of my colleagues have spoken about that. It is also crucial to recognise that drug dependency is not gender neutral and that different approaches to working with women and men are necessary.

Many women face charges for shoplifting, soliciting and non-payment of fines. The Executive has been very responsive to the specific problems of women offenders, which has been a significant change of direction.

The Turnaround project has been operating in the criminal justice system since 1997, with support from the Scottish Executive and Glasgow City Council. It takes drug workers to women in the cells, in courts and in prison and encourages them to address their drug problems. The project is also piloting Scotland's first diversion from prosecution programme for women drug users. The aim is to reduce the number of women sent to jail in the first place by working with the procurator fiscal's office to provide an alternative to prosecution.

Schemes such as Turnaround play a vital role in the Scottish Executive's plan to tackle drug-related offending and prevent women from getting caught up in a vicious circle of criminal activity to feed their drug habits. As legislators, we can learn from the work of Routes out of Prostitution about the need to develop a genuinely sensitive approach to working with women drug users and the need for greater access to methadone prescriptions and detoxification services. Furthermore, there is a particular need for effective early prevention strategies and early intervention for young women.

It is sad to live in a city where heroin is available for £10 a bag, which is cheaper than a bottle of

spirits. The drugs menace has the potential to spiral out of control. The Executive motion has found the right balance by considering agencies working together, rehabilitation programmes and drug enforcement. We need all those measures to tackle the drugs menace in our society. No party has the monopoly on finding a solution to the problem.

The Deputy Presiding Officer (Patricia Ferguson): We will now move to the closing sections of the debate. Seven members were not called in that section of the debate, but I should say that we make a note of such members and we try to make recompense in future. I call Euan Robson to wind up for the Liberal Democrats.

16:16

Euan Robson (Roxburgh and Berwickshire) (LD): This has been a welcome and necessary debate because all drugs, including alcohol, are central to some of the biggest problems in Scotland today.

I begin by emphasising the point made by Keith Raffan and Donald Gorrie that total UK drug-related expenditure was about £1.4 billion in 1997-98 and that 75 per cent of that amount was spent on enforcement, 13 per cent on treatment and 12 per cent on prevention and education. We believe that the balance must be shifted significantly towards treatment, rehabilitation, prevention and education.

The local police in my area say that we must break the recidivist cycle of arrest, conviction, part-treatment and return to the street unprotected from the attention of local dealers and suppliers. Through care and after care are essential and must be developed for the individuals concerned. I was given a forceful example of that when the Justice and Home Affairs Committee visited Longriggend prison, where two young remand prisoners told me succinctly that the first knock on their door after their release was from the local dealer.

Treatment and after care will reduce demand for drugs. That is essential, because, despite the effectiveness of efforts such as Operation Spotlight in Strathclyde and Operation Foil in Lothian and Borders, middle-rank drug dealers will always be replaced quickly if the demand still exists. The vacuum created by arrest and conviction is seldom long lasting; why else is it that seizures are rising dramatically—which is welcome—but, as we agree, we are still losing the war against drugs?

Treatment and after care are also cost-effective. It costs about £30,000 a year to keep an individual in prison, whereas the most intensive community-based treatment costs no more than about £7,000

a year. Indeed, Glasgow City Council estimates that an average sheriff court trial with a jury costs about £7,700 while an average diversion case costs £400.

Such measures are also good for communities. Breaking the recidivist cycle cuts the cost of crime and the amount of damage caused by drug-related crime throughout Scotland. Another important statistic is that, as recent surveys have shown, patients prescribed methadone commit four property crimes a month compared to 15 before treatment.

I especially agree with Richard Simpson that drug dealers and users are found in nearly all our towns and villages. That is certainly true in my constituency, and many members will doubtless be familiar with complaints at surgeries from people from what used to be quiet, law-abiding areas suddenly finding that new neighbours receive visitors in the small hours of the morning, with associated noise, disruption and far worse.

The drugs enforcement agency proposals need more clarity and we need to think more clearly about the body's purpose. A further debate on that would be welcome in due course.

I reiterate what Keith Raffan said, because it is also my experience—local police divisions are concerned about the extraction of experienced officers to the drugs enforcement agency. They point out that it takes three or four months to put a police officer on the streets. Recruitment to the DEA must, therefore, be phased so as not to put local policing at risk. I know that we will consider the matter in the months to come, but it is important to emphasise that point up front.

I was pleased to hear the remarks of the Deputy Minister for Justice about the need for civil forfeiture to be developed at a European level. That is extremely important, because measures must comply with the European convention on human rights. In addition, we must ensure that forfeiture does not breach the principle of innocence until guilt is proven. There must also be protection for the innocent dependants of those involved. We must be careful with this issue and ensure that those two principles are safeguarded.

I ask the minister to ensure that, when convictions are secured, there is effective pursuit and capture of assets gained through illegal means. There must be reinvestment, preferably in treatment, education and rehabilitation services. That would be a worthwhile achievement.

I have two final points. First, I agree entirely with Donald Gorrie's remarks about alcohol. Alcohol is an extremely grave problem, which should not be disassociated from this debate. As Christine Grahame pointed out, alcohol is an endemic problem in some areas—I am sure that we all

have some constituency experience of that.

Secondly, we feel that the SNP amendment replaces too much of the Executive's motion, so we will vote against it. However, as Keith Raffan said, we are not opposed to the proposal to establish a cross-cutting committee. The matter could be put to the conveners committee and we must return to it—preferably soon—once the Social Inclusion, Housing and Voluntary Sector Committee has completed its report.

16:22

David Mundell (South of Scotland) (Con): As others have said, today's debate is long overdue. Drug misuse is a problem that affects each and every person in Scotland. The people of Scotland surely expect their Parliament to tackle it.

The debate has been refreshing, with excellent contributions from across the chamber. Johann Lamont's speech was very poignant, as was Pauline McNeill's, and I was interested to hear what Tommy Sheridan had to say this morning.

As has been said, it may be time for a more mature and open debate about drug use. It would certainly be a test of the maturity of this Parliament to have such a debate and to move away from the vilification of those who express frank and honest views. That is not a concession on the position of zero tolerance, the argument for which will best be won in an informed debate, rather than in an atmosphere of hysteria and hypocrisy.

What has been particularly refreshing about the debate is the fact that no one, not even from the Executive, has claimed that there is one simple solution to the problem of misuse and its devastating human consequences for young lives, families and communities. There is not.

That does not mean that doing nothing—or believing that others will do it for us—is an option. We believe, as Lyndsay McIntosh set out this morning, that there should be a minister with full responsibility for the drugs issue, which is why we lodged our amendment. We are also interested in the SNP's proposal, which, if its amendment is not carried today, we agree should be considered further.

In addition to the human cost of drug misuse in Scotland, the financial cost is now so huge that we are unable to calculate it properly. The figure is so frightening that some people probably do not want to calculate it, but it is time that we did, because we are all paying the price.

We have heard a ream of statistics in this debate. Given that 80 per cent of shoplifting is drug related, each household is paying for drug misuse in its weekly shopping bill. People are paying for it in their home and car insurance,

because of drug-related crime and burglaries. They are even paying for it in their electricity and telephone bills because two men have to go out to do a job instead of one, so that someone can stay behind to look after the van in case it or the tools are nicked. We are paying for the problem in income tax and council tax. A huge proportion of accident and emergency admissions to hospital are drug related, including a significant number of failed suicide attempts, the result of which is psychiatric after care.

It is becoming increasingly obvious that there is also a cost at the workplace—to business and employers. Although mainly anecdotal, the evidence seems to suggest that drug misuse affects performance at work and leads to prolonged absences from work.

I contend that there is not a person, business or organisation in Scotland that does not have a stake in tackling drug misuse. That is why we need to galvanise all our citizens, businesses and institutions to come together to create the climate in which the issue can be tackled and to dispel the "it's not my problem" culture.

Employers have to face up to any problems of employees smoking a joint in the toilets at break time, not least because that is a criminal activity. It is also a problem for an employer if someone cannot come to work on a Monday morning because of a heavy weekend. A report that I heard about this week shows that Monday morning absences from work are at record levels.

Ms MacDonald: What David Mundell has just said illustrates perfectly a general point that SNP members are making—that we must consider the abuse of substances other than "drugs". Many more people cannot turn up for work on a Monday because they have been drinking.

David Mundell: I absolutely agree with that.

Let us dispel the myth that anything serious can be done about drug misuse and substance misuse without each and every one of us playing our part, and without each of us opening our eyes to the horrendous human and financial costs of the problem.

I am always cautious about saying that I have had no personal experience of drug taking, not least because I always fear that I might have suffered from a period of memory loss immediately afterwards. To the best of my recollection, I have not had such experience. I am also cautious about saying it because I do not believe that we should live in a culture in which people hold themselves to be whiter than white while vilifying others who are willing to admit errors of judgment.

On a personal level, although I am a parent of three small children and generally think of myself

as a man of the world, whatever that means, when I stood for this Parliament, I knew nothing about the real facts and consequences of drugs. We must do more to dispel the culture of ignorance among adults. Every parent, manager, teacher, businessman and ordinary citizen must take personal responsibility to learn more. How many of us have heard parents say, "My children know more about drugs than I do"? How can parents know what their children need to know if they know nothing themselves? Do they know that it takes only £10 to purchase a piece of heroin? Do they know that that piece of heroin in its wrapper looks just like a tiny crumpled-up piece of paper? Do they know that heroin is in fact available free in the current market—where crack cocaine is flooding some areas—if the dealer wants people to get hooked?

As other members have said, we have to get real. I welcome the Executive's attempt at a cross-cutting approach, but no Executive alone will solve the problem; we all have to play a part.

What about our young people, many of whom seem so confident and seem to know it all? The truth can be very different. I spoke to some young people from the south of Scotland at the weekend who said they had had only an hour's drugs education in their whole time at school. I spoke to some who felt that their teachers knew less than they did and to others who, having attended classes given by the police—I am sure with good intentions—felt that the whole issue had been put in a criminal rather than information context. There are excellent programmes in some parts of Scotland but no uniform approach. Education is central to progress. It should involve young people and encourage them to talk to other young people in an informed way so that peer pressure has a positive effect, steering people away from, not on to, drugs and unsafe practices.

At the weekend, I also met Paul Betts, the father of Leah Betts, who died on her 18th birthday after taking ecstasy. Paul and his wife now live in Scotland and have been giving the other side of the story to schoolchildren in the north, where they live. He is shocked by young people's ignorance about the drugs issue. The approach of giving young people in school the real facts has much to commend it.

I have said that drugs affect everyone but I agree that, as Johann Lamont said, the greatest impact is on those who live in the worst social and economic conditions. From my informal discussions with police officers and others, I know that the consensus is that drug use—particularly heroin use—and poverty are inextricably linked. When Dr Elaine Murray and I recently accepted an invitation from local police to oversee a major drugs operation in Dumfries, the people and

dealers arrested were not from the so-called posh parts of the town but from the run-down bed and breakfasts and poorer housing.

Let us not forget the link between drugs and prosperity, however. As well as debating drugs again, let us spend more time discussing how we can make and keep Scotland prosperous.

16:32

Mr Lloyd Quinan (West of Scotland) (SNP): As others have said, today's debate has been carried out in a more honest way than has previously been the case in Scotland. We have heard different approaches to a very difficult subject, allowing each and every one to express their ideas. It appears that the Deputy Minister for Justice is prepared to accept many of the ideas advanced today, which is a great step forward, and the Parliament should be proud of that.

We seem to be beginning to understand that chaotic drug abuse, which results in addiction, is the front line. Most stories and anecdotes today have been about chaotic drug users and addicts, although they account for only 1 to 3 per cent of drug users. We must deal with that area, but if we are honest about dealing with abuse and substance misuse, we need a committee and we need to develop a proper delineation between chaotic use, misuse, addiction and recreational drugs. I cannot concur with the Conservative view, expressed by Lyndsay McIntosh, that it is wrong to use the term recreational use. It is a failure of reverse political correctness not to recognise that every weekend in the UK upwards of half a million young people take what they would term recreational drugs. The question is not whether we accept that concept—we need to look at why people use such drugs.

Mrs McIntosh: I have no hesitation in accepting that many people use that phrase. My main concern is that the phrase conveys the wrong impression. I do not doubt Mr Quinan's statistics and I do not doubt that many people use drugs for what I hesitate to call recreational use.

Mr Quinan: Lyndsay exemplifies the failures in this debate in recent years. She does not want to refer to recreational drug use, but she does not use ecstasy. Those who do see it as a recreational drug, and we must recognise that—it is that simple.

More people have died in the past 10 years in the United Kingdom from nut allergies than from the use of ecstasy as a recreational drug.

Mr Brian Monteith (Mid Scotland and Fife) (Con): I do not wish us to get bogged down in semantics, but I feel that we are discussing the fact that somebody who steals a car to drive it

round a built-up area at 60 mph might call that joyriding, while the rest of us will not. Lloyd Quinan's point is well made, but many people will not accept the concept of recreational drug use. Those who take drugs might feel that way, but others will feel differently.

Mr Quinan: I accept that Brian feels differently—that is fine, but I have made my point. If we do not begin to understand the people who have that view, and the terminology that they use, our understanding of the debate will be incomplete.

Members have come to the conclusion that addiction is a health problem and I welcome the fact that the justice department, supported by the health department, is leading the Executive contribution to the debate. That shows that there is recognition that addiction is not a substance abuse problem—it is a health problem. Recognition of that means that, as the SNP suggests, we must look at the broad issue of substance abuse. That includes use of prescribed drugs and misuse of illegal and illicit drugs. Most important, it includes misuse of solvents and of alcohol, on which Scotland has the worst record of abuse—apart from Czechoslovakia—in Europe. The amount of the health service budget that is used to deal with that and tobacco-related diseases is far greater in real terms than the amount that will be needed to deal with the drugs problem.

John Young (West of Scotland) (Con): I lodged a written question to Susan Deacon on how much drug-related illnesses cost the national health service. In her reply, she said that no calculation was made on that basis. Is not it difficult, therefore, to make such comparisons for illnesses such as drug-related illnesses? Those illnesses might cost millions or—for all we know—billions.

Mr Quinan: Let us get back to the crux of the matter. The SNP calls for a substance misuse strategy committee—not to criticise what the Executive intends to do, but to assist it in carrying it out. We want to help the agencies that are involved to carry out their work and to tackle substance abuse. More important, such a committee would help members of the Parliament to understand properly the issues. I know that many members from different parties support that idea—I hope that John Young can.

As Angus MacKay pointed out, it is important to understand that we are up against an international business that constitutes 4 per cent of world trade. We must recognise that it is an extremely sophisticated industry. It is ironic that the Royal Navy's current recruitment advertisement on television shows the Royal Navy carrying out a drugs bust in the Caribbean. It would be more useful to see the Navy working with Customs and

Excise officers, and reinstated coastguard stations on our west coast—whence drugs are leaked into Europe. The SNP pleads that Angus MacKay speak to his UK equivalent about the reinstatement of coastguard stations and reassessment of the number of Customs and Excise officers on Scotland's west coast.

I also suggest that we need to discuss the possibility of extending the remit of the fishery protection vessels that operate on the Atlantic coast and to consider drug seizures from ships that might be involved in illicit trade.

Most important, as Fiona Hyslop and Roseanna Cunningham said, this is an economic problem. We are up against a great industry. It is estimated that, in Glasgow last year, the black drugs economy was worth about £80 million to £100 million. If that estimate is correct, surely we have to match it pound for pound. If we were to take £80 million out of Glasgow's economy—because that is where that money is—we would have to replace it.

The proposed committee would be useful because it would deal with the broad range of issues. Whether we like it or not, the Scottish economy is, to some degree, underpinned by the black economy of the drugs trade. As I said to the minister this morning, if we do not have a proper and consistent audit of the black economy, how will we tackle the potential poverty that we would create by eradicating the drugs trade? Admittedly, we all know that that cannot happen tomorrow, next week or even within the next couple of years, but we could begin the process.

We believe that the best way in which to develop this afternoon's great debate is to institute a substance misuse strategy committee and to allow that committee to assist the Executive and the agencies on the ground. That would genuinely allow the Parliament to deal with the many issues around substance abuse and misuse in Scotland.

I recommend the SNP's amendment to members and ask them to vote for it.

16:42

The Deputy Minister for Community Care (Iain Gray): We have had a wide-ranging and constructive debate, which does not surprise me because we know that there is a genuine desire to address the problem across the chamber and across Scotland. In that spirit, we will take away and consider many of the points made today, and I will try to respond to others now.

I want to deal early in my speech with the issue of alcohol abuse, which was raised by many members, but most passionately and eloquently by Christine Grahame.

Believe me, the Executive knows that it cannot deny the damage wreaked on our society by alcohol. The debate about whether we should tackle alcohol and drug misuse separately or in tandem is alive in drug actions teams, in the NHS and in the ministerial committee. While today's debate dealt specifically with drug misuse, one message that the Executive must take away is that of considering an early debate on alcohol abuse, to give the subject the time that Christine Grahame's statistics show that it warrants.

Both the SNP and Conservative amendments have considerable merits. However, we believe that neither can be wholly supported and I will come to the reasons later in my speech.

First, I will return to the bigger picture, which is one that we largely share. We are striving towards concerted action to deal with the drug problem—action that embraces all the agencies that work on the problem on a daily basis as well as those who are affected by it. As David Mundell said, the truth is that we are all affected by drugs—every police officer, teacher and parent knows that. We can all make a difference, in our own ways, if we commit to a joint approach.

That is what "Tackling Drugs in Scotland: Action in Partnership" is about. It is a long-term strategy because no short-term solutions are available—remedies must be long term and sustained—and because we must win the agreement of all key partners involved in its implementation for the long haul. We must develop clear and agreed objectives. We must bring together the key elements for success, and bring them together in a coherent way. The action that we take must be monitored and reviewed on a continuous basis, so that we know what works.

This morning Angus MacKay talked about what we have done so far to turn our strategy into action. That action is based on four key pillars: young people, communities, treatment and availability. In her excellent speech, Fiona McLeod was quite right to say that we must think about our young people at every turn. That is why they are the first of the four pillars of the strategy.

Richard Lochhead (North-East Scotland) (SNP): The minister mentions availability and treatment. Does he agree that Grampian Health Board's current policy of sending patients to rehabilitation and detox facilities in England is not appropriate and illustrates the lack of facilities in that region? Is he willing to speak to Grampian Health Board about its policy?

Iain Gray: Angus MacKay and others have made the point that there is no one problem and no one solution. Questions of the sort that Richard Lochhead has just asked are for the drug action team in Aberdeen. I will say a little more about

how we intend to make the drug action teams more effective. There is also a live debate about which are the most appropriate rehabilitation facilities. This morning we announced some research to ensure that decisions are taken on the best information. The issue that Richard Lochhead raises would be informed by better information, which we hope to have in the near future.

Mr Andy Kerr (East Kilbride) (Lab): In his speech this morning, Angus MacKay mentioned the posting of information and access to data on the web. Does the minister share my concern about websites that do harm, advertising the availability of narcotics in locations throughout Scotland? That is a sad development and a misuse of the web.

Iain Gray: I certainly share that concern. Earlier Fiona Hyslop said that we face a hydra, and that the moment one of its heads is cut off, another springs up. This is a good example of that, and we must be constantly on our guard. It reminds us that we are dealing with an international business that will use every kind of new technology to get at our young people. We need to fight back against it in all arenas.

I repeat that the four key pillars are young people, communities, treatment and availability. Our approach, based on those pillars, is to co-ordinate action across Scotland, so that all the arms of Government work together to ensure that existing funding of drug misuse services is used properly; to identify where extra funding could make a difference; to measure progress and act where it is not achieved; and to identify gaps in that action and fill them. We seek to work in partnership with all the main players, to act on the basis of top-class research, information and evaluation, and to seek out and produce that information when it is not available.

Ms MacDonald: Is the minister's strategic objective to eradicate all drug misuse in Scotland?

Iain Gray: That would certainly be our aspiration, but we are dealing with a difficult and complex question. In every area of action, we must set clear objectives that take us closer to that aspiration.

We have indicated that within 90 days we will set out in a comprehensive action plan the ways in which the Executive will support that work. However, we have already begun to take specific steps. First, there is a clear ministerial lead for the strategy, supported by a Cabinet sub-committee. That not only gives clear leadership but ensures that all departments play their part. It does not separate drugs—a pervasive and insidious issue that affects every area of government in Scotland—from day-to-day government, as the Tory amendment would do. It does not try to carve

out separate funding by unifying budgets in a way that would make it seem that work on drugs was something extra or separate from the work of our departments. We believe that it is the best way to promote concerted action on drug misuse.

We have taken specific steps on drug action teams. We have asked them to report to the centre annually, so that their plans can be tied in. A number of members expressed doubts about the effectiveness of drug action teams. Brian Adam characterised them as having lots of strategy but no action. Although that is true, it will have to change. Angus MacKay is meeting every drug action team in Scotland—he is often accompanied by me or other members of the Cabinet sub-committee. His key message is that the drug action teams are about action.

There are good examples; Des McNulty spoke about the successes of the greater Glasgow drug action teams. Drug action teams are vital if local action is to be locally sensitive. They are the arena in which a specific Glasgow strategy to deal with the conditions in Glasgow, about which several members have spoken, can be created. They are a recognition of the SNP's point, which was well made by Roseanna Cunningham and others, that there is not a single problem and we cannot have a single solution.

However, we do not favour the formation of a new parliamentary committee on substance misuse. That is partly for the practical reason that it would create pressure for committee members. Even some members who spoke in favour of such a committee said that, although they supported it in principle, they understood that it would pose difficulties for many people who wanted to be members of it.

Mr Keith Raffan (Mid Scotland and Fife) (LD): The idea of a parliamentary committee has been mooted over several months by members of all parties. It is a matter on which the Parliament should decide—perhaps through the committee of conveners. Does the minister agree that, as a compromise, we could remit the matter to the committee of conveners, to be considered before the summer recess?

Ms MacDonald: On that point, if the minister finds after consultation that, because of the pressure of work on members, the route that Keith Raffan has described is not the most advisable, will he consider having a commission outwith Parliament that could assume the work load and report to Parliament?

Iain Gray: Keith Raffan makes a good point. I expressed the Executive's view that such a committee would cause practical problems, but I will say something about the alternative places to discuss the subject.

Another reason against having a parliamentary committee on drugs was raised by Johann Lamont, who powerfully argued that drugs should be a concern of all our committees in their day-to-day business and should not be separated. We are pleased that the Social Inclusion, Housing and Voluntary Sector Committee has led the way on the issue.

Practical reasons, and the fact that the SNP amendment deletes so much of the motion, are why we oppose the amendment. However, as Keith Raffan said, a number of members have said that they will pursue the idea of a committee on drugs, and that is their prerogative.

Specific steps have been taken to improve treatment and prevention: additional funding of £6 million per annum for drug treatment services over the next three years; £1 million for the community programme of Scotland Against Drugs; £2 million over two years—

Brian Adam (North-East Scotland) (SNP): A number of members have suggested that there is a link between drug misuse and social deprivation. Although I recognise that that might well be the case, we should also recognise that the drug problem is not exclusively associated with areas of social exclusion. In particular, I highlight the problems in east coast fishing communities such as Fraserburgh, where drug misuse is not related to social exclusion. We must be careful about how we target resources and should not label deprived areas as sinks that are associated with drugs.

Iain Gray: I note that point, which is well made.

The Executive has taken steps towards understanding what works, so that when money is spent, it is effectively spent. We have established a drugs information team at the Executive and will be setting up a new website covering the matters that Andy Kerr mentioned earlier. We have established the first ever drugs research programme and an all-Scotland drugs prevalence study. We have allocated £300,000 for a new prevention and effectiveness unit.

I can assure members that we want further through care development. Many members have, quite rightly, raised that issue. We are committed to through care for prisoners after they leave prison. Today's comments about the pointlessness of providing in-prison rehabilitation if there is no follow-up were absolutely correct and cannot be refuted. That is why the Scottish Prison Service is working on a holistic strategy, and its representatives sit on drug action teams and co-operate with all the other key agencies.

Members referred to the CARATs scheme in England, but that was introduced to deal with the complete lack of drugs services in prisons in the past, and the situation is different in Scotland.

The Executive is taking steps forward on enforcement. Over the next two years, £10 million will be allocated for the drugs enforcement agency, which will be dedicated to tackling drug-related crime.

In this country, as in Ireland, we must consider the international experience. We have examined the evaluations of the drug courts in the United States, to which Roseanna Cunningham referred. We believe that the drugs testing and treatment orders that are being piloted in Glasgow and in Fife strip out the most effective aspects of the drug courts in a way that is appropriate to our legal system. Offenders can be placed on drug programmes lasting for periods of six months to three years, with failure to comply leading to revocation and an alternative sentence.

I must tell Lyndsay McIntosh that, although we will give serious drug criminals no quarter, the distinction between user and pusher is not always easy to make. Almost all users also sell. Does that mean that, with a promise of minimum two-year sentences, almost all drug users would end up in prison? How does that square with her welcome indication that the Tory group in this Parliament believes with the rest of us in a combination of enforcement and treatment?

As for the balance of enforcement, treatment and prevention to which Keith Raffan referred, we must get it right. That is one reason for the audit of Executive expenditure in Scotland rather than of expenditure figures for the UK to which he referred. That audit covers enforcement. To know how to strike that balance and where money must be spent—

Mr Raffan: Will the minister give way?

The Deputy Presiding Officer (Mr George Reid): The minister has only one minute left in which to wind up.

Iain Gray: The central priority must be to make enforcement, rehabilitation and prevention work together to have real impact. We must take effective action to interrupt the supply of drugs and to cut the demand for drugs. There is no either/or. That approach must permeate the work of every agency.

Last week, Angus MacKay and I met Fife police officers working with children at Kelty Primary. The police service resources and delivers drug prevention programmes in schools. Projects such as Alter8 2000, which I visited in Dundee, are led by the police, facilitated by the voluntary sector and funded by business through Scotland Against Drugs. They target the young people who show all the early indications of future involvement with drugs.

The police are preventing drug use to avoid

enforcement later. Health services are educating in schools to avoid treating in rehab later. Businesses are funding projects to avoid paying the cost in crime later. There is no quick solution, no single solution and no simple answer. However, we must build on a single, simple objective. We must cut the cost of drugs that is paid day in, day out by Scotland—the opportunity cost, the property cost and, above all, the human cost, which is paid in young lives and which we cannot afford.

Standing Orders (Definition of Budget Bill)

The Deputy Presiding Officer (Mr George Reid): The next item of business is consideration of motion S1M-433, in the name of Mr Murray Tosh, on behalf of the Procedures Committee, on an amendment of the standing orders. I ask Mr Tosh formally to move the motion.

Mr Murray Tosh (South of Scotland) (Con): I commend the motion to the chamber.

I move,

That the Parliament agrees that its standing orders be amended by substituting for paragraph 1 of rule 9.16.—

“1. A Budget Bill is an Executive Bill for a Budget Act within the meaning of Section 29(3) of the Public Finance and Accountability (Scotland) Act 2000”

and that this amendment shall have immediate effect.

The Deputy Presiding Officer: The question on the motion will be put during decision time.

Decision Time

17:00

The Deputy Presiding Officer (Mr George Reid): There are six questions to be put as a result of today's business. The first question is, that amendment S1M-437.2, in the name of Roseanna Cunningham, which seeks to amend motion S1M-437, in the name of Angus MacKay, on tackling drug misuse in Scotland, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

Members: The lights are not flashing.

The Deputy Presiding Officer: We seem to be having some problems with the screens. I ask members to show a little patience.

At this point, the system is not activating. Again, I ask members to be a little patient.

I am anxious not to suspend the meeting for five or 10 minutes—we are almost there.

Members can now vote.

FOR

Adam, Brian (North-East Scotland) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Campbell, Colin (West of Scotland) (SNP)
 Canavan, Dennis (Falkirk West)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fergusson, Alex (South of Scotland) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Harper, Robin (Lothians) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Johnston, Nick (Mid Scotland and Fife) (Con)
 Johnstone, Alex (North-East Scotland) (Con)
 Lochhead, Richard (North-East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Ms Margo (Lothians) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McGregor, Mr Jamie (Highlands and Islands) (Con)
 McGugan, Irene (North-East Scotland) (SNP)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLeod, Fiona (West of Scotland) (SNP)
 McLetchie, David (Lothians) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Mundell, David (South of Scotland) (Con)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)

Robison, Shona (North-East Scotland) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Mr Alex (Banff and Buchan) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Sheridan, Tommy (Glasgow) (SSP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Mr Murray (South of Scotland) (Con)
 Wallace, Ben (North-East Scotland) (Con)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)
 Young, John (West of Scotland) (Con)

AGAINST

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)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)
 Gillon, Karen (Clydesdale) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 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)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 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)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McLeish, Henry (Central Fife) (Lab)
 McMahan, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, 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)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North-East Fife) (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)

ABSTENTIONS

Simpson, Dr Richard (Ochil) (Lab)

The Deputy Presiding Officer: The result of the division is: For 48, Against 61, Abstentions 1.

Amendment disagreed to.

The Deputy Presiding Officer: The second question is that amendment S1M-437.1, in the name of Mrs Lyndsay McIntosh, which seeks to amend motion S1M-437, in the name of Angus MacKay, on tackling drug misuse in Scotland, 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, 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

Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Canavan, Dennis (Falkirk West)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)
 Gillon, Karen (Clydesdale) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Harper, Robin (Lothians) (Green)
 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)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 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)
 McCabe, Mr Tom (Hamilton South) (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)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, 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)
 Scott, Tavish (Shetland) (LD)
 Sheridan, Tommy (Glasgow) (SSP)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Iain (North-East Fife) (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)

ABSTENTIONS

Adam, Brian (North-East Scotland) (SNP)
 Campbell, Colin (West of Scotland) (SNP)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (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)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Ms Margo (Lothians) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McGugan, Irene (North-East Scotland) (SNP)
 McLeod, Fiona (West of Scotland) (SNP)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Robison, Shona (North-East Scotland) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Mr Alex (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

Wilson, Andrew (Central Scotland) (SNP)

The Deputy Presiding Officer: The result of the division is: For 18, Against 65, Abstentions 27.

Amendment disagreed to.

The Deputy Presiding Officer: The third question is, that motion S1M-437, in the name of Angus MacKay, on tackling drug misuse in Scotland, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Adam, Brian (North-East Scotland) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Campbell, Colin (West of Scotland) (SNP)
 Canavan, Dennis (Falkirk West)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Davidson, Mr David (North-East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (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)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Gillon, Karen (Clydesdale) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 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)
 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)
 Johnston, Nick (Mid Scotland and Fife) (Con)
 Johnstone, Alex (North-East Scotland) (Con)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lochhead, Richard (North-East Scotland) (SNP)
 Lyon, George (Argyll and Bute) (LD)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 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)
 Matheson, Michael (Central Scotland) (SNP)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McGugan, Irene (North-East Scotland) (SNP)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLeish, Henry (Central Fife) (Lab)
 McLeod, Fiona (West of Scotland) (SNP)
 McLetchie, David (Lothians) (Con)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, 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)
 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)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Iain (North-East Fife) (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)
 Tosh, Mr Murray (South of Scotland) (Con)
 Wallace, Ben (North-East Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 White, Ms Sandra (Glasgow) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)
 Wilson, Andrew (Central Scotland) (SNP)
 Young, John (West of Scotland) (Con)

AGAINST

Harper, Robin (Lothians) (Green)
 Sheridan, Tommy (Glasgow) (SSP)

The Deputy Presiding Officer: The result of the division is: For 108, Against 2, Abstentions 0.

Motion agreed to.

That the Parliament commends the multi-agency role of the key agencies across Scotland in implementing Tackling Drugs in Scotland: Action in Partnership; acknowledges the Executive's support for the agencies involved in implementing the priorities and strategy, and welcomes the Executive's cross-cutting approach and the efforts being

made to reverse the tragic level of drug deaths and drug misuse in Scotland.

The Deputy Presiding Officer: The fourth question is, that motion S1M-439, in the name of Mr Tom McCabe, on the Census (Scotland) Order, be agreed to.

Motion agreed to.

That the Parliament agrees that the Census (Scotland) Order is taken at a meeting of the Parliament under rule 10.1.3.

The Deputy Presiding Officer: The fifth question is, that motion S1M-440, in the name of Mr Tom McCabe, which seeks agreement for meetings of the Parliament to be held in Glasgow on dates to be confirmed in May 2000, be agreed to.

Motion agreed to.

That the Parliament agrees to meet in the former Strathclyde Regional Council debating chamber in Glasgow in May 2000 on dates to be confirmed in the Business Bulletin.

The Deputy Presiding Officer: The sixth and final question is, that motion S1M-433, in the name of Mr Murray Tosh, on an amendment to the standing orders, be agreed to.

Motion agreed to.

That the Parliament agrees that its standing orders be amended by substituting for paragraph 1 of rule 9.16.—

"1. A Budget Bill is an Executive Bill for a Budget Act within the meaning of Section 29(3) of the Public Finance and Accountability (Scotland) Act 2000"

and that this amendment shall have immediate effect.

Civil Service Jobs (Dispersal)

The Deputy Presiding Officer (Mr George Reid): The final item of business today is a members' business debate on motion S1M-372, in the name of Mr Jamie Stone, on the dispersal of civil service jobs to Caithness. The debate will be concluded, without any question being put, after 30 minutes. Members who wish to speak in the debate should press their request to speak buttons as soon as possible.

Motion debated,

That the Parliament notes with interest the statement made by Donald Dewar in response to Parliamentary question S1W-1558 on 15 September 1999; recommends that serious consideration be given to the dispersal of civil service jobs to Caithness, Sutherland and Easter Ross, and calls for a comprehensive review in May 2000 to assess the Executive's commitment to the process.

17:08

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I found it a little unnerving that just as I rose to speak, the lights suddenly dimmed a wee bit. I am not sure whether that was some kind of message.

This debate is important to me and to my constituents, and I am grateful for the opportunity to speak to members today.

I do not need to go over again the troubles in the Highlands. We know them all: trouble with agriculture, crofting, tourism and the cost of fuel. Highland communities such as Lairg, Golspie and Wick are up against it. They face fearsome problems, and I know that my fellow Highland MSPs and the Deputy Minister for Highlands and Islands and Gaelic, Alasdair Morrison, are aware of that fact. One partial solution would be to get civil service jobs out of the central belt and into my constituency in the Highlands and Islands.

Accordingly, I—along with everyone in the north of Scotland—welcomed Donald Dewar's written answer to Duncan McNeil in September, which said that a big effort would be made to try to move jobs out of Edinburgh. That notion has been welcomed by public agencies in my area; Highlands and Islands Enterprise, Highland Council, and Thurso and Wick trades council, for example, have warmly embraced it.

Highland Council put a comprehensive paper before its members on 16 December 1999. It reads:

"There are a number of units within the Rural Affairs Division whose headquarters is at Pentland House, 47 Robb's Loan, Edinburgh. Whilst a headquarters function may justifiably remain by the parliament, there is a whole array of officers and support staff in this office and other

locations in Edinburgh whose primary role is to service the needs of rural industries and local residents across Scotland. The Agriculture, Fisheries and Environment divisions service a wide range of clients whose interests are specifically located in rural areas, particularly the Highlands. There are real professional benefits to ensuring that civil servants are co-located with the areas of responsibility to ensure that they have a firm understanding and feel for issues of current concern."

I will also quote from a paper that went before the Thurso and Wick trades council—"Decentralisation: the Key to a Sustainable Society in Scotland?"—which gives several concrete examples of what could happen. The section that deals with Scottish Natural Heritage is of interest to the Parliament:

"SNH employs about 600 people of whom one third are employed in Edinburgh, on average salaries, if comparison to the Forestry Commission is valid, at £20,000 per annum. A reasonable measure of SNH's interest are the areas designated as Sites of Special Scientific Interest (SSSIs). By this measure one third of SNH's interests are in the Highlands yet only one sixth of its staff are employed in the Highlands, a democratic deficit of 50% and a financial deficit of £7 million (1/6th of the SNH budget)."

The same would apply to employees of the Forestry Commission and we could all think of similar examples. If lateral thinking is applied, there is no reason why departments other than the agriculture, fisheries and environment departments could not locate specific sections in the Highlands.

Thanks to investment in past years, the Highlands enjoy the finest communications technology. Given that such technology is rapidly becoming an important part of government, business and almost everything that touches our lives, in the Highlands we are sitting with a handful of aces. We enjoy some of the highest education standards in the country; Highland schools turn out pupils with splendid qualifications and employers such as British Telecommunications, which has set up in Thurso, are known to treat that fund of ability as something special.

I need tell nobody here that the environment in the Highlands is unrivalled. Many people would dearly love to get out of the grime and the smoke of the city and move to the Highlands. As the minister will know, the cost of a flat in Edinburgh will buy a wee farm where he and I come from.

There has to be a will to do something. Where there is a will, there is a way.

I was pleased, as were all my constituents, by the First Minister's statements on the relocation of public sector jobs. The First Minister has informed us that the Executive is gathering information on staff numbers and potential locations. I assure the minister that the Liberal Democrats will work constructively with the Executive to ensure that the advantages that we enjoy in the Highlands are

given maximum consideration.

I seek assurance that positive action will be forthcoming. It is vital that an open review process is carried out, so people can see that the Executive is putting its money—and jobs—where its best intentions lie. The review will be a vital part of the dispersal process for civil service jobs. My motion suggests that an audit should be carried out next May. That will let us see where we are going and where work needs to be done; it will also allow us to find out how meaningful the Executive's policies on dispersal have been. In the Highlands, we know a lot about the hills and the mountains, but if we fail to deliver on dispersal of jobs, the Executive will amount to not much more than a wee hill of beans. I hope that the minister will be able to respond sympathetically.

I am keeping my speech fairly short, Deputy First Minister—sorry, Deputy Presiding Officer; I just promoted you—because a few people want to speak and we have taken a bit of time over voting. I want to give as much time as possible to other members.

To summarise, it is as simple as this: five civil servants, in departments such as rural affairs, in places such as Lairg, Golspie or Wick, could make all the difference. It may sound like a wee puckle to members, but believe me, it could underpin those little communities—and I cannot emphasise enough how fragile they are. All that it would take to make that change would be a change in our attitude. Indeed, such a change would alleviate urban congestion in cities such as Edinburgh as much as it would be an economic boost to some parts of the far north. It just takes our political will.

Alas, there will be resistance—some of our civil servants will not be desperately keen on the idea. However, we sit here today as representatives of a new democracy in Scotland. If all parties, in conjunction with the Executive, can give a good push for the initiative, that could make all the difference.

I thank the minister for listening and look forward to his response.

The Deputy Presiding Officer (Patricia Ferguson): A number of members have indicated that they want to speak and I apologise that it will not be possible to call them all. I ask members to keep their speeches as brief as they can, so that we can accommodate as many as possible.

17:16

Rhoda Grant (Highlands and Islands) (Lab): I welcome the chance to debate the dispersal of civil service jobs to Caithness, Sutherland and Easter Ross, and, I would like to add, to other areas throughout the Highlands and Islands.

Those areas have much to offer. Highlands and Islands Enterprise has produced an excellent document, listing potential locations throughout the area; for example, Lerwick, Kirkwall, several in the Western Isles, Wick, Ross-shire and many others all the way down to Argyll. Those sites were selected for what they could offer: good transport, with links by air, sea and road; a well-qualified work force; infrastructure that would allow new workers to come into the community; and suitable business accommodation.

Proximity to centres of learning has also been deemed important; it not only gives access to a qualified work force, but the opportunity to continue the learning process. With modern technology, there is no reason that many areas of work cannot be dispersed. Most of the colleges in the Highlands and Islands form part of the University of the Highlands and Islands project, giving access to videoconferencing and cutting down travelling time to meetings. However, when travel is required, the locations selected have good transport links. The Highlands and Islands provide a much-improved standard of living, scenery, strong, safe communities and a totally different way of life.

However, we need to go further than asking the Executive for the dispersal of civil service jobs. We need to ask Government agencies, the health service and local government to do the same. Many crofters in fragile areas require jobs, along with running their crofts. It would greatly enhance the sustainability of the rural economy if our relatively small number of jobs were dispersed to those areas. One or two jobs in a village could support local shops, schools, post offices and other services that are important for the sustainability of those areas. We may not wish to force all civil servants out into the country, but it should be considered for new civil service jobs.

I welcome the debate and I hope that the Executive will continue to support and strengthen its stance in this area.

17:18

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): I commend Jamie Stone for initiating this debate and addressing this issue with his characteristic fluency. I also commend Rhoda Grant for her speech this evening.

This is not a party political matter. I am sure that there is cross-party support for the general principle that jobs should be dispersed out of Edinburgh. I hope that the minister, when replying to the debate, will take the opportunity to scotch the rumours that have arisen today, and that when another body in which a non-political approach has been taken—the Highlands and Islands

Convention—is reconvened, as we hope it will be, it will be reconvened with representatives of this chamber and, indeed, of Westminster. I hope that the rumours I have heard today, that it is proposed that MPs and MSPs will be excluded from the convention, are false and scurrilous.

The reasons for the dispersal of civil service jobs are twofold. The first, and perhaps lesser, reason is to ensure that areas throughout Scotland receive the economic benefit. From an answer that I was given by Jack McConnell on 23 August, I understand that there are 13,545—or rather 13,544.9—civil servants in Scotland, 6,299 of who are based in Edinburgh. Why has civil service job dispersal not proceeded apace? In answer to a question by my colleague Richard Lochhead, on 7 December, Donald Dewar stated that there would be

“a presumption against an Edinburgh location.”—[*Official Report, Written Answers*, 7 December 1999; Vol 3, p 221.]

However, from the answer to another question we understand that little progress has been made.

Like Jamie Stone, I am not suggesting that certain ministries should be located in particular places. The general argument has been made. Bodies such as Scottish Natural Heritage should be located outwith Edinburgh. The Scottish Executive rural affairs department should be located in Inverness. SERAD already has a substantial office in Inverness. I have had the pleasure of meeting civil servants there and I believe that they do an excellent job.

The second reason for job dispersal is more important—it is about the mindset and the approach that civil servants take. My worry is that civil servants based in Edinburgh are not exposed to the real problems faced by farmers and others. I am very concerned that my constituents have been penalised for clerical errors in the completion of forms for schemes such as the suckler cow premium scheme, thereby losing a year's livelihood. I suspect that that has not been addressed by the minister because of advice from civil servants.

I make no criticism of individual civil servants, but I believe that there is a mindset in the civil service that the rule book is king, rather than that the people are sovereign. If I sound vehement about this, it is because I feel very strongly that the Scottish Parliament is failing in its duty to respond to requests to consider the important cases that have arisen. Part of the problem is that the top civil servants, who take the decisions and draft the ministers' letters, do not appreciate the real problems faced by ordinary people in Scotland.

During the summer, some people told me that the experience of losing thousands of pounds because of clerical errors has left them feeling that

they are being treated worse than criminals. That cannot be right. I hope that the minister will understand the force with which I make this point: those people are not getting a fair deal. If the people who made the decisions were based in Inverness, or other parts of Scotland, the outcome of their decisions would be far more likely to be just and fair.

17:23

Mr Jamie McGrigor (Highlands and Islands) (Con): I welcome the opportunity to take part in the debate and I am sure that my friend Jamie Stone will not mind my broadening the area to include the other constituencies of the Highlands and Islands region.

On Tuesday evening, I attended a very good dinner of Scots beef at Glasgow city chambers, in order to hear Mr Eddie George, the governor of the Bank of England, deliver a speech on the economy. He is the first governor to have the remit of controlling UK interest rates—a position of enormous power—and I was hoping for some crumb of comfort from the great man to give to those living in the Highlands and Islands. I hoped in vain. I wish I could take Mr George there, even just for a few hours, to show him an area where the UK economy is not flourishing, but is in danger of dying on its feet.

High interest rates, exorbitant fuel prices and the subsequent high cost of living are hitting industries such as agriculture, fishing, tourism and textiles, which are already on their knees. Because of that, sustainable jobs are at a premium. I welcome Donald Dewar's statement, particularly the presumption against locating new units and agencies in Edinburgh.

I also welcome his saying that, when existing leases on government buildings terminate, relocations will be considered to places outside the capital to include more of Scotland in the governing process and to provide jobs in areas where they are desperately needed to sustain the infrastructure of the local economies. That is completely in line with Scottish Conservative thinking on true devolution, taking government departments to the areas that they most represent.

During our election campaign, we put forward the idea that the new Scottish Parliament should benefit not just Edinburgh, but should be a Parliament for the whole of Scotland. We would decentralise many of its government departments to cities and towns in other parts of Scotland as a way of bringing government closer to the people. That would allay fears, especially in the Highlands and Islands, that the creation of the Scottish Parliament will lead to a concentration of power in Edinburgh, to the detriment of the rest of the

country.

For example, the department of tourism and culture could be located in Inverness, and its branches at other locations in the north. Agriculture would probably find its home in Perth and, again, extra offices could well be located in the areas that Jamie Stone has mentioned. As I suggested in a previous debate, fisheries should go to the north-east, with branch offices located on the north and north-west coasts. The ministry for Gaelic should, of course, go to Stornoway.

All that is possible due to the improved telecommunications that can link centres together. It is no longer necessary to centralise government departments. One only has to look at the success of call centres to see what can be achieved. Furthermore, it is now possible for people to be educated and trained in the northern regions of Scotland, thanks to the new University of the Highlands and Islands. I very much hope that more young people will see a future in staying in the beautiful areas of the Highlands where they were born, and that others from outside will wish to come and make their homes there. That alone will stop the Highlands and Islands descending into an area of sterility. Only from happy and busily employed communities can we hope to see the ancient tradition of Highland culture continue to flourish.

How will that be paid for? The budget rebate that the United Kingdom receives from the European Union was achieved only by sacrificing many of the rural grants that were due from EU sources. I am sure that Eddie George would be among those who stress that the UK as a whole had benefited by many billions of pounds as a result of the agreement that the Conservatives negotiated. However, if moving those departments and jobs to the Highlands is expensive to initiate, surely a few million of the billions that were saved to make the UK prosperous can now be spent in the areas that were partly sacrificed to achieve that end.

17:27

Nora Radcliffe (Gordon) (LD): I do not represent the Highlands and Islands, but I want to endorse strongly the principle of civil service dispersal. There is nothing like being on the spot to understand the issues, the problems and the opportunities. Desk-bound civil servants in Edinburgh may think that they know about the problems of rurality, distance, sparsity of population and providing services, but I do not believe that they can ever truly understand them unless they have been there and experienced the problems for themselves.

Having had to go there once would be a help; having to relocate there would be very much

better. We would also then get the economic benefits downstream as they spent their salaries. The practical problems of dispersal have been solved by advances in information technology. Furthermore, we would be doing those civil servants a favour. As somebody said, they would be living in beautiful countryside with clean air, they would have a shorter distance to travel to work, they would be much healthier, and their office space would likely be cheaper. There is a lot to be said for it.

There is also a lot to be said for them going there to educate themselves. When I was canvassing during the election, an old gentleman in Inverurie said, "I think I'll vote for you, lassie, because I know where to get hold of you." If the civil servants are out in the communities that they serve, dealing with the problems of those communities, and people can get hold of them, that can be only to the good.

I strongly endorse the principle. I commend Jamie for securing this debate.

Mary Scanlon (Highlands and Islands) (Con) rose—

Nora Radcliffe: I have just one further thing to say. I understand the problems of the Highlands and Islands, but I would like to make a pitch for some of the dispersal to be to the north-east as well. However, I will not waste time extolling the virtues of the north-east.

17:30

Maureen Macmillan (Highlands and Islands) (Lab): I just want to make a couple of points about the best and brightest in the Highlands having to leave home if they want high-quality employment. The problem is that an excellent education system provides high-quality graduates for Scotland, who either leave home to get jobs or return home and find themselves underemployed. If we disperse more high-quality civil service jobs to the Highlands—not just to Inverness but to the peripheral areas in the north and west and in Kintyre that suffer most from such a drift—we can give local youngsters the idea that there is something for them to come back to.

I suspect that many of the civil servants at Victoria Quay come from the Highlands and Islands and would jump at the chance of returning home. There is a myth that people do not want to live in the far north or west. They are desperate to live in Tiree, Benbecula, Wick, Thurso or the Black Isle instead of Glasgow and Edinburgh and many of those people come back to lesser jobs for that very reason. They should have decent civil service jobs to come home to.

Donald Dewar has said that efficiency and

effectiveness would be a criterion for dispersing jobs. He should also consider social inclusion, peripherality and the need for decent jobs for young people in the Highlands.

The Deputy Presiding Officer: In spite of my earlier comments, it looks as though I might be able to accommodate all members in the debate. One more member, Dr Richard Simpson, wishes to speak and I will call him if he will keep his comments brief.

17:32

Dr Richard Simpson (Ochil) (Lab): I certainly will keep my comments brief, particularly because, coming from close to the central belt, I feel a bit of an interloper.

I support the concept of dispersal which lies behind Jamie Stone's motion. Although my constituency might be 31st in the overall list of unemployment, the heart of the area, Clackmannanshire, has suffered massive deterioration of its industrial base, with huge numbers of job losses. Recently, 70 jobs have been lost at Weir Pumps foundry, and 21 more at R G Abercrombie and Co. The announcement of another 50 job losses today at United Glass in Alloa, in part, has motivated me to speak tonight.

The concept of dispersal of jobs should be applied across Scotland and should be underpinned by the possibilities presented by IT, which Nora Radcliffe mentioned, with the ability to work at home and away from Edinburgh. As part of our modern society and structure of government, we should be creating an absolutely in-built concept that something should not be in Edinburgh unless it is absolutely necessary for it to be there. We should be using IT, audio-conferencing and videoconferencing to ensure such dispersal.

I have suffered in this respect myself. I used to have a five-minute walk to work; now I have to commute for three and a bit hours a day, which I hate. That is terribly destructive to family life and I do not know how some MSPs with young children cope with the situation. Many people are forced to work in Edinburgh, which is about to have a massive jobs bonanza. I appeal to the Executive to follow through on its commitments to ensure that we reduce substantially and soon the 6,000 or so civil servants, to whom Fergus Ewing referred, who work in Edinburgh.

17:33

The Deputy Minister for Highlands and Islands and Gaelic (Mr Alasdair Morrison): I understand that I have seven minutes to reply to the various points that have been raised.

I congratulate Mr Stone on securing this debate and agree with much of what he and other members have said. I certainly share his and others' enthusiasm for decentralisation and I will shortly outline the Executive's position.

Several members mentioned IT, which is an important point to make when we discuss decentralisation. Last week, I had the privilege of opening Argyll College in Dunstaffnage, where I saw exactly how IT can empower communities.

I certainly endorse what members have said about our schools and education system in the Highlands and Islands. The Western Isles used to produce more university graduates than any other part of the UK, which is something to be proud of.

Mr McGrigor: As the constituency member for Western Isles, does the minister agree with Mr Jim Hunter, chairman of Highlands and Islands Enterprise, who recently suggested that the officers controlling what used to be objective 1 money should go to Benbecula?

Mr Morrison: As the local MSP, I welcome any statements of intent that relate to my constituency. Certainly, I welcomed Mr Hunter's statement at the time. It is up to the members of the objective 1 partnership and those who will administer the transitional funds to take the decision, but I am on record as endorsing Mr Hunter's commitment.

I want to pick up on one of the points raised by Fergus Ewing. It should concern us all if, as Mr Ewing highlighted, people are suffering because of clerical errors. However, it is not a problem that could possibly be coped with through decentralisation. If people are making errors, they will make them irrespective of where they are. We should really consider the causes of such errors, which are—and should be—a matter of concern for everyone.

Fergus Ewing: The problem is that, under the rules, people still lose all the money, even when the errors made are honest. In every single case that I have raised, the Minister for Rural Affairs has signed letters—presumably prepared by civil servants—rejecting any argument that constituents should have their grants paid to them, despite the fact that the errors were of an innocent clerical nature. What does the minister propose should be done to address this very serious problem, which exists not only in the Highlands and Islands, but, I suspect, throughout Scotland?

Mr Morrison: Presiding Officer, you will appreciate that this is a debate about decentralisation. The serious issues that Mr Ewing raises should really be addressed to the Minister for Rural Affairs, but I am happy to convey Mr Ewing's concerns to Mr Finnie.

I have already used three minutes of my time

and have not really begun properly. I will press on.

The motion refers to the statement made in September by the First Minister about the location and relocation of public service jobs in Scotland, which made a number of fundamental points. We want government in Scotland to be efficient and effective. We want the location of departments and other bodies connected with the Executive to promote efficiency and effectiveness. Subject to that, we want the work of those departments and other bodies to be close to the communities that the Scottish Executive and related bodies serve.

The statement drew a distinction between headquarters functions of our departments and executive functions, which are more readily capable of being discharged effectively in other locations. It is the former whose staff need to be based near ministers, who, in turn, need to be readily available to this Parliament. However, for many governmental activities location is either, in principle, not so constrained, or may be geographically dispersed for good operational reasons. The statement noted, therefore, that the bulk of employment in the organisations that are subject to the policy is already located away from Edinburgh.

Richard Lochhead (North-East Scotland) (SNP): Will the minister give way?

Mr Morrison: I want to make some progress. I have only two minutes left. It would be unreasonable to give way, as I really must respond to some of the points that have been made and develop the theme.

More than half the 32,000 civil servants and staff of public bodies covered by the policy already work outside Edinburgh. The Executive has announced that 120 jobs in the enterprise and lifelong learning department will move from Edinburgh, which will mean that the entire department will be located in Glasgow, which is where Nicol Stephen, Henry McLeish and I are based. In addition, the new food standards agency, with over 40 posts, will be established in Aberdeen.

The statement established a presumption against an Edinburgh location for new or reorganised bodies and made clear that ministers will consider relocation options outside Edinburgh for existing organisations if a significant property break is reached. I reaffirm readily today that such consideration will be full and thorough. In considering other locations, ministers will take into account costs and operational factors. As one would expect, they will also consider the position of the staff concerned.

It is not the Executive's policy, nor was it suggested in the statement, that there should be an artificially constructed list or number of jobs to

be moved, come what may. Such a dispersal programme would be open to a number of objections. First, our policy will treat every opportunity on a case-by-case basis to ensure that, in each instance, the optimum decision is reached. That does not lend itself to predetermined targets for jobs in particular parts of the country. Secondly, that sort of approach pays scant regard to cost-effectiveness, which was stressed in the First Minister's written reply of 15 September 1999.

Our view is that cost-effectiveness and relocation can work hand in hand, but not on the basis of some artificially driven one-off programme that would probably look dated before its completion. Rather, we wish to embed them as part of the culture of government in Scotland, which is the kind of change in attitude that many members have sought.

We are carefully considering possible future structures and moves as opportunities arise. We are doing that on a year-by-year basis and we will continue to identify changes to either structures or locations from which we wish Scotland as a whole to benefit. What is appropriate for a new body with many staff may not be appropriate for an area office with only a handful of staff. For that reason, the Executive does not accept that a comprehensive review as specified in the motion is the way ahead. I can assure Mr Stone, however, that as part of our overall commitment to proper consultation, there will be scope for areas such as Caithness, Sutherland and Easter Ross to draw to our attention the needs of their communities for the services provided by bodies under the aegis of the Executive, and to make clear the advantages of location that those bodies can offer.

I was delighted recently, when my local authority, Western Isles Council, stated that it has a policy to disperse 10 per cent of its jobs. I recall from a recent visit to Unst that that its community was looking to Shetland Islands Council to disperse jobs.

The Presiding Officer is being very charitable. I know that I am a minute and a half over, and I estimate that I will take one more minute to finish.

It must be remembered that employment opportunities arise in the public sector as a whole. In general, the Highlands and Islands enjoy slightly higher levels of public sector employment than Scotland as a whole, with just over 30 per cent of employees working in public sector jobs—some 30,000 people in all. I have, however, listened with interest to Mr Stone and to the other members who participated in this debate. My colleagues and I will readily consider a number of the points made today about the location of public service work in Scotland.

I hope that those who promoted today's debate will accept for their part that the overall approach that we are taking is the right one. It is, in the best sense, opportunistic. It seeks to take forward the thrust of decentralisation and therefore the social inclusion that we wish for all the people of Scotland. It properly considers cost, and it marches in step with our overall aims for the improvement and modernisation of government in Scotland.

In closing, I thank you for your tolerance, Presiding Officer.

Meeting closed at 17:43.

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