

MEETING OF THE PARLIAMENT

Thursday 2 November 2000

Volume 8 No 15

£5.00

© Parliamentary copyright. Scottish Parliamentary Corporate Body 2000.

Applications for reproduction should be made in writing to the Copyright Unit,
Her Majesty's Stationery Office, St Clements House, 2-16 Colegate, Norwich NR3 1BQ
Fax 01603 723000, which is administering the copyright on behalf of the Scottish Parliamentary Corporate
Body.

Produced and published in Scotland on behalf of the Scottish Parliamentary Corporate Body by The
Stationery Office Ltd.

Her Majesty's Stationery Office is independent of and separate from the company now
trading as The Stationery Office Ltd, which is responsible for printing and publishing
Scottish Parliamentary Corporate Body publications.

CONTENTS

Thursday 2 November 2000

Debates

Col.

DRUGS COURTS	1259
<i>Motion moved—[Roseanna Cunningham].</i>	
<i>Amendment moved—[Iain Gray].</i>	
<i>Amendment moved—[Mrs McIntosh].</i>	
Roseanna Cunningham (Perth) (SNP)	1261
The Deputy Minister for Justice (Iain Gray)	1265
Mrs Lyndsay McIntosh (Central Scotland) (Con)	1269
Euan Robson (Roxburgh and Berwickshire) (LD)	1270
Kay Ullrich (West of Scotland) (SNP)	1272
Hugh Henry (Paisley South) (Lab)	1274
Bill Aitken (Glasgow) (Con)	1276
Richard Lochhead (North-East Scotland) (SNP)	1277
Maureen Macmillan (Highlands and Islands) (Lab)	1278
Donald Gorrie (Central Scotland) (LD)	1281
Ms Margo MacDonald (Lothians) (SNP)	1282
Robert Brown (Glasgow) (LD)	1283
Phil Gallie (South of Scotland) (Con)	1285
Iain Gray	1286
Michael Matheson (Central Scotland) (SNP)	1288
BUSINESS RATES	1291
<i>Motion moved—[Mr Gibson].</i>	
<i>Amendment moved—[Angus MacKay].</i>	
<i>Amendment moved—[Miss Goldie].</i>	
Mr Kenneth Gibson (Glasgow) (SNP)	1291
The Minister for Finance and Local Government (Angus MacKay)	1295
Miss Annabel Goldie (West of Scotland) (Con)	1299
George Lyon (Argyll and Bute) (LD)	1302
Shona Robison (North-East Scotland) (SNP)	1304
Des McNulty (Clydebank and Milngavie) (Lab)	1306
Nick Johnston (Mid Scotland and Fife) (Con)	1307
Dr Richard Simpson (Ochil) (Lab)	1309
Andrew Wilson (Central Scotland) (SNP)	1310
Mr Michael McMahon (Hamilton North and Bellshill) (Lab)	1312
Donald Gorrie (Central Scotland) (LD)	1314
Mr Keith Harding (Mid Scotland and Fife) (Con)	1316
The Deputy Minister for Finance and Local Government (Peter Peacock)	1318
Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP)	1321
BUSINESS MOTION	1324
<i>Motion moved—[Mr McCabe]—and agreed to.</i>	
QUESTION TIME	1326
FIRST MINISTER'S QUESTION TIME	1343
POINTS OF ORDER	1351
NATIONAL CULTURAL STRATEGY	1353
<i>Motion moved—[Mr Galbraith].</i>	
<i>Amendment moved—[Michael Russell].</i>	
<i>Amendment moved—[David Mundell].</i>	
The Minister for Environment, Sport and Culture (Mr Sam Galbraith)	1353
Michael Russell (South of Scotland) (SNP)	1357
David Mundell (South of Scotland) (Con)	1360
Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD)	1362
Irene Oldfather (Cunninghame South) (Lab)	1365
Linda Fabiani (Central Scotland) (SNP)	1366
Alex Fergusson (South of Scotland) (Con)	1368

Iain Smith (North-East Fife) (LD)	1369
Cathy Peattie (Falkirk East) (Lab)	1371
Mr Adam Ingram (South of Scotland) (SNP)	1373
Kate MacLean (Dundee West) (Lab)	1375
Mr John Munro (Ross, Skye and Inverness West) (LD)	1376
Mr Brian Monteith (Mid Scotland and Fife) (Con)	1377
Irene McGugan (North-East Scotland) (SNP)	1379
The Minister for Environment, Sport and Culture (Mr Sam Galbraith)	1381
PARLIAMENTARY BUREAU MOTIONS	1385
DECISION TIME	1386
GROUNDWATER MAINTENANCE CHARGE	1401
<i>Motion debated—[Alex Fergusson].</i>	
Alex Fergusson (South of Scotland) (Con)	1401
Richard Lochhead (North-East Scotland) (SNP)	1403
Mr John Home Robertson (East Lothian) (Lab)	1404
Euan Robson (Roxburgh and Berwickshire) (LD)	1404
John Scott (Ayr) (Con)	1405
Mrs Margaret Ewing (Moray) (SNP)	1407
Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)	1408
Deputy Minister for Sport and Culture (Allan Wilson)	1409

Oral Answers

Col.

QUESTION TIME

SCOTTISH EXECUTIVE	1326
Adults with Incapacity (Scotland) Act 2000	1341
Enterprise	1335
Housing	1334
Mental Health	1326
National Cultural Strategy	1332
National Health Service	1338
Paralympians	1340
Police (Funding)	1328
Pre-school Education	1329
Records of Needs	1326
Renewable Energy	1337
Rugby (Meetings)	1331
Signposting	1331
Terminal Illness (Care)	1333

FIRST MINISTER'S QUESTION TIME

SCOTTISH EXECUTIVE	1343
Prime Minister (Meetings)	1343
Railways	1347
Secretary of State for Scotland (Meetings)	1345
Sutherland Report	1349

Scottish Parliament

Thursday 2 November 2000

[THE PRESIDING OFFICER *opened the meeting at 09:32*]

Drugs Courts

The Presiding Officer (Sir David Steel): Good morning. I apologise for the slightly late start. There were technical difficulties with the microphone system.

Fiona Hyslop (Lothians) (SNP): On a point of order. I am concerned that—yet again—we seem to be reading about Government announcements in the press rather than hearing them in the chamber. Will you please give members guidance on how you intend to address the issue to ensure that the chamber and Parliament hear any such announcements first?

The Presiding Officer: I share the member's concern. I will be charitable today because we have new ministers and, no doubt, new special advisers operating. However, I had a discussion on the matter with Madam Speaker Boothroyd when she was here a few weeks ago. As members know, she fought a losing battle on the issue, but I do not propose to fight a losing battle on it in this Parliament. I will use my powers under rule 7.3 and define the pre-release of speeches as being against the rule that members must

“conduct themselves in a courteous and respectful manner”.

The sanction that is available to me is that I may decide to take a minister's speech as read and go straight to Opposition spokesmen's and Government back benchers' speeches and give them extra time. I hope that the special advisers will pay attention to that. I will let the matter go today, but it is not to happen again.

Hugh Henry (Paisley South) (Lab): On a point of order. On the pre-release of speeches and how you might interpret that, would your sanction extend to the pre-release of speeches to Opposition parties, prior to delivery in the chamber?

The Presiding Officer: Yes, absolutely. We do not expect to read in the newspapers what will be said in Parliament—we expect to read what has been said.

Lord James Douglas-Hamilton (Lothians) (Con): On a point of order. As such pre-releases have happened several times, would the Presiding Officer care to have a word with the First Minister to ensure that the Parliament will be treated with

the necessary respect?

The Presiding Officer: My words will be printed in the *Official Report*, so everybody will be aware of them. I take the issue seriously. If we allow the situation to continue, it will damage Parliament, so I do not propose to allow it to continue.

Ms Margo MacDonald (Lothians) (SNP): On a point of order. Although I recognise your efforts to ensure that the chamber enjoys the status that it should, I suggest that there is a difference between a statement that is made by the Executive prior to its announcement in the chamber and the normal campaigning of Opposition parties. In no way do I question your right to say that Opposition parties should observe the proprieties, but I think that there is a difference between an Executive statement—which will carry the force of law—and the normal campaigning of Opposition parties.

The Presiding Officer: Obviously, normal statements—whether by Government or Opposition parties—on issues that will be debated in Parliament are perfectly acceptable. What is not acceptable is the pre-release of announcements—from any quarter of the chamber—before the chamber has heard them. I do not want to make a great meal of this.

Mr John Swinney (North Tayside) (SNP): On a point of order. It is important to reflect on some of the comments that you have made, Presiding Officer. I support fully what you have said about Government announcements, because those are announcements about the way in which the Government intends to spend public resources and about the way in which it intends to lead debates in Parliament.

My party has secured today's debate on drugs courts, but this morning, I have heard the Government's statement in its entirety on bulletins and I have read the statement in newspapers. The smallest courtesy that the Government could have extended would have been to come to the chamber and take part in a reasoned and measured debate in which it could set its points out.

Margo MacDonald pointed out fairly the distinction between the campaigning rights of Opposition parties and the duty of the Executive to treat Parliament with courtesy. There was a lack of courtesy in the way that the Executive went about its business yesterday afternoon. I hope that, in today's debate, the Executive will show a tad more courtesy than it showed yesterday.

The Presiding Officer: Let us not go back over yesterday afternoon. I think that I have said enough on the subject.

Phil Gallie (South of Scotland) (Con): On a point of order. My point of order has a slightly different twist, in that I would like some clarification. Opposition spokesmen and, perhaps, Labour back benchers will have an interest in this. Members sometimes give commitments to constituents that they will raise particular issues in particular ways. I trust that you will take account of that in whatever measures you take.

The Presiding Officer: Absolutely. Similarly, the Executive may, from time to time, indicate general lines of policy—I am not against that. However, I object to detailed pre-announcement of what is to be said in the chamber. I hope that all members will support me in that.

09:37

Roseanna Cunningham (Perth) (SNP): I hope that none of your comments affects matters that have appeared in party manifestos over a number of years, Presiding Officer. Today's subject for debate, for example, appeared in the Scottish National Party's manifesto 18 months ago, in the run-up to the Scottish parliamentary elections.

After all this morning's coverage in the press and on the airwaves, the speech that I am about to make could probably just be handed to the new deputy minister so that he could make the speech as well. There might be a little repetition this morning, but I make no apology for having raised the subject. It is only because the SNP has insisted on having the debate in Parliament that we have heard an unequivocal statement from the Executive, which we hoped for for a number of years, but which was not forthcoming.

Like some other members, I was in the chamber for most of yesterday afternoon. When I got back to the SNP's offices, a little buzz of excitement was awaiting me, because the Executive had spent the afternoon briefing the media that it accepted, in principle, the idea of drugs courts as outlined in the SNP motion. That could be seen as something of a victory for the SNP. The former Deputy Minister for Justice already gave a helpful hint that the Executive accepted the idea in his briefing to the *Sunday Herald*. I wish that every SNP motion had that effect. However, the outgoing deputy minister's hint was a little surprising, given the tenor of some of his other remarks.

In recent months the Executive has been at sixes and sevens on the matter. Clarification of the Executive's position would be useful, although I am not certain that we will get it today. The Executive amendment in effect removes all mention of drugs courts from the motion. That seems surprising, given the heavy briefing that it gave that it would accept in principle the idea of

drugs courts.

Members may call me naive, but I think that if the Executive truly accepts the principle of the motion, it should be gracious enough to reflect that in its amendment. Although I would not necessarily expect the Executive to accept the slightly mischievous reference to the SNP's manifesto, it is surprising that the Executive should attempt to amend the motion to remove any mention of the thing that it claims to support in principle.

We have a new Deputy Minister for Justice. I welcome him and congratulate him on his appointment to his new post. I also offer sympathy for the fact that he must be on his feet so soon after moving to a new department. I hope that we will have the same cordial and generally constructive relationship that I enjoyed with his predecessor. However, I am rather worried that today's debate will produce unobjectionable words from the new minister, but no concrete proposals, time scales or any indication of when the Executive might turn principles into practice. I sought a constructive debate about specifics—I hope that that is what we will have.

We should not have to rehearse the problems that are posed for society by the misuse of drugs—the cost, as we all know, is enormous. There is the cost to families of a disrupted and chaotic home life that impacts on every family member, regardless of whether they take drugs. We know about the devastating effects on society as a whole and on the health service in particular. The total cost is measured in blighted lives in Scotland. We all agree about the extent of the problem, just as we agree that what we have been doing until now has not worked. The problem seems to be getting worse, rather than better.

Despite the fact that drug legislation is a reserved matter, we know that an enormous amount of work can be done and that effective change can take place in Scotland. I hope that Scotland can be an example to the rest of the United Kingdom, rather than continually looking over its shoulder and blindly copying what Westminster does. The drugs courts proposal centres on the criminal justice process. It cannot stand in isolation—it is an initiative that would impact most directly on that system. That is what I want to talk about this morning.

We know that the criminal justice system in Scotland is overloaded with work that can be directly related to the use of drugs. The police cost of tackling drug crime and the criminal effects of drug abuse was, at the most recent estimate, £120 million per year. The Scottish Parliament reference centre research note on drug misuse that was issued earlier this year said:

"In 1997, drugs-related crimes accounted for 14% of all convictions in the Scottish courts."

That figure represents only cases where drug-related crime was the main offence and in which that offence was possession, intent to supply or whatever. That figure does not include convictions for crimes in which the underlying problem was drug misuse, such as theft, housebreaking and other convictions—the list can go on for page after page. Many members have seen schedules of previous convictions, most of which are a direct result of drug use, although they are not drug offences. Most evidence suggests that about 60 per cent to 70 per cent of offences that result in court appearances can be traced to a drug use problem. That is a colossal resource problem for the criminal justice system. I do not know whether the existing cost figures factor all those elements into the equation—they are the tip of the iceberg that lurks beneath the surface.

We must also remember the number of young offenders who are implicated in those colossal figures. The recent report of the advisory group on youth crime is a commendable document. Equally commendable is the fact that the Executive accepted all the group's recommendations. Many of those recommendations could have been commended if they had been made for adult offenders. The drugs courts concept fits very well into the ethos of that report.

I do not deny that some elements of what might be found in a drugs court are already in place in some parts of Scotland. Drug treatment and testing orders were introduced in 1998, but are available only in certain areas of Scotland. They give the power to impose drug treatment—including random drug testing—with the consent of the offender, but they tend to be used only in high-tariff cases. As I understand it, only a small number of DTTOs have been made, which suggests a rather conservative approach to their use.

There are also arrest referral schemes. It was my good fortune to speak last Friday at the launch of the Perth and Kinross arrest referral scheme. The scheme enables arrested persons to make contact with relevant agencies while their court case proceeds. There are several partners in the scheme, including the police, Perth and Kinross criminal justice social work department, Perth drug and alcohol team, and NCH Scotland.

All the partners in that scheme think that it is the first of its kind in Scotland. The Scottish Executive health department thinks that there is another in Clackmannan and that there might be schemes in Edinburgh, Glasgow and Tayside. Without clear guidance on what constitutes such a scheme, however, the actual number cannot be confirmed. There is unnecessary confusion, but it is clear that

such schemes are largely self-starting, that they are not overseen and that no targets have been made for setting them up in Scotland. Both the initiatives have been welcomed by the SNP, but surely it would be better to ingather such schemes and set them up under a single, coherent framework—drugs courts. We seem to be inching toward that, but with no overall strategic direction. It is time that we tackled the issue head on.

I raised the issue of drugs courts with the Deputy Minister for Justice's predecessor—Angus MacKay—and with his predecessor, who is now the First Minister. What are drugs courts? They are distinctive environments that are set aside with clear rules. Participants' performance is immediately and directly communicated to a judge, who rewards progress or penalises non-compliance. There are sentencing concessions, but they are made only in response to successful participation and treatment. Such courts deal with users, but not dealers. They should be mainly about diversion from custody. That fits in with another aim, which is to reduce the prison population—an aim that the SNP shares with the Executive.

The aim of drugs courts is to provide a treatment-led response to drugs and drug-related crime that builds on partnership between all relevant agencies. They bridge the gap between punishment and treatment for the user and the discipline that is imposed on the offender is challenging. I would term it an aggressive intervention at the point of maximum impact, when the first jail term is likely.

In practice, such courts would work as follows. On being charged with an offence, or after agreeing to plead guilty, an offender would be assessed for drugs court suitability and brought before the nearest drugs court—or the most likely one—as soon as possible. The drugs court works as a team. It would be non-adversarial and offenders would have to attend court regularly for review. The important point is that offenders would see the same people every time they came before the court.

The proposal already has considerable support in Scotland. The Scottish Drugs Forum, the Scottish Police Federation, the Association of Chief Police Officers in Scotland, and the director of Scotland Against Drugs would all welcome drugs courts. In the past, ministers have not wanted to dismiss the idea completely, but the former Deputy Minister for Justice was on the record as saying that drugs courts would not fit in to Scotland's court system. I am not sure why he would think that and I can only assume that there has been a major change of heart about the issue since the end of August, when that reason was last advanced by the outgoing Deputy Minister for

Justice. In truth, Scotland's sheriff court structure does provide opportunities for the development of drugs courts. Equally, the children's panel system offers a culture of non-adversarial proceedings that could be extended to such courts.

Drugs courts—or, at least, the model that is beginning to appear in the spread of countries that I listed—are essentially methods by which we can divert from custody those individuals for whom custody is the next most likely disposal option for a judge. They allow a relationship to be built with the individual and have shown a degree of success. They are not the complete answer, but they may be part of it. Drugs courts require investment in the infrastructure of rehab and through care to work properly. Scotland is not a model of such provision, so I concede that at this stage it might be reasonable simply to develop a drugs court 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. Let us not hang about, however.

There is already extensive international experience to call upon. At the time of the Irish commission in February 1998, there were 238 drugs courts in operation in the USA, with two or more about to start and 147 more planned. Goodness knows what the number is now. There are pilots schemes in Wakefield and Pontefract and one is about to start in Dublin. Let us get moving—let us turn the undoubted agreement in principle into practice and let us do so quickly.

I move,

That the Parliament recognises the complex nature of the drugs problem in Scotland; accepts that addressing the problem requires effective law enforcement working in partnership with well resourced rehabilitation and treatment strategies; acknowledges the role that a system of specialist drugs courts could play in dealing with drug-related crime; notes that the Scottish Drugs Forum and CoSLA support the establishment of drugs courts, and calls upon the Scottish Executive to develop an appropriate pilot scheme with a view to moving towards the establishment of drugs courts in areas of Scotland where adequate rehabilitation and treatment resources exist, as proposed in the Scottish National Party's 1999 Election Manifesto.

The Presiding Officer: I must be strict about time this morning because we have two short debates. Two amendments to the motion have been lodged. I call Iain Gray to move the first one.

09:49

The Deputy Minister for Justice (Iain Gray): I welcome the opportunity to reply to motion S1M-1303, although as Roseanna Cunningham said, perhaps it is a little early for me to be doing so. However, I can cope with that, partly because I agree with most of what she said. I am not surprised by that, because Parliament has often demonstrated its determination to get to grips with

the problem—I hope that any repetition will be viewed in that context.

We are all agreed that drug-related crime imposes too heavy a cost on society. It accounts for much of the commonest property crime, such as house breaking, vehicle crime and shoplifting. Some of that might be characterised as petty crime, but its impact is not petty. It robs our people not only of their property, but—worse—of their security, their peace of mind and their sense of community. Every member knows that that is the case in the communities that they represent. The truth is that such crime blights the lives of drug-misusing offenders and their families. That is why the Executive and Parliament have made the fight against drugs one of their top priorities and why the Executive is developing a coherent and effective response to the problems that we face from drug-related crime.

The key fact is that we cannot promote one initiative in isolation. We need a package of measures that addresses the problem at every stage. That was the message that underpinned my predecessor Angus MacKay's approach to tackling the problem of drugs in Scotland. I, too, intend to pursue that approach.

We need a balanced strategy that combines the two main elements. It is important to recognise that the criminal justice system can intervene at critical times in an offender's drug-using career. It is when individuals come into conflict with the law that they are often most motivated to seek help for their addictions. At those times, we must ensure that they have ready access to the help that they need.

A strong enforcement policy is key in our fight against drugs, but often enforcement has a greater chance of success when it sets out to tackle the underlying problems, as Roseanna Cunningham suggested.

Brian Adam (North-East Scotland) (SNP): Is it useful to pick up the example of Grampian police, whose officers enforce the law while accompanied by drugs workers? They can allow folk who may be involved in crime because of drugs problems to get rid of their drug problems. In recent drugs raids in the north-east, Grampian police has followed that procedure, for which it is to be commended. We should not consider the problem as being about only enforcement or health—we should consider it as a whole.

Iain Gray: I agree. There is a range of ways in which to bring enforcement and treatment together. The main attraction of drugs courts is that they would achieve that.

Phil Gallie: Just before Mr Adam's intervention—

The Presiding Officer: I am sorry, Mr Gallie—your microphone is not on. I have to ask you to repeat that. We are having technical problems.

Iain Gray: Is this the definition of cruel and inhumane punishment?

Phil Gallie: Mr Gray's predecessor suggested that drugs courts would apply only to first offenders. Does the minister agree that that would be the way forward?

The Presiding Officer: I will give the minister some injury time.

Iain Gray: Although the microphones are not working, I see that the clock is.

I will say something about the drugs courts model later. The key to drugs courts is that they aim to address the underlying problem of drug misuse, when criminality first becomes its consequence. Drugs courts try to prevent people from becoming involved in the life of crime that follows that cycle of offending.

In general, drugs courts bring together enforcement and treatment, which is why the Executive is taking action in a number of ways to link offenders more effectively with treatment and rehabilitation. We have provided extra resources—almost £100 million—in the spending review to fund the broadest range of services that has ever been seen in Scotland. Within that, an extra £9.5 million is available over three years to make a comprehensive framework of alternatives to custody available to Scottish courts.

Roseanna Cunningham spoke of the drug treatment and testing orders that are being piloted in Glasgow and Fife. Such orders are designed to tackle the problems of offenders who are involved in more serious drug misuse and who have many repeated offences. The orders are important—they incorporate some of the central features of drugs courts, such as access to treatment, routine testing and review in court.

I am pleased that we are extending the pilots to Aberdeen and Aberdeenshire, in order to build further on our experience of what works.

We must be able to intervene at each stage in the criminal justice process. We have announced the national roll-out of diversion from prosecution schemes, which target those who are at the other end of the spectrum for drug treatment and testing orders. The schemes are an alternative to prosecution for individuals whose offending career is just starting. DTTOs give people the chance to address their drug use before they launch into a full-blown career of offending.

We also have plans to target medium-tariff and higher-tariff offenders by developing a new model of enhanced probation, which will build in drug

testing and treatment as a condition of sentence and will include regular reviews by the courts.

Roseanna Cunningham made the point that the growth in drug-related crime is not peculiar to Scotland. That is true—the problems are international and it is not surprising that countries are keen to learn from experiences beyond their boundaries. A great deal of attention has centred on the north American experience of drugs courts. In that system, drugs courts are designed specifically to supervise drug dependent offenders who have agreed to accept treatment. Thus, that system's objectives are similar to those that we have set in our policy.

It would be too easy to believe that the American system could be picked up and transferred wholesale to Scotland—our legal system, traditions and culture must be respected. However, we are keen to learn from the United States and I believe that we can move forward to introduce a Scottish drugs court model. We have been working with the Convention of Scottish Local Authorities on the issue and have commissioned research into the international experience. We will broaden our discussions on how to introduce and test that drugs court model. The judiciary and the prosecution have key roles to play and we must consult our judiciary, the Lord Advocate and the Crown Office on the roles that the judiciary and prosecution can undertake.

Drugs courts will be successful only if they form part of an overall framework. We must plan their introduction carefully and it is essential that we put in place the infrastructure to support treatment and rehabilitation services first. However, now that the spending review has provided the resources, we are well placed to develop those services. The drug action teams' role in local responses to drug problems has been strengthened during the past 18 months.

Taken together, the plans that I have outlined will provide a wide range of disposals that will be able to deal with the broad spectrum of drug-related crime. They will give Scottish courts all the options—arguably, more options than are available to the US drugs courts. Combined with the new resources that are available, our plans allow us to move forward on the idea of specialised Scottish drugs courts. That approach will be rooted in Scottish institutions and will complement existing practices. It must have the confidence of the courts and the general public alike.

For the first time, we have an opportunity to deliver a system that specialises in dealing with the problem of drug offenders, that blends enforcement and treatment and—above all—that has the possibility of being effective. I am sure that that approach will be welcomed throughout the

chamber.

I move amendment S1M-1303.2, to leave out from "acknowledges" to end and insert:

"and acknowledges the work that the Scottish Executive is doing in tackling this problem."

09:58

Mrs Lyndsay McIntosh (Central Scotland) (Con): I support the comments that you made earlier, Presiding Officer, and I welcome Iain Gray to his new post. The debate is a baptism of fire, if ever there was one. Issues such as drugs are of concern to communities and the Parliament should devote time to debates on them.

Ms Cunningham will not be surprised to learn that for obvious reasons, we cannot support her motion unamended. Similarly, I do not expect the SNP's unqualified support for our amendment. However, we can all be satisfied that the Executive has recognised—later rather than sooner—that the SNP and the Conservative party have identified a way forward. I am genuinely pleased that common sense has prevailed.

Although we made clear our support for drugs courts in our 1999 manifesto, I was grateful to be invited to a COSLA seminar, which was held earlier this year at the Scottish Police College at Tulliallan Castle. I was the only MSP who attended that event, which was laid on to provide further information to people whose work is related to drug abuse. In anticipating an intervention from Roseanna Cunningham, I advise her that I met a member of her research team there, fresh from his appearance on "Question Time".

I was glad to have the chance to speak to experienced practitioners and judges in this comparatively new area and I am particularly indebted to Justine Walker for her advice and assistance in gaining access to the acknowledged leaders in the field. Although I do not always advocate that we should follow blindly everything that happens in the US, the experiences of other jurisdictions satisfy me that we have an opportunity to tackle the problem with a new impetus. I do not know whether the minister has seen some of the material that is available on the subject, but I look forward with glee to the adjustments that he will have to make to take account of cultural differences. People who have seen the video tapes of US drugs courts will know exactly what I mean.

We must tackle drug abuse. The extent of the problem is greater than most of our citizens recognise. As Roseanna Cunningham has eloquently highlighted the point, I do not propose to repeat it. Indeed, one of the consequences of such immediate agreement by the Executive is that we are left with very little to say. However, I

want to read from a letter from a doctor in Fife that highlights the difficulties. The letter says:

"A few days ago, a new patient was assigned to my list. This person is an intravenous drug abuser who tells me that he is injecting himself six times a day with MST (an oral morphine tablet usually given to terminal cancer patients), which he prepares by sucking off the coating in his mouth, then dissolving the residue and injecting it into his veins.

He has already spent time in prison for theft, which was his way of supporting his £40 per day habit. He is now anxious to stop using drugs and attempt to get his life back in shape.

He came to me for help."

The letter says that the problem in Fife is that there is

"absolutely no consultant support for drug abusers"

and that the

"community drugs team . . . is hopelessly understaffed and ludicrously overworked with minimal resources".

The letter goes on to say that the drug user's case

"is only one of many. 47% of heroin users in Fife live in the Kirkcaldy/Levenmouth area. The total is in the hundreds and yet the resources to deal with this problem are minimal. GP's like myself are overwhelmed with no medical support whatsoever. The knock on effect on families is massive. The amount of shoplifting, burglary and other crime associated with drug abuse is significant.

You will be well aware that morale amongst GP's is at an all-time low for many reasons. We are snowed under by ever-increasing demand, which is not balanced by any significant shift in resources. Early hospital discharges and shortages of beds mean that more and more ill patients are kept in the community with a corresponding increase in GP workload. Patient demand continues to increase in the "instant-service" culture. We find it hard to accept that the government sees us as anything other than a cheap option. GPs have continued to soak up the work, but have not received any significant increase in resources to help."

I should pay tribute to the Scottish Parliament information centre for its research document on the subject, which is a first-class piece of work. Those who have not read it should take a look at it.

The letter from which I quoted outlines what the issue is all about. I look forward to hearing the details of implementation of drugs courts and I hope that we can build on the genuine cross-party consensus that supports their introduction.

I move amendment S1M-1303.1, to leave out from "with a view" to end and insert:

"based on the aims laid out in the 1999 Scottish Conservative and Unionist Election Manifesto."

10:04

Euan Robson (Roxburgh and Berwickshire) (LD): It is good to participate again in a debate

with the deputy leader of the SNP. I see that she has lost none of her zest since leaving some of us behind on the Justice and Home Affairs Committee. Her successor as convener is unashamedly courting favour with committee members; not only did he cancel a meeting, he extended the tea and coffee break during Tuesday's meeting and the meeting still finished early.

Roseanna Cunningham: That would not have happened in my day.

Euan Robson: This is an important, if short, debate. I accept that the SNP included a commitment to drugs courts in its 1999 manifesto. The Liberal Democrats did not do so; instead, we chose to emphasise a twin-track approach of tougher enforcement and more extensive treatment and rehabilitation programmes.

However, our thinking has moved on. I welcome today's announcement by the Deputy Minister for Justice, to whom I offer my party's congratulations on his new position.

In 1989 the present US Attorney General, Janet Reno, first established an experiment in Dade County, Florida. At the time it was described as an intensive, community-based treatment, rehabilitation and supervision programme for drug defendants to reduce recidivism. As of last autumn, drugs court activity was under way in 49 of the 50 states of the USA, as well as in the District of Columbia, Puerto Rico and Guam.

The evidence in the two-volume report by the US justice department on the first decade of experience of drugs courts up to June 1999 should inform latest thinking. It found that drugs courts have led to a significant reduction in recidivism—as low as 4 per cent in those who complete the full programme. The drug use of participants in the programme has declined. A significant number of drug-free babies have been born to women who were enrolled in drugs court programmes, which saved a minimum of £250,000 per infant in health and social costs. The average cost of treatment is between £900 and £1,600 per participant, compared with an average cost of £5,000 per person who is put in prison. Many of those who have entered the programme have been able to remain employed throughout their participation in it. As confidence among law enforcement agencies and prosecutors has grown, asset forfeiture funds have been released to augment treatment resources.

I understand that nearly 140,000 US citizens from all parts of US society have entered drugs court programmes. Two thirds of them are the parents of minors. Men outnumber women on the programme by two to one, but that preponderance is decreasing. The majority of participants are

long-term users and many are multiple drug users. Most have not previously received treatment and many have served custodial sentences for previous offences.

Drugs courts are not without cost. In 1994-95 there was a famous dispute, when Janet Reno had to battle—in the event, successfully—with the US House of Representatives to secure continuation of the £1 billion federal funding for the programme. However, the US experience should inform Parliament whether the drugs court concept could be adopted in Scotland, where the legal system is very different. Drugs courts cannot simply be transplanted to Scotland.

We must take action. As has been said, misuse of drugs is endemic and very few parts of our country are untouched by them. The problem affects even peaceful and relatively prosperous places. I am sure that drug cases have turned up in the surgeries of nearly all members. I dealt recently with a case in a town in my constituency where the unemployment rate is 1.6 per cent. Not all towns in my constituency have such a low unemployment rate, but the example illustrates my point that drug use is a problem throughout the country.

Some of my biggest misgivings about drugs courts relate to rural areas. How will we implement drugs courts in the one-sheriff courts that are prevalent in rural areas? There are other problems. Drugs courts need to be accompanied by rehabilitation and treatment centres—they cannot exist in isolation.

I will end by quoting the director of the office of US national drug control policy. He said:

"If you don't like paying for jails, if you don't like a waste of tax dollars, then you'll like the concept of drug courts. This is an initiative that's been working.

It is worth investigating for Scotland.

The Presiding Officer: We come now to the open part of the debate. I ask members to keep their speeches to four minutes so that we can fit everyone in.

10:09

Kay Ullrich (West of Scotland) (SNP): I welcome this debate, because I have worked in the criminal justice and drug abuse sectors.

Almost 70 per cent of criminal offences in Scotland are committed by young people under the age of 25. Although it is hard to get precise figures, anyone who works in the Scottish criminal justice system will say that a large majority of those offenders have a persistent problem with illegal drugs.

As a former court social worker, I can tell the

chamber that in many cases that come before our sheriff courts, the crime has been committed by a young person who was under the influence of drugs or who committed an offence to fund his or her drug habit.

I will give an example of the extent of the problem. A survey that was carried out recently by a criminal justice social work team in Ayrshire revealed that of 50 persistent young offenders in its case load, between the ages of 15 and 18, 32 had drug problems. There is no reason to believe that that is not typical of the situation across Scotland.

We are not addressing the underlying drug problem. Those offenders are caught in a revolving door situation. They appear in court, they are found guilty and they are sentenced. Sometimes they go to prison; quite often, they get community service. Community service, like prison, is punitive and offers no opportunity to address their drug problem. The steep increase in the number of breaches of community service is, in part, a result of offenders with drug problems being unable, as a result of their chaotic lifestyles, to keep the tight conditions that are set by community service orders.

Most criminal justice social workers include a drug-alcohol assessment when they compile a social inquiry report for the courts. However, even when they highlight the underlying problem and ask the court to consider, for example, a probation order with a condition of attendance at a drug rehabilitation programme, that type of disposal is not often granted in sheriff courts in Scotland.

The concept of treatment, as opposed to punishment, is not new. It has been around for some time—a bit like myself.

Christine Grahame (South of Scotland) (SNP): Oh no, not at all.

Kay Ullrich: Thank you, Christine.

I first encountered such a programme about 30 years ago in America, in the last few years of the Vietnam war. Do members remember that? Did Michael Matheson get that in history?

Michael Matheson (Central Scotland) (SNP): Not even in history.

Kay Ullrich: In the last few years of the Vietnam war, the United States military was faced with huge numbers of returning servicemen who had developed a drug habit. The penalty for anyone who was caught using drugs in the military was severe—instant dismissal, complete with a dishonourable discharge. With the prospect of such punishment, drug use was always going to be hidden, with obvious safety and security implications for the military.

The US military, like other militaries, is not renowned for its compassion, but it decided to deal with the situation by introducing a hands-up-to-drugs scheme. A person who admitted to a drugs problem received support and rehabilitation, and no disciplinary action was taken. That model has been widely copied.

We in the SNP, like everyone else, welcome a sinner who repents; heaven knows, the Executive has got sinning down to an art form. However, we welcome the Executive's 11th hour conversion to the SNP policy of establishing drugs courts. We have had enough prevarication. Valuable time has been lost, but the Executive has our support; let us get on with it.

10:14

Hugh Henry (Paisley South) (Lab): This debate shows some of the best and worst features of the Parliament. The best feature is the fact that we can come together—

The Presiding Officer: I am sorry, but I must stop you for a short while because we are having trouble with the microphones. We can hear you, but your speech will not be recorded for the official reporters.

I will allow you an extra half minute.

Hugh Henry: Thank you, Presiding Officer.

The best feature is that we can come together with a common purpose on an issue that is of concern throughout the country. Unfortunately, the motion and the amendments introduce an element of political self-congratulation that is as relevant to the general public as an argument among bald men over the ownership of a comb—I leave it to Bill Aitken to explain that in more detail. The general public are not interested in politicians trying to score points on such a serious issue: they are looking for a response and for effective action. I welcome the fact that we are speaking with a common purpose today.

Several matters need to be considered in the overall context of the debate. I support what Iain Gray has said: we need a coherent response and a balanced strategy. He was also right to talk about strong enforcement being the key to effectiveness. We cannot allow the creation of drugs courts to give the general impression that dealers will somehow get off the hook. We need effective, hard action to tackle dealers who bring misery to our communities, and the new Drug Enforcement Agency has demonstrated, in recent months, that it can make a contribution in tackling drug crime throughout Scotland.

Ms MacDonald: Does Hugh Henry agree that it is incumbent on the Executive to say how it will define a drug dealer and a drug user? If one is to

go before the drugs court and the other before a higher court, that distinction needs to be made.

Hugh Henry: Absolutely. I welcome the Executive's opportunity to work on the detail of how the drugs courts will develop. Comment has also been made about the need to learn from best practice elsewhere. Euan Robson made the valid point that we need to examine rehabilitation in this debate.

We must also stress the fact that the route to rehabilitation is not engaging in crime. We cannot prefer for the rehabilitation route those who have been convicted, or are involved in crime, over those who are making a determined effort.

Fiona Hyslop: The Social Inclusion, Housing and Voluntary Sector Committee recently visited the national drugs strategy team in Dublin, which is about to pilot a drugs court. It, too, is concerned that, although we must support the principle of drugs courts—and the things that can be done through them—they will work only with public support and if the Government gives rehabilitation and treatment to non-offenders to such an extent that there is no resentment about offenders receiving that support.

Hugh Henry: I agree. Like other members, I have been approached in my constituency by people who are trying to deal with the tragedy of family members who are victims of a drugs habit and are looking desperately for rehabilitation. In that context, I welcome the extra £100 million that the Executive has allocated to trying to tackle the problem of drugs throughout the country.

As well as rehabilitation for those who have managed to kick the drugs habit, we need to ensure that proper accommodation is available, that there is proper training and that opportunities exist for employment. We cannot view access to rehabilitation as the end of our support for drug users.

We cannot and must not ignore the role that education should continue to play in tackling the scourge of drugs throughout the country. I recommend that the minister—and his colleague, Jack McConnell, who is now responsible for education—look at a project in my constituency that has become the largest youth theatre company in Scotland. Paisley Arts Centre Education has developed a theatre programme involving young people, to deliver the drug education message to other young people in a positive and interactive way that makes that message more meaningful to them. With a combination of all those factors, we can finally come together to do something.

10:20

Bill Aitken (Glasgow) (Con): As members have heard, the Conservatives are basically supportive of the concept that is being advanced today. I shall spend some time outlining why and, at the same time, underline some of the caveats.

The Social Inclusion, Housing and Voluntary Sector Committee has been inquiring into how drugs affect poorer areas of Scotland. Although what manifests itself in those discussions must, for the time being, be confidential, I am not telling any tales out of school when I say that some of the evidence that we have heard has been horrendous and horrifying. The cost of the drugs scourge, in human and financial terms, is absolutely devastating.

The problem is getting worse and the evidence for that is clear in the streets of our cities, towns and villages. Against that background, anything that can possibly be done to ameliorate the situation should be considered seriously and implemented.

Let us consider drugs courts a little more realistically and in a somewhat more hard-headed manner. Not too much of what is being introduced is new. A number of disposals are available to courts at present, including probation orders, one of the conditions of which could be that the accused person be subjected to drug treatment and testing orders and required to maintain a drug-free lifestyle. That system is in place at the moment. If it is not being used, it should be used. Sentences can be deferred, so that the accused can demonstrate to the court that he or she is prepared to live a drug-free life. That option is also available at the moment.

If a problem exists with our sheriffs' expertise in dealing with cases in which the accused person is a drug addict, that should not be the case. Some 60 per cent of court cases involve people who have a drugs problem. If, bearing in mind that volume of cases, sheriffs cannot develop expertise, something must be quite seriously wrong.

The US experience seems tremendously exciting and rosy, and I listened carefully to what Euan Robson said about it. However, although it may have been entirely unintentional, he did not tell the full story about the recidivism rate. Although the percentage of those undergoing the treatment who fall by the wayside is low, the figure for those who re-enter society once the treatment has finished is not all that rosy. We must consider that aspect.

Ms MacDonald: Is there any evidence or research to show what sort of drug-using offence has been committed by many of those who fall by the wayside? I suspect that a fairly high

percentage will be people who are using cannabis, rather than injecting hard drugs.

Bill Aitken: I do not think that that is the case. There is a miscellany of crime, and much of it is not related to cannabis use. The harder drugs are causing the problem.

Courts have a clear duty to society as a whole, not just to those who find themselves in difficulty as a result of their own activities. There is also the issue of the diversions that are already in force. Roseanna Cunningham was quite wrong to say that the courts find themselves clogged up at the moment. In truth, there is a tremendous shortage of summary criminal work in sheriff courts throughout Scotland, such is the extent of the diversions that are being carried out. There is an argument as to whether that should be the case, but nevertheless that is the reality.

There is an appalling lack of treatment facilities. I am particularly concerned that those who are sent to prison, although they are sent there to be punished, should be given every opportunity to rehabilitate themselves. In our prison system, there is a lamentable shortage of treatment facilities.

We recognise that there is much to be said for the motion before the chamber today, but we do not consider drugs courts to be the panacea that will change everything. We should go ahead with the pilot, but we should do so with a degree of realism.

10:25

Richard Lochhead (North-East Scotland) (SNP): I, too, welcome this important debate. My speech will focus on the extremely worrying situation in the city of Aberdeen and in the rest of the north-east of Scotland.

When we think of Aberdeen, we think of the city that is home to the offshore oil industry and granite buildings, but how many people know that Aberdeen is also home to 2,000 to 2,500 heroin users? Last year, 25 mainly young lives were lost as a result of the use of illegal drugs. All that in a city with a population of just over 200,000 people. Examining the situation in Aberdeen and the north-east of Scotland will allow the Parliament to grasp the enormity of the drugs problem. Tackling drugs and their debilitating effect on society is the biggest challenge facing the Parliament. We need to explore new avenues and innovative solutions, and learn from other countries' success in tackling the problem. That is why I welcome today's debate on drugs courts.

Aberdeen is just a small city, yet tens of thousands of people there are victims of the drug culture: the addicts, whose lives follow a

downward spiral and who cannot see life beyond the next syringe or the next pill; the many families who find changed personalities in their households—Hugh Henry referred to the tragedies that many families experience; and the 25 families who lost loved ones last year. However, in the city of Aberdeen alone, there are also thousands upon thousands of victims of crime, not to mention the number in the rest of Grampian. It is no coincidence that Grampian police have to deal with record levels of crime—the highest level of crime in the whole country. The number of house break-ins is double the national average. We must remember that someone has to steal roughly £100,000 worth of goods to feed a £30,000 a year habit. According to Grampian police estimates, 70 to 80 per cent of the crime committed in Aberdeen is drug-related.

Lots of people in Aberdeen live in fear; they will not leave their home because they are convinced that if they leave, it will be broken into for the fourth, fifth, or—in some parts of the city—even the 10th time. There are old people who are afraid to walk the streets because of a recent spate of assaults on older people by folk looking for cash to feed their drug habit. There are newsagents who have given up their businesses because they are fed up of being held up by syringe-wielding people who are trying to get cash to feed their habit. They have gone out of business out of fear for their safety.

We need drugs courts to break the link between drugs and crime. The cost of crime in every city and community in Scotland is enormous. We must get away from the revolving door syndrome, which has been mentioned by other members. Most of all, we must help the people who want help, who know that they will go to prison and still have their drug addiction when they come out. Those people are crying out for help to solve their drug addiction. We should lock up people who have a history of violence and the drug pushers, but we should help those who can be helped. The justice system must deliver better solutions.

I am absolutely convinced that, in many cases, if we take the addiction out of the person, we will take the criminality out of them as well. That is the key. In a city such as Aberdeen, removing one addict from the scene will remove around 360 to 400 crimes a year, which is what we want to do. I appeal to the minister to state unequivocally that pilot drugs courts will be implemented, and to ensure that Aberdeen and the north-east of Scotland are top of his agenda.

10:28

Maureen Macmillan (Highlands and Islands) (Lab): I hope that members will bear with me, as I do not have my glasses with me. I left them on the

kitchen table, I am afraid.

Christine Grahame: The member can try mine if she wants.

Maureen Macmillan: No, thank you. I have tried them before.

I welcome the tone of the SNP's motion, but, like Hugh Henry, I am sorry about the self-congratulatory detail. I suppose that that is politics.

Roseanna Cunningham: What about the Executive amendment?

Maureen Macmillan: That is politics too.

I do not want to waste any more time. I welcome the SNP's motion to an extent. We are having a positive debate on drugs policy and the possibility of drugs courts, which will concentrate on rehabilitation rather than punishment. However, when we talk about drugs, we must be aware of who is listening. I am concerned about the mixed messages that our young people are getting. Some people have advocated decriminalising or legalising cannabis. Others want draconian sanctions to be used against drug dealers and users. We are sending out confusing messages to young people at a time when tremendous efforts are being made by statutory agencies and voluntary organisations to turn the tide on drug abuse.

The Young Scot survey showed that the top cause of worry for young people between the ages of 14 and 25 was drugs, followed by alcohol. It is important that we have a consistent message to give young people and that it should complement, not contradict, what they hear from teachers and youth workers. Public figures should not undermine the drug strategies that are put in place by the police, the health boards, the local authorities and the voluntary organisations. Young people need to be given a clear and consistent message.

In the Highlands and Islands, drug abuse is the biggest problem that the police face. Small communities in rural areas can have serious drug problems. For example, the Mothers Against Drugs group from Cranhill was recently invited to Easter Ross to support parents who are coping with heroin addiction among young teenagers in a particular community. We must realise that drugs are a problem not only in the cities. The numbers might be smaller, but the effects on small communities are just as devastating as they are in the cities.

The idea of drugs courts is interesting and positive. However, I am unsure how it would work in a sparsely populated area such as the one that I represent, where there may not be sufficient offenders to warrant having separate courts. If there is to be a pilot scheme or study, we must

examine the logistics and costs of providing drugs courts and rehabilitation facilities in places such as Wick, Portree, Dingwall and Tain. I do not want us to have a two-tier system that ignores the realities of the drug problems of rural areas.

The drugs strategy that is being implemented in the Highlands will significantly address the drug problem and might form the basis for rehabilitation centres. As a former teacher, I welcome the fact that part of the £100 million for tackling the drug problem is going into education. I know that the social inclusion partnerships in the Highlands and Islands are beginning to work at the grass-roots level in vulnerable communities. We will not see results immediately, but we will see them.

In the Highlands and Islands, the problem is not only drug misuse. There is also a major problem with alcohol misuse, and the two are often combined.

Christine Grahame: First, I congratulate Donald Gorrie on at last securing a members' business debate on alcohol misuse.

Does Maureen Macmillan agree that it is time that the Executive allowed us to have a full debate in the chamber on alcohol abuse? Iain Gray has been promising such a debate for some time.

Maureen Macmillan: I would welcome a full debate, and was also about to congratulate Donald Gorrie on securing the members' business debate. Attempts to tackle drug misuse should go hand in hand with attempts to tackle alcohol misuse.

I am pleased that Highland Council, Highland Health Board and other organisations are tackling alcohol misuse in the Highlands and Islands.

There can be no doubt that tackling drugs misuse is one of the biggest challenges that we face, if not the biggest. There needs to be a balanced approach that reflects the needs of individuals and communities, whether they are urban or rural. Drugs courts could be a positive step forward but they should not be implemented hastily without proper consideration for rural areas. Drugs courts could be considered as one part of the jigsaw that the other strategies—

That makes up the other strategies—

I am sorry, I am stumbling because I do not have my glasses. I cannot read my own writing without them.

Christine Grahame: Hold the paper further away.

Maureen Macmillan: That is a good idea.

The Executive's strategy—

The Deputy Presiding Officer (Patricia Ferguson): Could you wind up please?

Maureen Macmillan: The Executive's strategy, I think, would be a good idea. What a mess I made of the end of that.

10:34

Donald Gorrie (Central Scotland) (LD): I congratulate the SNP on its motion, and on the one that we will debate in a few minutes' time. It is encouraging to see positive motions that raise important policy issues. We have wasted far too much time in the past on Opposition motions that are purely mischief making or on Executive motions that are bland and self-congratulatory. That is a general sin and, no doubt, I too am guilty of it.

It is important to debate motions such as this. I welcome what the minister said, although I do not welcome the way in which the matter was handled before it came to Parliament. The Executive's change in attitude away from the London position—tsars, tackety boots, and the view that we should convict everybody in sight and arrest people who take cannabis—is very welcome. We are moving towards treatment, rehabilitation and so on. I accept that the drugs courts are only part of the picture.

I want to make a personal plea. I am expected to vote for a whole lot of simply awful Executive amendments. If I ever find out who writes them, by God he—I am sure that it is a he—will get it hot and strong. There is a lack of generosity in them. I know that people make party points, and I do not expect the Executive parties to support a motion that says how marvellous the SNP's manifesto was, but there could be more generosity of spirit. There was much more good stuff in Iain Gray's speech than there is in the amendment for which I am being asked to vote. Amendments could include more self-confidence and generosity.

I wish to pursue the general issue of alcohol and drugs. The courts are only one aspect of the matter. The Executive and the Parliament must take such issues seriously. If we cannot have a UK commission to examine all addictions—tobacco, booze and drugs—but must have separate commissions on each addiction, let us have a Scottish committee or commission on the subject, as Margo MacDonald has proposed. There is so much conflict of technical opinion that we need a committee or commission to sort it out and take the issue forward sensibly. We need a coherent and joined-up policy involving education, rehabilitation and so on.

I beg the Executive to grasp this issue and not to be frightened that we may be abused, totally unjustly, by some of the tabloid press if we

establish a commission. Such abuse happens all the time anyway, so it might as well happen for a good cause as for some other reason. Let us have an overall look at the issue. Let us take booze seriously. We will have a debate on that subject in a fortnight. With due respect to Maureen Macmillan, I am sure the police in the Highlands would tell her that booze is a much bigger problem in the Highlands than drugs are. That is not to say that we should ignore drugs, but we must consider booze, too, as a problem. The two issues are joined together. I hope that we will progress from today's welcome debate to examine those issues more broadly.

10:38

Ms Margo MacDonald (Lothians) (SNP): As my microphone is not on, I will shout. Picking up from where Donald Gorrie left off, there is a problem—

The Deputy Presiding Officer: I have to interrupt, as we seem to have lost sound from your microphone. Could you move to Donald Gorrie's microphone?

Ms MacDonald: Okay.

We have a problem in providing a consistent message—the clear message for which Maureen Macmillan asked. I am certain that the people who took part in the Young Scot survey would say that there are more problems with alcohol than there are with cannabis, for example.

I crave your indulgence, Presiding Officer, to raise the issue of cannabis in this debate. If we are to have drugs courts to separate the sheep from the goats, we will have to decide which are the very bad drugs, which will be dealt with by the drugs courts, and which are the less bad drugs, which may be dealt with in another way, such as by treatment orders. Unfortunately, we have not had time today to address that issue.

I am keen that there should be proper examination of the different categories of drug that are used by different categories of people. The arrestee drug abuse monitoring—ADAM—methodology, which was piloted recently in Scotland, showed that well over 50 per cent of the people who were arrested for drugs offences had taken cannabis. However, we do not know whether most of them had used only cannabis, like Rosalind Henderson, who is featured in *The Herald* today. She used cannabis for medicinal purposes—for pain relief—in the same way that multiple sclerosis sufferers use it. Are we to categorise people who use cannabis for such purposes as less serious drug users or abusers? They are still breaking the law as it stands.

As part of the mosaic of dealing with drugs, we

must consider which drugs we are talking about, how we are to classify them, who uses them and why. When it comes to whether drugs courts will diminish the level of drug-related crime, we should ask how many folk are lifted because they shoplifted in Boots, or wherever, to be able to smoke some cannabis at the weekend. The answer would be very few. We have to admit what happens, and research is required. Members should all sign my motion—they can do so easily by visiting the chamber office.

The Deputy Presiding Officer: I am afraid that this morning's problems with the microphone system seem to be more serious than we had thought, and we will have to suspend the meeting for approximately five minutes. I propose that, on resuming, we continue this debate for the appropriate additional period. That will affect the next debate, so we will suspend the meeting for lunch five minutes—or thereabouts—later than usual. I apologise, but there is little else that can be done at this stage.

10:41

Meeting suspended.

10:52

On resuming—

The Deputy Presiding Officer: We can now reconvene. We will move to the winding-up speeches.

10:52

Robert Brown (Glasgow) (LD): I must first apologise for arriving late—I was stuck in traffic. However, that had an advantage: I heard Hugh Henry going on about the rights and wrongs, and the good and bad things in the Parliament; but all the naughty bits took place before I got here. I therefore think that this morning's debate was very good, with knowledgeable people talking about a subject that they knew well. That showed a strength of the Parliament.

We are dealing with a major problem. In my opinion and in that of the members of the Social Inclusion, Housing and Voluntary Sector Committee who have been working on our report, the key issue is not cannabis users, or users of the more minor drugs. The key issue is the 20,000 or 30,000 serious heroin addicts in the country. That is where drugs and crime are especially closely linked, and we have the feeding of a habit by crimes of dishonesty.

I used to appear as a duty solicitor in the district and sheriff courts until around eight or 10 years ago. Being in the courts is an eye-opening experience that I would recommend to anyone

who wants to see the sharp end of what is happening to the driftwood of society, if I can put it that way. For a long time, the excuse that was given by those who had committed offences was alcohol—"I had too much to drink last night, sir." About 10 or 12 years ago, everything changed, and drugs became the excuse—there is always an element of self-excusing in these matters. There was a clear change in what was happening prior to offences being committed.

As one or two people have suggested, the issue is a mosaic. It is difficult to get the answers to the drug problem right. There is no single answer. The idea of the drugs court is a useful contribution to the debate, but I have to say that I am a little agnostic about some of the claims about the benefits of the court. A key issue is resources: we must be able to prevent people from going on to drugs in the first place, and we must have the resources to deal with them if they become habitual users.

Many issues arise. There is the issue of throughput, which involves the services that people receive when they come out of prison. There are distinct issues about the availability of resources in different parts of the country. I hear what the minister says about new money being put in, but there is a long way to go. The level of resources available is not as high as it should be, and they are often not fully known about in some areas.

There needs to be a discussion not just on the way in which we deal with the sentencing end of the matter—the drugs court aspect—but on the assessment of what works and what does not. The solution is not just a mechanistic matter relating to resources, but is about the input of family members, employment and how we get people back on track. There are many elements linked together. The people who deal with the issue need a high degree of expertise.

Another useful point was on the need for public support. That is not always available for the things that we do in the Parliament. My party has suggested—as have Donald Gorrie and Margo MacDonald today—the idea of some form of royal commission to look into the links between cannabis and harder drugs and to provide solid evidence on a series of important public issues. That would help to get public support behind the idea. We must move on the issue, with the support of the public.

Bill Aitken talked about the need to be realistic in what we do. The realism comes in what the courts can do—they can change procedures. However, I am sceptical about spending additional money specifically on drugs courts, rather than dealing with the resources that such drugs courts would feed into.

10:56

Phil Gallie (South of Scotland) (Con): I want to begin, somewhat unusually, by referring to a member who has not participated in the debate: Keith Raffan. His presence is missed today. I know how deeply he feels about drug misuse and I am sure that members join me in sending him our best wishes and hopes for his swift return to the Parliament.

The Conservatives welcome the new Deputy Minister for Justice. He is well acquainted with the work of the Justice and Home Affairs Committee—he spent much time with us when we discussed the Adults with Incapacity (Scotland) Bill. He has also considered the drugs issue from a health perspective, which may prove extremely valuable.

The Conservatives were forced into lodging an amendment to Roseanna Cunningham's motion because of the reference to the SNP manifesto—we, too, wanted to lay a claim. However, when Hugh Henry rebuked us, he should also have rebuked the minister because the Executive has included similar self-congratulations in its amendment. Donald Gorrie also referred to that.

Roseanna Cunningham mentioned the relationship between crime figures and drugs. I am advised that more than 75 per cent of people who are brought in under a breach of the peace charge have drugs or alcohol in their bloodstream. That gives us cause for concern. Drugs courts could be used to assist in such cases, which present an early indication of people falling into bad ways. I welcome Roseanna Cunningham's point that the establishment of drugs courts is not an isolated action, but forms only part of an answer. Iain Gray went on to emphasise the point that drugs courts would form one part of a greater scene.

Iain Gray also referred to the fact that shoplifting, housebreaking and car crime are not minor crimes—they are very serious. Such crimes penetrate people's minds and destroy their faith in the fabric of society. On that basis, we will support the proposal to set up drugs courts, provided that the seriousness of such crimes is borne in mind by those who determine how individuals will be dealt with.

Iain Gray's emphasis on the application of such initiatives to early offenders is welcome. I do not think that somebody who repeats offence after offence should be offered the option, which aims to take people away from the drugs scene. To achieve that, offenders must not simply recognise the severity of the things that they have done, but must want to break with their addiction. There must be a desire on their part to come off drugs. That must be a factor for those who go before drugs courts.

Margo MacDonald made a fair point about

cannabis, but I wonder how suitable drugs courts would be to deal with cannabis offenders, because we are told by those who support it that it is not addictive. On that basis, perhaps those who use cannabis should be excluded from the drugs court process. That is an interesting point. I acknowledge Margo's point about the medicinal use of cannabis. As she is aware, she has our support.

The comments made by Dr Ian Campbell, which Lyndsay McIntosh addressed, are valid. When general practitioners say that there are no alternatives and that there are problems, we must take that on board, particularly when we know that so many agencies and groups are involved in the process.

I am aware that I am over my allotted time, so I would like to make the point clearly that drugs courts are one thing; infrastructure is another. Such courts are not an easy option. The amount of input into the infrastructure, such as rehab facilities and other support measures, will be costly, which is why we offer some support to Roseanna Cunningham's motion, which mentioned a pilot exercise. We will support a pilot exercise, but we want to hear that the infrastructure will be in place when the pilot is brought to fruition. It would be helpful if the minister provided some idea of costings.

The Deputy Presiding Officer: Before I call Iain Gray to wind up for the Executive, I realise that a number of members have arrived for the second debate of the morning. I should inform them that we are running about 10 minutes late because of a technical problem, which I hope has been resolved.

11:02

Iain Gray: As a number of members have said, at a time when we know that as much as 70 per cent of crime has some link to problem drug use, it is heartening that the Parliament chooses to devote its time today to debate the issue, and I acknowledge that the SNP chose the subject. I am also pleased that my first debate as Deputy Minister for Justice has allowed me to signal the Executive's commitment to working up a model of drugs courts for Scotland. I cannot promise that, as minister, I will always agree with the Opposition, but this is a nice start. I will probably always have the record for the quickest accusation of a ministerial U-turn, which happened before I had the chance to stand up in my new role, but I am heartened by the agreement that there has been in the debate, which has risen above the minor party political points that all sides have made.

It has become clear that, although on the

surface drugs courts seem like a simple option, they are not. Done properly, however, they represent an intensive intervention by the courts and criminal justice social work services, as well as treatment and rehabilitation services, working together. A number of important points have been made about that. Maureen Macmillan and Euan Robson are right to say that in considering the Scottish context we must consider not only our legal system and traditions, but our geography and population spread. I acknowledge that a drugs court model must be practical in rural as well as urban Scotland.

Bill Aitken is correct that a range of disposals is already available. I indicated that we intend to broaden the range, but the distinctive feature of the drugs court concept is the closer relationship between the criminal justice system, the treatment regime and the agencies that are involved. The element of specialism, to which Bill Aitken alluded, makes the drugs court concept different and more effective.

On the disposals that are being developed, I say to Roseanna Cunningham that in the spending review there are resources to help spread out arrest referral schemes. To Richard Lochhead, who made a plea for the drug problem in Aberdeen not to be forgotten, I say that that is one of the reasons why drug testing and treatment orders have been extended to Aberdeen and Aberdeenshire. That approach holds out the prospect of reducing the amount of drug-related crime; that will be its test. I have little interest in whose idea it was. That is a pointless argument, which Hugh Henry described rather more graphically. We have the opportunity to create an effective system. To achieve the results that we want, we must ensure that we set up systems that have the best chance of success. I do not apologise for taking the time to get that right.

Many members said that ensuring ready access to treatment and rehabilitation services would be critical to our success. The Executive has invested an extra £100 million from the spending review in the services that are required.

Brian Adam *rose—*

Iain Gray: We are running late, so I am sorry but I cannot give way.

Lyndsay McIntosh rightly gave an example of the gaps in treatment services that we must address to make the drugs courts concept work. The additional resources for treatment are part of our programme for government commitments and give us the opportunity to move on the idea of drugs courts while ensuring that we meet the concerns of Hugh Henry and others, who want non-offending drug misusers to have access to treatment programmes too.

We are taking the right approach and learning lessons from experiences here and abroad. We are devising our own system, which will be rooted in Scottish legal institutions and traditions. As Robert Brown said, that must be part of a wider agenda that joins up services to meet the needs of the whole person for treatment, rehabilitation and reintegration into employment, family networks and the community. That will give individuals the best chance of turning their backs on drug misuse and its effects. The agenda must co-ordinate action to ensure education and prevention with consistent messages for young people, as Maureen Macmillan said. Misusers must have opportunities to move on to employment through education and training, and enforcement measures must be taken to reduce the availability of drugs on our streets.

The strength of our approach lies not in a single issue but in the breadth of our response and commitment and in the breadth of the political will shown today in the chamber. That will allow us to deliver on the agenda that we have set for ourselves and for our people all over Scotland.

11:07

Michael Matheson (Central Scotland) (SNP): I welcome the tone of the debate set by all parties, in recognition of the complex drugs misuse problem in Scotland. I also welcome the minister's recognition that the issue of drugs courts was a Scottish National Party manifesto policy commitment. Rumour has it that the Executive, as part of its on-going review of policies, is about to steal one of our other core policy areas: that of independence. I look forward to it bringing that motion before Parliament in due course. *[Laughter.]*

Iain Gray, in his opening remarks, referred to the blight that drugs misuse casts on Scottish society. A number of members have highlighted the true cost of the drugs problem in Scotland. The cost is not only to the individual, but to their family. It affects the individual's life, leading to loss of friendships and dignity, and a day-to-day existence that is based on feeding their habit. It is a lifestyle based on survival.

When I was at school—more recently than Kay Ullrich—my school had a drugs problem, which reflected the part of Glasgow in which it was located. The school ran a drugs awareness programme, during which a number of workshops were held by former drug addicts. The girl who took our workshop had suffered from a heroin problem for some years. She had lost contact with her family and was so desperate that she returned to her mother's house. Her mother had not let her into the house for years because of her problem, and she refused to let her back in, saying, "I'm not

letting you back in until you give up drugs." At the door, she told her mother that she was home in order to give up drugs, and, on that basis, her mother allowed her back into the house. When her mother went out for the messages, the girl stole her television and video in order to pay for more drugs. That is an example of the blight of drugs on society, individuals and families.

A number of members touched on the problems that exist in the wider community. Day in, day out, we hear from people whose houses have been broken into, whose cars have been stolen and whose children cannot play in the back court because drug addicts use it for injecting, leaving the needles behind. Often, those people are not directly involved in drugs but suffer as a result of the continuing drug problems in the community.

As Roseanna Cunningham mentioned, the cost is not limited to the individual, their family and community but affects society as a whole. The Scottish Executive has indicated that in the region of £330 million a year is spent on dealing with Scotland's drug problem, £120 million of which goes on policing alone. Given the financial implications for society, it is in our interests to assist individuals who have drug problems and the communities that suffer as a result.

There is a complex drug problem in Scotland to which there is no single solution. However, as is always said in politics, it is important that we do not just bang the table and say, "We must deal with the problem." By proposing drugs courts, the SNP is genuinely attempting to bring to the table an idea that we believe offers a constructive way of dealing with the problem.

As Hugh Henry said, a balanced drug policy is important. There must be a balance between the important issue of enforcement—the Executive has established the Scottish Drug Enforcement Agency—and the education of young people, in order to ensure that they do not take up drugs and, at the same time, that we provide rehabilitation services to those who have a drug problem. Even that approach must be balanced, because, as Hugh Henry said, we must ensure not only that drug addicts who commit crimes have access to rehabilitation services, but that those who do not commit crimes and who are looking for support also have ready access to those services.

The pressure for more alternatives to custody is not just political. Roseanna Cunningham mentioned a number of organisations that are committed to the idea of drugs courts and that believe that such courts will benefit Scotland.

The Executive also mentioned the alternatives to custody that are already in place. We heard about the arrest referral scheme, about which there is confusion. The Executive department that is

responsible for that scheme is clear that there is no set strategy for developing it. I welcome the minister's statement that the arrest referral scheme will be extended in the Aberdeen area, but there are different approaches in different parts of the country. We must ensure that we do not end up going down the route of a two-tier system and that we tackle the problem of drugs in a uniform way.

Members also touched on the issue of DTTOs and the way in which they can be used. I recognise that the minister is committed to extending the pilot project on DTTOs. However, it must also be recognised that fewer than 50—

Phil Gallie: Will the member give way?

Michael Matheson: Yes, but only briefly.

Phil Gallie: Michael Matheson referred to a one-system structure, but, given the comments made about rural communities, should not the system be flexible?

Michael Matheson: Yes, but our responsibility should be to ensure that, if someone presents at court with a drug problem in any part of Scotland, they should still have access to services. The problem is the piecemeal approach that exists at present.

I was talking about DTTOs. Why is it that, for nearly two years, fewer than 50 DTTOs have been issued? If we are to extend the use of DTTOs, we must consider why such limited use has been made of that disposal.

Last Friday, I visited HM Young Offenders Institution Polmont and spoke to the prison officer who is the prison's drugs co-ordinator. She said that, of 15 new young offenders who presented at the institution in the past month, nine tested positive in drug tests. It is estimated that between 70 per cent and 80 per cent of all young offenders at Polmont have a drugs problem. Although there are limited resources within the prison system to deal with that problem, the institution is desperate to see the introduction of a mechanism to ensure that, because of their drugs habit, people do not start down the route of a life leading from one prison to the next. Drugs courts are one of the vehicles that can help to break that vicious cycle.

Although I welcome the fact that the Executive is willing to take on board the establishment of drugs courts, I share Donald Gorrie's concerns that its amendment makes no reference to that. We need a clear, focused and determined attitude to dealing with the drugs problem in Scotland and on that basis I ask members to support the SNP motion.

Business Rates

The Deputy Presiding Officer (Mr George Reid): The next item of business is a Scottish National Party debate on motion S1M-1301, in the name of Kenneth Gibson, on rates relief for small businesses, and on two amendments to that motion. Because of the time lost through microphone failure, we have the option of running on for 10 minutes after 12.30 pm; however, looking at the list of speakers, I am hopeful of concluding on time.

11:16

Mr Kenneth Gibson (Glasgow) (SNP): I open by welcoming the new local government and finance team to the chamber—and Angus MacKay's mum to the gallery. I reassure the new ministers that we recognise that they might not be completely au fait with their respective briefs and promise to be gentle with them. Well, I promise to be gentle—I cannot give any guarantees about Fergus Ewing.

This issue is close to our party's heart. At the previous elections for this Parliament and Westminster, the SNP suggested costed proposals for a relief scheme for small business; in fact, we were the only party to do so in either election. We did so because we acknowledge that the rating system is inherently discriminatory to smaller businesses, and we recognise that small businesses pay a disproportionately larger part of their turnover and profit in non-domestic rates.

Indeed, a year ago today, the Local Government Committee was informed in evidence received from the Federation of Small Businesses, the Forum of Private Business, the Scottish Retail Consortium and the Confederation of British Industry that, as a percentage of turnover and operating profits, small businesses pay a significantly higher proportion than large concerns, sometimes by a factor of 10. For owner-occupier small businesses, rates form the single biggest overhead. That can act only as a brake to growth, jobs and investment to the detriment of the economy, particularly in rural and remote Scotland. For some small businesses, the level of rates can mean the difference between staying in business and going bust. Such is the concern among small businesses at the level of rates paid that 87 per cent of the members of the Forum of Private Business stated that it was the issue they most wanted Parliament to address.

Introducing small business rates relief not only will help the businesses involved to survive, expand, recruit more staff and pay taxes, but will encourage new start-ups, which will help the

Scottish Executive to reach its target of creating 100,000 new businesses over the next 10 years. Although the introduction of a 1p reduction in the poundage this year is welcome, it will make no appreciable difference to the bottom line of any small business. The smallest 70 per cent of all Scottish businesses contribute only 12 per cent of the business rates collected by the Scottish Government. For that 12 per cent, the profitability and viability of many Scottish businesses are fundamentally affected. It is clear that the pain caused is not warranted by the gain made.

Instead of abolishing the uniform business rate, as the Liberal Democrats proposed in 1997, or doing nothing like the Tories and new Labour, we think that a compromise is possible that will allow us to protect the income stream that local authorities receive through non-domestic rates while alleviating the burden on the businesses that are least able to pay.

It is important to emphasise that non-domestic business rates are an effective revenue gatherer for local government and a vital support for Scotland's public services. This year, more than £1.5 billion will be collected from Scottish business and redistributed to support public services across the country. That represents the second biggest contributor to local services after government grant, dwarfing the amount of money collected through council tax.

Unlike the electorate, on which council tax is levied, the business community has no say when unfair or punitive levels of taxation are imposed on it. That is why we support the principle of uniformity, a principle that is a necessary protection against the worst excesses of Mr MacKay's colleagues in Labour's rotten boroughs. I excuse Mr Peacock from that. As a recent Labour party recruit, it would be unfair to tar him with the same brush.

The principle of uniformity must extend beyond our borders, as it is vital that Scottish businesses are not put at a competitive disadvantage. Put simply, Scottish business should not pay more than business in England. That is a clear principle of the SNP. We thought that it was shared by all parties represented in this chamber—until the coalition introduced Jack's tax, as my illustrious colleague Fergus Ewing famously termed it.

Bristow Muldoon (Livingston) (Lab): I am interested to hear that it is the SNP's position that we should have the same taxation rates as England. Has the SNP abandoned independence?

Mr Gibson: Certainly not. However, an independent Scotland would not want its businesses to be at a competitive disadvantage with those of our next-door neighbour.

For those members who are unfamiliar with it, I

should explain that under Jack's tax Scotland's businesses pay more in business rates than their counterparts in England, through a poundage that is 8.8 per cent higher than that south of the border. That is a direct breach of Labour's 1997 manifesto and a new tax that it failed to mention in its 1999 manifesto. For the first time since the UBR was introduced, the poundage rate in Scotland will be higher than it is in England. Simply put, a building in Glasgow will now cost more in rates than a building of comparable asset value in Gloucester.

I do not want to dwell for too long on Jack's tax. From their woeful amendment, it seems that the Tories believe that today's debate is about that. I am sorry to disappoint them, but if they had read the motion, they would know that this debate is about small business rates relief. Sadly, their amendment shows their utter contempt for the small business sector.

I want to concentrate on the motion that is before us. I think that there will be consensus on the motion. In fact, I know that there is consensus on it. I am lucky enough to serve on this Parliament's Local Government Committee, which reached a consensus on this very issue. Even Keith Harding, who is now smiling, agreed, so it will be interesting to see whether he, the Liberal Democrats and Labour members maintain their position or turn turtle on this issue, the whips having won again.

For the benefit of the chamber, I will outline conclusion 1 of the Local Government Committee's report on non-domestic rates, published on 23 June this year. It states:

"The Committee is satisfied that small businesses face a disproportionate rates burden and considers that a permanent small business rates relief scheme, which is more generous than the present 1p poundage reduction, should be introduced with effect from 1 April 2001 at the latest."

It continues:

"this points to the need for a multi-banded or tapered scheme with the level of relief reducing to a small level close to the upper limit of eligibility."

The report goes on to say:

"The Committee considers that the relief scheme should be self-financed through an increase in the Scottish poundage."

To me, that says it all. As tasked by the Minister for Finance, and in co-operation with the Enterprise and Lifelong Learning Committee, we conducted a lengthy inquiry into this issue and arrived at the central conclusions to which I have referred. After listening to a variety of views and considering the evidence, we came to believe that a more generous, permanent scheme was required. More eagle-eyed members will have noticed that the SNP motion this morning calls for

precisely that.

Today we seek simply to build on the cross-party consensus that the Local Government Committee has already established. That is why I am somewhat disappointed by the tone of the Government amendment. Our motion seeks to reinforce the decision of the Local Government Committee. It seeks to give the chamber the opportunity to endorse that decision and to give a clear signal that we want to see progress on this matter, sooner rather than later.

Two schemes have been proposed, by the FSB and the FPB. I understand that the minister has been given the details of those. If so, he will note that both schemes are self-financing and involve a shift in the rates burden from small to larger businesses. Under the FSB scheme, for example, small businesses are effectively designated as those having a rateable value of less than £10,000—a threshold figure that the Executive accepted last year when deciding which businesses qualified for penny poundage reduction. The FSB scheme would be tapered and would mean relief of at least 50 per cent for businesses with a rateable value of less than £5,000, at a cost to larger businesses of an additional poundage of 1.9p, a figure not dissimilar to that which the Department of the Environment, Transport and the Regions is considering down south under its proposed scheme.

Eleven months ago, the former Minister for Finance stood before this chamber and promised that he would deliberate on the case that had been made by the small business organisations. He said:

"Over the next 12 months, Henry McLeish"—

whatever happened to him?—

"and his team will examine the case for small business rate relief and consider the best way forward."

He also said:

"In the next 12 months, we must examine in an open and transparent way how we can afford that, rather than rushing into a decision this afternoon.

I hope that that decision is welcomed by small businesses—it certainly should be."—[*Official Report*, 8 December 1999; Vol 3, c 1262, 1273.]

I can tell Angus MacKay that the 12 months is nearly up. The Executive has had 11 months to cogitate, analyse and examine the schemes put forward by small business organisations and five months to examine the Local Government Committee's report. The SNP thinks that the Executive has had long enough to produce a scheme. Our motion today is designed to bring that to a head. Vote for our motion today and the Executive will still have time to produce a scheme in its review. If the Executive votes for this motion,

it will identify itself with its own back benchers, who supported this form of words as a committee recommendation. Vote for this motion and signal to small business that it will be able to plan for a relief scheme in the next financial year, not at some distant point in the future.

It is incumbent on the Government to tell us whether it favours either of the schemes put forward by the small business organisations, whether it has a scheme of its own or whether it is simply saying to small businesses that they have had their whack when it comes to help from this Government. We deserve an answer; I look forward to the minister's response.

Today, the Executive has already taken on board one SNP policy in relation to drugs courts. This is an excellent opportunity to adopt another.

I move,

That the Parliament resolves that a permanent small business rates relief scheme, which is more generous than the present 1p poundage reduction, should be introduced with effect from 1 April 2001.

11:26

The Minister for Finance and Local Government (Angus MacKay): I begin by thanking Kenny Gibson for his kind words in his opening comments, followed up by the ritual SNP apology for being about to punch me in the face. On this occasion it was about colleagues on the Local Government Committee; yesterday it was about my appointment as Minister for Finance and Local Government. It was done in a friendly spirit, so I take it in that way.

I should correct the record. As well as my mother I also have a cousin, a niece and a member of staff in the gallery today. It will be nice to have that noted.

The responsibility for non-domestic rates passed to the Scottish Executive as part of the devolution settlement, which occurred only months before the statutory five-yearly non-domestic rates revaluation was due on 1 April 2000. In other circumstances, that could have been a serious cause for concern in Scotland's business community. However, reviewing the work of the Executive from the outset demonstrates that it actively sought to establish good and effective working relations with representative business organisations, to get the key messages of the non-domestic rates revaluation over to their members.

The underlying principles of that approach were openness, minimum disruption for business, stability, certainty and a harmonised treatment of valuation and rating practice north and south of the border. Most important, there was no increase in real terms in the overall tax burden as a result of

revaluation.

Business was—

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): Will Angus MacKay give way?

Angus MacKay: Not this early. I will give way in a minute.

Business was consulted early on our proposals. In December 1999, some three months before the revaluation took effect, my predecessor, Jack McConnell, was able to make several announcements. The first was that the intended Scottish rate poundage for 2000-01 was 45.8p. The second was that, overall, Scottish businesses would not pay more in real terms as a result of the 2000 revaluation. The third was that there would be a 1p reduction in the rate for small businesses, and the final announcement was that a distinctive Scottish scheme of transitional relief would be established to assist businesses facing an increase in their rates bills. Those sound and sensible initiatives were widely welcomed by Scotland's business community, which was consulted and involved at every stage of the process.

Fergus Ewing: The minister says that the business community welcomed the decisions taken. Donald Turner of the Scottish Council for Development and Industry, a body that is known for its political impartiality, described the departure of a common poundage and the imposition of a poundage 10.1 per cent higher in Scotland than in England as

"a retrograde step that will harm the Scottish corporate sector and undermine the benefits received from the harmonisation of cross-border business rates in the 1995 revaluation."

Was Mr Turner wrong?

Angus MacKay: I am delighted to re-engage with Fergus Ewing. I feared that in moving away from the justice brief I might miss those exchanges—[*Interruption.*] I will pass over the comment that I just heard.

Mr Ewing, quite reasonably, has quoted a view from the business community. The business community has expressed several views about different aspects of the rating review and the requirement to move to a new system—

Fergus Ewing: Which of them support Jack's tax?

Angus MacKay: If Mr Ewing bears with me, I will continue to make my point. Several representative organisations have suggested that we should move to a new structure. The problem is that those organisations and individuals are not always in agreement with one another—I shall address that point later in my speech. It is

therefore not appropriate to paint a broad picture from one selective quote. The point that I was trying to make is that the approach that was taken by the Executive, which was open and allowed business an opportunity to express its views before the Executive reached any conclusions, has been welcomed by the business community.

Fergus Ewing *rose*—

Angus MacKay: I am not going to give way. Mr Ewing has already caused me to say more than I wanted to, given the short amount of time that I have.

The revaluation has gone smoothly. It is perhaps too early to give definitive feedback on the specific results of the revaluation; however, I can say that the number of appeals against new rateable values is down on the previous revaluation. That can be regarded as an indication of success in achieving the aims of openness, transparency, stability and partnership with the business community.

I confirm that the present 1p reduction in the poundage rate for small businesses will continue as we review the case for further assistance for small businesses.

Mr Gibson: Given that the deadline for appeals was 30 September and that there was a certain restriction on winners and losers, what kind of impact will the transitional relief for this year have on businesses from 1 April? Does the minister not think that a lot of businesses that do not realise that the deadline for appeals was 30 September will suddenly find themselves caught out?

Angus MacKay: Kenny Gibson raises an important point concerning the way in which businesses will proceed when the transitional relief ends. We will have to address that and have been doing so in the review that Mr Gibson mentioned in his opening speech.

I intend to do two things in my new role. First, I shall immediately engage in a dialogue with the new Minister for Enterprise and Lifelong Learning, not only to consider the specific issue of rates and rating relief, but to examine the broader issues around the cost base for small business, to determine what kind of broader package it might be possible to develop.

Secondly, I shall make a further announcement, by Christmas, about what stage we have reached in the review on which Mr Gibson addressed some specific questions, about what the next stage will be and about what conclusions we have drawn. I hope that that gives some comfort about our bringing that review to an end. Kenny Gibson talked about a 12-month period, but we will make an announcement before Christmas.

From early in the life of this Parliament, the

Executive has been conscious of the concerns that have been raised by small businesses over their rates liability in comparison with that of larger businesses. As I have said, the transitional relief scheme ensured that no businesses faced large increases in rates bills following the revaluation. The position of small businesses was recognised specifically in the design of that scheme, and the real increase in rates bills of businesses with a rateable value of £10,000 or less was limited to 5 per cent. The increase in rates bills for larger businesses was limited to 7.5 per cent for this year.

The Local Government Committee conducted an inquiry into the balance of the burden of business rates between small and large businesses. The committee took evidence from a wide range of business organisations, the Scottish Assessors Association and officials from the Scottish Executive. In its conclusions, the committee clearly supported the view that small businesses face a disproportionate rates burden, and it outlined the general principles that it believed should apply to a rates relief scheme without attempting to follow that through with detailed and specific proposals. I intend to have full regard to that report before making the announcement in December.

As part of the 2000 revaluation, the Executive is taking steps to address the concerns of small businesses. The Scottish Valuation and Rating Council, which comprises business representatives and others who are active in rating and valuation, was charged with undertaking a review of the 2000 revaluation as well as with considering more widely non-domestic rating practices and procedures. Among the specific areas that the SVRC was asked to look into was rates relief for small businesses. I shall take a keen interest in the SVRC's proposals, especially those that relate to support for small businesses.

In addition to the work that will be undertaken by the SVRC, the issue of wider assistance to small businesses was placed on the agenda of the small business consultative group. The establishment of that group was announced in January by the then Minister for Enterprise and Lifelong Learning, Henry McLeish. The group was formed to provide a forum for collective discussion between the small business community and the Executive, with a view to improving the performance of small businesses in Scotland. That group brings together, for the first time, the main small business representative bodies in Scotland, and aims to ensure that the needs of small businesses are properly addressed by the Scottish Executive. We are fully committed to creating a business environment in which the growth of small businesses is supported and encouraged.

The vast majority of firms in Scotland have fewer than 50 employees, and account for 45 per cent of non-public sector Scottish employment. We know that our success in generating the wealth to combat social injustice and deliver social inclusion will depend on our ability to create an environment in which innovation and entrepreneurial skills are nurtured and rewarded. In the short period of time that I have had to study the Executive's record in this area so far, I have been impressed and encouraged by the constructive spirit of consultation and partnership working that has been a central feature of the Executive's approach. I intend to continue with that approach.

The Executive has already shown that it is particularly alert to the problems that face small businesses. I assure members that I will openly examine the case for assistance to small businesses. I further assure them that the Executive will continue to work for the good of the small business community and for the future of the whole Scottish economy.

I move amendment S1M-1301.1, to leave out from "resolves" to end and insert:

"commends the Executive for delivering a 1p reduction in the poundage applied to small businesses with a rateable value of less than £10,000; notes that the revaluation of business rates has been delivered with the minimum turbulence for Scottish business and was conducted on a clear partnership basis with full participation from business rate payers and local authorities at every stage in the process, and welcomes the Executive's current consideration of the case for small business rate relief."

11:36

Miss Annabel Goldie (West of Scotland) (Con): I welcome Mr MacKay and his colleagues to the front bench for this debate. I relish the prospect of exchange with Mr MacKay, but the prospect of the wrath of his mother is another matter altogether.

I declare an interest relating to this debate. I am a partner in a business in Glasgow that pays business rates.

Today's motion, in the name of Kenneth Gibson, seems, at first glance, to exhibit certain hallmarks of economic sense, which came as a slight surprise to me. However, I have to say that it is a matter of some disquiet for me that, when I meet members of the business community, although they acknowledge the individual and personal charms of certain SNP members, they declare a more or less unanimous apprehension about the tax implications of an independent Scotland. Any debate on business must acknowledge those concerns about taxation, which is what business rates essentially are.

Mr Gibson's motion offers an accurate diagnosis of the plight of small business and enterprise. It

advocates a reduction of the burdens placed on business and it identifies the fact that the present Administration is failing the Scottish economy. Unfortunately, a closer analysis of the motion reveals that it is somewhat disingenuous, as it would create, almost paradoxically, more problems than it would solve. I accept that Mr Gibson's diagnosis may be right, but his prescription is flawed.

Of course the Conservatives support the idea of lowering the burdens on small businesses and we also support reductions in the national rate poundage. However, that cannot be financed at a cost to other business and enterprise, as those other businesses may not be wealthier or healthier ones.

Mr Gil Paterson (Central Scotland) (SNP): Will Miss Goldie give way?

Miss Goldie: I shall give way in a moment.

Conversely, premises that would attract a rates discount under any rebate scheme based on rateable value may in turn contain a perfectly lucrative and healthy business. That is why the Conservatives' amendment—

Mr Gibson: Will Miss Goldie give way?

Miss Goldie: I shall give way in a moment. The Conservative group has lodged its amendment because we genuinely believe that what is needed for the health of business as a whole is a uniform business rate, which has disappeared under the Labour Government, and a reinstatement of a level playing field for Scotland.

I give way to Mr Paterson.

Mr Paterson: Miss Goldie said that businesses require a level playing field. However, I recall that, for almost 18 years under the Tories, businesses in Scotland could be paying up to three times more in rates than businesses in England were paying. Does Miss Goldie not think that that was a severe disadvantage to business in Scotland?

Miss Goldie: I am surprised at Mr Paterson's analysis. Having been in business, as he has been, I was frequently told by commercial clients that they could obtain premises at far less cost in the populated industrial areas of England than they could in Glasgow or Edinburgh. That is why, when faced with the strictures that emanated principally from Labour-controlled local authorities to squeeze out more taxation for their spending by applying pressure to the business community, I was relieved—as someone who was in business and was suffering from that process—when the Conservative Government introduced a uniform business rate system.

Mr Gibson: Will the member take an intervention?

Miss Goldie: I would like to proceed further, as I do not have a lot of time.

We are a party that supports enterprise for all. We want all sectors of industry to benefit from a reduction in costs. We want business to prosper. That is precisely why we introduced the uniform business rate and why we continue to seek parity across the board. We oppose Labour's removal of the uniform business rate and continue to support its reintroduction. It is completely unacceptable financial discrimination against Scotland to have one business rate poundage for England, at 41.6p, and a higher one for Scotland, at 45.8p. The Conservatives want Scotland to be promoted, not priced out.

I share the view of the Scottish Council for Development and Industry, to which Mr Ewing referred, which said in December that the removal of the UBR would make Scotland a less attractive location for large businesses in the UK. The Scottish Executive's cack-handed, blundering handling of the issue reflects an Administration that has, at best, no natural understanding of business and, at worst, an instinctive antipathy towards it.

Mr Gibson: Will the member take an intervention?

Miss Goldie: I am running out of time.

With a Conservative Administration, this debate would not be taking place.

What is wrong with the motion? In theory, it is fine, but in reality it is distorted. The only sector that would pay for business cuts is business itself, which would prove disastrous for our already fragile economy. The measure would stifle growth and would place a disincentive on firms brave enough to develop. Businesses need to be treated fairly and entrepreneurs and wealth creators should be rewarded instead of punished. That is the view of business, minister, and not just my personal assessment. Douglas Millar of Glasgow Chamber of Commerce said yesterday that he wanted to see

"a level playing field for all businesses instead of a system of business rates relief which stifles growth and enterprise."

Support for small business can come only in the form of support for all business. Relief and emancipation can be delivered only in a wider context, although to be fair, it is to the SNP's credit that it is joining us in voicing concerns on behalf of business and industry, however deficient I consider the remedy that the SNP offers to be. We need a reduction in rates. The only coherent remedy is to let businesses grow, rather than to prevent, stifle and punish their development. The reinstatement of the uniform business rate would offer such a remedy.

The Scottish Conservatives urge the Parliament to support our amendment, which proposes the reintroduction of the uniform business rate and seeks to take strenuous steps to lower the level of business rates.

I move amendment S1M-1301.2, to leave out from "permanent" to end and insert:

"uniform business rate be re-instated and that efforts be made to reduce the level of uniform business rate, thereby diminishing the financial burden on all business and stimulating business activity in Scotland."

11:43

George Lyon (Argyll and Bute) (LD): I, too, congratulate Angus MacKay on his promotion and welcome him to his new post. I look forward to working with him in the near future. I indicate the Liberal Democrats' support for the Executive's amendment and welcome the Executive's commitment to examine a small business rate relief scheme, which is an important issue. I welcome the minister's comments on that subject.

The Scottish Liberal Democrats believe that, if we are to encourage more business start-ups—let us not forget that Scotland lags well behind many other countries in that respect—it is essential that we address this problem. Reducing the impact of rates on small business, especially on new businesses and those that are about to start up, will be a positive step that should encourage more people to start their own business. That must be good for Scotland. Such a reduction should also help to encourage the enterprise culture, which unfortunately is so sadly lacking in Scotland. It would be especially good for small businesses in rural areas, which tend to be on the small side—it is unusual to find big business operating in rural Scotland. Any steps to relieve the rate burden on small businesses would have a disproportionate effect on rural Scotland, and should be welcomed.

The Local Government Committee examined the proposals, to which Kenny Gibson rightly drew attention, of the Federation of Small Businesses. It called for a 50 per cent cut for businesses with a rateable value under £5,000 and a 25 per cent cut for businesses with a rateable value between that figure and £7,500. While it was sympathetic to the aims of the FSB, the Local Government Committee had reservations about the wide jumps in the taxation bands.

Mr Gibson: Is Mr Lyon aware that the FSB has revamped that scheme and now has tapering bands instead of bands that create the falling-off-a-cliff difficulties that the committee identified?

George Lyon: Mr Gibson anticipates the next part of my speech.

Mr Gibson: Great minds think alike.

George Lyon: I would not say that, necessarily.

The Local Government Committee also drew attention to the need to take account of the turnover of businesses and said that that should be examined with a view to incorporating it in the calculation. Since then, as Kenny Gibson said, the Department of the Environment, Transport and the Regions has published a green paper in England and Wales that includes a small business rate relief scheme. As Kenny Gibson pointed out, the FSB has made some proposals that deal with some of the criticisms that were made by the committee and suggests having a taper, as a result of which businesses with a valuation between £5,000 and £10,000 would have differing levels of discount within the tax band.

The Scottish Executive should consider the proposals seriously. I am aware from my conversations with the FSB that Executive officials are engaged in discussions with the FSB. The FSB's arguments deserve our support. We should consider closely the detail of the arguments, but the principle is good. I hope that we can meet ministers shortly to discuss the details.

Andrew Wilson: George Lyon's excellent speech would appear to be in favour of Kenneth Gibson's motion. Will George Lyon confirm that the Liberal Democrats will back the motion?

George Lyon: I said that I will back the Executive amendment, which contains a clear statement that the Executive is seriously considering introducing some sort of rate relief scheme.

I want to raise one issue with the minister. The rise in rateable value caused great concern last year. In Oban, which is in my constituency, the rateable value has doubled, from £19 per sq m to £38 per sq m. The transitional relief scheme has modified the swingeing increase that would have resulted from that, but there is widespread concern among businesses in the town as, once the transitional relief starts to unwind, they will be faced with a substantial rise in their rates burden. There appears to be no explanation as to why the situation has come about, especially given that the rateable value in most other towns in my constituency is around £19 per sq m.

The calculation for the rateable value is linked closely to the rental values in the town, yet there is no evidence that the rental value has doubled in the past three or four years. I would question, therefore, whether the calculation is right. I know that the business community can lodge appeals, but I would like the minister to clarify whether ministers can intervene when there seems to have been an injustice. I believe that the situation in Oban represents a severe injustice.

Fergus Ewing and Kenneth Gibson talked about

what they called Jack's tax. The SNP claims that it wants there to be a uniform rate across the UK. As we know, rateable values in England and Wales increased by 24 per cent last year, as opposed to 13 per cent in Scotland. By my calculations, if the rateable value is three and it is multiplied by the poundage in Scotland, which is eight, the figure of 24 will be arrived at. If the rateable value in England is four and is multiplied by the poundage in England, which is six, the figure is also 24. The key issue is how much is paid. That is lost on the SNP, which seems confused.

If we are to improve the number of business start-ups in Scotland, we have to consider introducing a small business rate relief scheme. I support the Executive's amendment and I hope that it will make some concrete proposals.

The Deputy Presiding Officer: Six members have asked to speak. If I allow an overrun to compensate for the microphone failure, all can be accommodated—provided that speeches are kept to about four minutes.

11:50

Shona Robison (North-East Scotland) (SNP): Small businesses are the linchpin of the Scottish economy—98.8 per cent of all businesses in Scotland employ fewer than 50 people and small businesses employ 47.6 per cent of the total Scottish work force. It is very important that we give all the support we can to our small-business community.

A couple of weeks ago, I attended a useful meeting with the Dundee branch of the Federation of Small Businesses, at which I spoke to everybody in the room about the issues that affect them. The same problems and barriers were mentioned time and time again, such as the problems of accessing finance for start-up and growth, local bureaucracy, and the maze of advice agencies. Of course, the main issue that was raised was the burden of business rates.

Anyone who had any doubts about the arguments in favour of retaining the uniform business rate should have attended that meeting: everybody in the room said that it would be a disaster to move away from the uniform business rate. It would be particularly disastrous in a city such as Dundee, where because of the lack of Executive funding for local government, the cash-strapped council would be extremely tempted to raise the level of the business rate in the city to make good the shortfall in funding. Of course, that would drive small businesses beyond the city boundaries. There was unanimous support for the retention of a uniform business rate scheme, albeit with the introduction of a system of relief for small businesses.

Small businesses pay a disproportionate level of rates in relation to their profit and turnover—they pay 10 times as much as larger firms. Business rates are a tax burden on the occupancy of property and have nothing to do with the income that is generated by the business. The burden is made worse by the fact that revaluation sometimes results in rates increasing above the rate of inflation. We need to lessen that burden to enable our small business community to thrive. Too few Scottish businesses start up and too few survive. The current annual rate of business start-up is below that of 1995, so there is no room for complacency and it is crucial that we remove some of the barriers.

For a long time, the SNP has proposed a banded system for business rates. I am happy that the Local Government Committee has undertaken a review of business rates and come out in favour of a tapered small business rate relief scheme. I look forward to seeing the detail when the scheme is presented to Parliament.

Dr Sylvia Jackson (Stirling) (Lab): Will Shona Robison comment on the implications of introducing a tapered or a threshold scheme? Will she acknowledge the difficulties that the Scottish Executive may have with such schemes? I think the Local Government Committee accepted everything Shona Robison has said, but the issue is the implications of implementing any scheme.

Shona Robison: The details of any scheme will have to be debated. It is of note that two of the key proposals were self-funding schemes, so schemes would not necessarily have to be a burden on the Parliament. This debate is about the principle. It is also about hearing what the Scottish Executive thinks about proposals and what its priorities are. It is about which scheme the Executive favours, rather than my personal preference.

As well as addressing business rates, we need a package of measures for small businesses. Access to finance remains a problem.

It is frustrating that the Parliament cannot tackle all the underlying problems that affect small businesses—they, unfortunately, remain the responsibility of the Westminster Parliament—such as high interest rates, the strength of sterling and the hikes in fuel tax. All those issues were raised at the meeting that I attended in Dundee. That is why we argue that this Parliament requires more powers, genuinely to tackle the problems faced by the small business community.

We can tackle the unfair burden of business rates on small businesses. I hope that, after 11 months of dilly-dallying, we will hear some answers this morning.

11:55

Des McNulty (Clydebank and Milngavie) (Lab): I am grateful to Kenny Gibson for giving us an SNP policy to discuss. All too often, we have had to confront a degree of vagueness or the orientation towards independence. We actually have something quite concrete to talk about. However, I point out that the SNP's proposal is, yet again, not costed. There is no financial limit.

I ask Kenny how the SNP's commitment relates to the £90 million which, in its 1999 manifesto, the SNP said it would use to reduce the burden of business rates on small firms. How much of that £90 million is he talking about? Can he put a figure on it?

I also want to ask Kenny about the notion of a permanent relief scheme. The Executive is attempting to even out the rise in business rates and to reduce uncertainty. Proposing a move from that to a permanent rates relief scheme leads inevitably to a discussion about what should happen in 2005 when, presumably, some revaluation would be required. I would like to hear a response on that.

Kenny referred to the arguments that were advanced on behalf of the Federation of Small Businesses. The federation made a presentation to the Local Government Committee and subsequently presented a revised version. Which of those submissions is Kenny supporting? Does he support the idea that the burden of the relief scheme should come from the Scottish block? Does he support the idea that it should fall on larger businesses? Which version is Kenny Gibson proposing?

Mr Gibson: Des McNulty is wandering all over the place. He clearly did not listen to what the minister or I said. We made it fairly clear: that all the schemes we are considering would be self-financing.

Des McNulty: That is very interesting. Self-financing at whose expense? There is a burden of expectation with regard to the Federation of Small Businesses' review scheme that bigger businesses would have to pay more to compensate for the rates relief given to smaller business.

Andrew Wilson *indicated agreement.*

Mr Gibson: Spot on.

Des McNulty: Does the SNP support that idea? Does it instead support the argument that local government ratepayers should pay more?

Andrew Wilson: No.

Fiona Hyslop (Lothians) (SNP): No.

Des McNulty: Okay—that is clear.

How does that relate to the points that Mr Gibson made about small business growth strategy? Annabel Goldie referred to this: if there is a general relief for small businesses, how does that address the issue of small business growth? There are considerable arguments—[*Interruption.*] Sorry? I will give way to Andrew Wilson.

Andrew Wilson: This has been one of Des McNulty's more ignominious contributions. If businesses pay less in rates, they have more money to reinvest in their businesses and there will be more growth. It is basic stuff.

Des McNulty: That is not the view of the Confederation of British Industry, nor of many other people involved.

Mr Gibson: The views of the CBI were not accepted by the Local Government Committee and I am sure that Des McNulty's colleagues on that committee will support my comments on that subject. Does Des not accept what was even admitted by the CBI: that small businesses pay up to 10 times more than larger businesses as a proportion of their turnover? By relieving some of that burden on smaller businesses we will not only help them grow—and possibly recruit more staff—but, in some instances, help them survive.

Des McNulty: I accept, as most people do, on the basis of available research, that small businesses pay a considerably higher proportion of their turnover in rates. That is an issue that is being looked at and I hope that ways to deal with it will be found. The real issue is whether bigger businesses should pay more in compensation—

Andrew Wilson: Yes.

Des McNulty: —and whether we need to look at discriminating between different kinds of businesses in the way we support growth. Or is the SNP arguing that there should be a general relief for small businesses? If so, what is the economic logic to that?

12:00

Nick Johnston (Mid Scotland and Fife) (Con): I often feel that Des McNulty's sole purpose in life is to act as a warning to others.

I draw the chamber's attention to my interests as appear in the register. I want to talk about some of my experiences in business and, on the iniquitous burden of business rates, to highlight the folly for the Scottish economy of moving away from the UBR and to caution against any move to reintroduce local authority control of business rates.

The background to the issue is so well documented that it seems strange that that is not obvious to the Executive. The revaluation in 1995

produced the anomaly that England's property rates rose by 5 per cent while Scotland's rose by 32 per cent. A uniform business rate was set and Scotland paid. It is unfair that Scotland, having accepted the principle of the UBR at the previous revaluation and having paid more rates than would otherwise have been paid, should now find that UBR is abolished and pay a higher poundage than does the rest of the UK.

In 2000, Scotland's revaluation was to the tune of 13 per cent. As George Lyon said, in England it was 24 per cent. To maintain the tax rate, the UBR was set at 45.8p in Scotland as against 41.6p in England. A similar exercise on large industrial properties now means that Scottish businesses will pay 10 per cent more than they would if they were located in England. When such a levy is imposed, why should a business decide to locate in Stirling rather than Swindon or Clackmannanshire rather than Cheshire?

One of the challenges that the Parliament must face is to keep its attention focused not just on the disbursement of moneys—something that we seem to be good at—but on the source of that revenue. Non-domestic rates in Scotland raise a staggering £1.8 billion—almost 29 per cent of the spending on education in Scotland. Last year, the company of which I was a director paid £650,000 in rates. Our profit was half that sum. Our rateable value was around £130,000 on each of 10 properties, so with a work force of 470 people that amounted to a head tax of £1,382 per person.

A manufacturing plant I visited recently in Mid Scotland and Fife pays £1,500,000 in business rates. It employs 1,400 people, so that is a payroll tax in all but name of £1,071 per person. A further irritating point for that business is that when it has appealed the valuation it has usually taken five years. It usually wins the appeal but it has had to pay that high level of rates for the five years. On the basis of 2 million workers in Scotland, that hidden, business rate tax amounts to an average of £960 per worker.

The Conservative philosophy is simple and uncomplicated—like most of our policies. If it is the genuine desire of the Executive to produce the investment to allow companies to expand and take on more staff, the burden of cost must be reduced; costs of compliance, costs of regulation and hidden business taxes must be slashed. Douglas Miller of Glasgow chamber of commerce said:

"The present arrangement on forcing companies to consider investing South of the Border and further burdens will only serve to precipitate this. Confidence in Scottish Business will only return when some kind of parity is reached with the rest of the UK."

The third area I want to touch on is the proposal to return to a system of local authority control. The Department of the Environment, Transport and the

Regions is proposing a supplementary rate on business. Will the Deputy Minister for Finance and Local Government give a categorical assurance that that will not be an added burden on business in Scotland?

In Scotland, we have a tendency to think small. We have heard this morning about the schemes offered by the FSB, the FPB and the CBI. I do not have time to go into them, but those schemes only scratch the surface of the problem. It is a long-held principle that there should be no taxation without representation. The general principle that my party holds dear is that the economy would grow faster if savings were made to allow all burdens on business to be reduced, not if we forced large enterprises to subsidise and finance cuts for smaller businesses.

12:05

Dr Richard Simpson (Ochil) (Lab): I am grateful for the opportunity to participate in this debate and would like to speak on a specific issue on which I corresponded with Jack McConnell when he was Minister for Finance—automated teller machines.

It is unacceptable that many rural and poorer areas in my constituency and throughout Scotland are disadvantaged compared with the more affluent areas of the country. How are they disadvantaged? Either because banks and building societies have closed their branches or because they have never had the luxury of having banking facilities close at hand. With modern technology, we can provide a limited range of banking services and, through the new ATMs, we can provide business to commerce e-commerce to every community. ATMs offer cash withdrawal, account checking and other limited facilities 24 hours a day, but internet ordering through ATMs, and e-points in post offices and in small shops and garages in deprived areas provide the security of a personal interaction with a shopkeeper and cash exchange for communities without banking or readily available credit facilities.

ATMs in banks and building societies are rated as part of the building, but ATMs in other locations—of the sort that I have described—are rated separately, as separate lands and heritage. The locations are then banded into categories of net annual value, based on the number of transactions each year. That is not a socially inclusive policy. A site with 25,000 transactions is categorised as a poor location and is rated with a net annual value of £2,500; a site with fewer transactions is categorised as a very poor location, but is still rated with a value of £1,500. Small supermarkets that are located in what are termed secondary and tertiary sites—such as those operated by Sands, a business in my

community—are faced with bills that, in some communities, make the use of ATMs uneconomic, even when they can be used for e-commerce.

The scale of the challenge grows as the number of transactions increases—such sites may be rated with net annual values of up to £25,000.

Fiona Hyslop: I appreciate that Dr Simpson has a constituency interest, but surely this Parliament has the responsibility of addressing the core of today's motion on business rates. We should not use our time on an issue that could be pursued elsewhere.

The Deputy Presiding Officer: I want to be helpful to you, Dr Simpson, and I am being patient, but I have to tell you that you are on the margin.

Dr Simpson: Those small businesses have a rateable value that is already high. An additional burden in small and rural communities creates a major problem. Not only is that not socially inclusive, the rating system will affect the extension into e-commerce, which is vital. In the development of socially inclusive policies in rural areas and deprived communities, it is important that the rating policy be reviewed. I hope that the Executive will consider that.

In my constituency, iATM of San Francisco has just announced that its world headquarters for the design of software for ATMs and their extension into e-commerce will be in Alloa. Those jobs will be put in jeopardy by the present system. I hope that the Minister for Finance and Local Government and the Minister for Enterprise and Lifelong Learning will consider that.

12:09

Andrew Wilson (Central Scotland) (SNP): This is a key debate in terms of kick-starting the engines of growth in our economy. The new Minister for Enterprise and Lifelong Learning has not troubled herself to be here, but yesterday, in her first statement as the new minister, she lauded Scotland's two quarters of recession followed by a limping 0.5 per cent growth in gross domestic product during the past quarter. She said that that was another indication that the Scottish economy is performing robustly.

If recession followed by meagre improvement—barely one fifth of the long-term trend rate—is a robust performance, I would hate to see what the Executive would regard as relative decline. Relative decline is what the Executive is presiding over. Labour may be happy to preside over decline by dismissing it and making Orwellian statements to the contrary, but the fact is that Scotland has a continuing problem with economic growth, driven by the fact that our small business sector is at a serious disadvantage.

Today's debate is about not just the plumbers, electricians and village businesses, but the new businesses struggling to establish themselves through new ideas and innovations. It is about the unfair burden being targeted on small businesses—the engines of growth in the economy—by the state. In Scotland, across the political divide, we have long been exercised about the problems of business start-up and growth. A major reason has to be the state burden that is imposed disproportionately on small businesses as they start up.

We feel for Angus MacKay in that he has inherited a situation from a man whom he was not keen to promote previously. As a result of Labour's position, Scottish business has the highest tax in the United Kingdom, which puts it at a massive competitive disadvantage. George Lyon made the point that it is not the growth rates that matter, but how much tax businesses pay. I can tell him that the average business rate that is paid in Scotland is £1,000 more than the average business rate that is paid in the rest of the UK. That puts Scottish businesses at a competitive disadvantage, which has been imposed on them by the Labour party.

Miss Goldie: I welcome Mr Wilson's comments, which strike at the heart of a difficult problem for business. However, is not his argument a reason for supporting an urgent return to the uniform business rate, followed by a genuine attempt to lower the prevailing level?

Andrew Wilson: The SNP is suggesting that, within the constraints of the Parliament, we should take the opportunity to re-band business rates and to remove the burden from small companies. We made a commitment in our manifesto on how we could take that further. However, today, we are seeking to be helpful within the financial constraints of the Government to take the matter forward. I was reading the 1999 Labour manifesto—as I do of a night. It said:

"Scottish business must not be asked to shoulder a rates burden that affects its ability to compete against firms in other parts of the country."

Why, then, is the rates burden in Scotland on average £1,000 higher than it is in the rest of the UK? That damages the ability of small business to compete with firms in the rest of the country. It is another example of a Labour let down—to go along with the many ways Labour has let down the electorate and businesses of Scotland.

Des McNulty *rose*—

Andrew Wilson: If Des McNulty can say anything coherent, I would be delighted to hear it.

Des McNulty: I would be interested to know whether Andrew Wilson can explain how shifting the burden of rates from smaller to larger

businesses generates growth. What evidence does he have to support that view? How does that promote business start-ups?

Andrew Wilson: If we shift the burden we get rid of the disproportionate burden, taking into account the turnover and profitability of small firms. That helps start-ups to survive because, as such businesses would pay lower rates, the cost of starting up would be lower. It is not rocket science; it is relatively simple.

The Liberals can be exonerated, because at least they were honest enough to include in their 1997 manifesto the promise to abolish the UBR, thus damaging the businesses of the north-east, Fife, the Borders and elsewhere in Scotland. At least the Liberals were honest enough to predict the disaster that they were going to support.

The Conservative amendment is a predictable disappointment. The party that once held the majority in Scotland does not seem to know where it stands anymore. At one time, it would have spoken up for the self-employed and the new entrepreneurs. Now, however, the Conservatives are the prisoners of the old economy lobby. That is a shame. What would the grocers of Grantham think—and what will the voters of Eastwood and Ayr think?

As for the self-congratulatory Labour amendment, it shows that Mr MacKay should think carefully as he gets his feet under the desk. In it he admits the turbulence caused by the policy and lauds a 1p cut, which is welcomed by small businesses, but which on average is worth only 96p a week. That is not going to set the heather on fire. However, Labour seems to be taking the line that that is satisfactory.

I urge members to support the motion, which is reasonable and considered, within the constraints that are placed upon the Parliament. Kenneth Gibson and Fergus Ewing have brought back a good idea from the business lobbies—we can start to remove the unfair burden on small business and lift the sights of the Scottish economy.

12:15

Mr Michael McMahon (Hamilton North and Bellshill) (Lab): I am pleased to speak in the debate, because the Local Government Committee has discussed and debated business rates at great length, having been afforded the opportunity to listen to and learn from various sections of the business community. There are more than 138,000 small businesses in Scotland and they represent nearly three quarters of all businesses in Scotland. In attempting to ensure that extensive consultation takes place and to ensure maximum effectiveness, our first principle must be to get the scheme right, rather than to

introduce it quickly. Therefore, I am pleased that the Executive is attempting to obtain appropriate and independent evidence before jumping feet first into such an important and consequential decision and that, in the meantime, it has set out guidelines to provide stability and predictability for businesses in the future.

The SNP outlined its key policies in its manifesto, which included

“a package of measures to promote small businesses”

and an input of £90 million to address the burden of business rates on small firms. As with everything else that it proposes, the SNP fails however, to tell us exactly how the money will manifest itself. In the arguments that SNP members are putting forward this morning, they appear to contradict themselves by agreeing with the business community that any changes must be self-financing. Evidently, the SNP's economic policies have not improved under a new leader, or possibly the back of Andrew Wilson's envelope has finally been filled up.

During its consideration of the issue, the Local Government Committee received representations, as Kenny Gibson said, from a wide range of bodies. None had a solution, but all offered suggestions that are worthy of consideration. Kenny Gibson is correct in his assertion that the Local Government Committee was unanimous in its view that, although a transitional relief scheme was introduced to phase in increases in rates bills that arose from the revaluation, small businesses face a disproportionate rates burden. The committee also felt that a small business rates relief scheme that is more generous than the current system's 1p poundage reduction should be made with effect from 1 April 2001. There is no disagreement on that. However, the committee also said that we must assess the issue in the light of a number of other considerations.

There have been suggestions about the methodology that should be used to identify genuinely small business, which would permit them to qualify for rates relief.

Mr Gibson: I understand what Michael McMahon says, but why did the Executive say that it would come back to Parliament within 12 months, if it has no intention of doing so? Is not it about time that the Executive came back to Parliament with a proper scheme?

Mr McMahon: I am going to ask a similar question, so we are not in disagreement.

One method, which was proposed by the Forum of Private Business in Scotland, would make use of national insurance contributions and would take into consideration the size of the business rather than the size of the property. Another method

would relate to business turnover, rather than to property tax, as occurs in the current system. It has also been suggested that the relief proposals would interact with other relief schemes, such as the relief scheme for village shops.

After careful deliberation, the Local Government Committee came to a number of conclusions. First, it is essential that the relief scheme should avoid small changes in rateable values that produce large increases in rates bills. Also, an objective should be to reduce the incentive for businesses to appeal against their rateable value simply because they hope to obtain benefits from the relief scheme, while encouraging them to grow without the risk of step increases in their bills. That points to the need for a tapered multi-banded scheme. The scheme should also be self-financing, possibly through an increase in the Scottish poundage system, so that only genuinely small businesses would benefit from the scheme. Those points should be considered while considering regional variations.

The committee recommended that the issue of a relief scheme be kept under review. I say to Kenny Gibson that that is the point that I was trying to make. The Local Government Committee would welcome further suggestions on the Executive's thinking on the matter. The Executive should liaise with the groups that I mentioned and it should contemplate statistical evidence from local government assessors, the Scottish Assessors Association and the Local Government Committee so that an informed and effective judgment can be made. That is what the small business community seeks—it is in all our interests that it should get it. I do not believe that the positions of the Local Government Committee and Angus MacKay's amendment are incompatible. I will have no difficulty in supporting the Executive.

12.20

Donald Gorrie (Central Scotland) (LD): As I said in the first debate this morning, it is constructive that the SNP has lodged a motion that tackles a serious issue. I am pleased that Michael McMahon has had the opportunity to set out the Local Government Committee's position. That committee has paid great attention to the issue.

I will start at the top and work down. It is essential that the Executive scrutinises local government funding properly. The Local Government Committee was discouraged because Jack McConnell set his face against that, but was encouraged when Angus MacKay appeared before it, because he seemed to hold the door open a wee bit. When the committee has finished its inquiry and the changes have bedded down, a proper inquiry could be conducted. Many vital

issues are involved, so it is important for the Executive to undertake a properly funded examination.

The Local Government Committee is studying local government finance as well as it can. The role that local businesses play in local government finance is important. As Michael McMahon said, an early change on rates, if possible, is important. We need not wait for more elaborate examinations to be conducted before we help small businesses. The two organisations that represent most small businesses have strong ideas on the issue. One has produced a revised idea for a tapered scheme that would be based purely on rateable values. The other is keen that another measure is used, such as national insurance contributions or another way of measuring the size of the business rather than the size of the building it occupies. Both those schemes can be scrutinised carefully and a good scheme can be proposed.

I cannot understand Des McNulty and Annabel Goldie—they do not seem to comprehend that if small businesses pay less in rates, more small businesses will start up. They might, in due course, grow into bigger businesses. That is elementary and I do not know how anyone can take a different view.

The Confederation of British Industry gave a remarkably unimpressive performance before the Local Government Committee. [MEMBERS: "Hear, hear."] It did not seem to care a toss about small businesses and was clearly speaking for bigger businesses. If we had a personal taxation system in which poorer people paid a higher percentage of their income in tax than richer people did, there would be an outcry, but that is precisely what happens with businesses. We are not asking big business to subsidise small business, but at the moment, small business subsidises big business. That is totally unjust and damned stupid if we want the economy to develop.

The Local Government Committee and—I think—the Liberal Democrats think that there should be a self-funding scheme. That would mean that bigger businesses pay a wee bit more. There might have to be some arrangement for what we might call the middle-sized businesses—that sort of thing can be worked out. There would be a small percentage increase for big businesses.

There is an issue about urban and rural shops and other small businesses, which we must tackle. On the bus on the way here, I passed about five shops in one block on a main road that were either for sale or for rent because they had not been doing well. The motion is welcome and I urge the Executive to grasp the issue along the lines that have been suggested by the Local Government Committee.

12:24

Mr Keith Harding (Mid Scotland and Fife)
(Con): As a member of the Local Government Committee, which devoted considerable time and effort to discussing non-domestic rates, I welcome the opportunity to contribute to the debate.

The committee's report was finalised some months ago. As far as I am aware, today's Executive amendment is the first indication that it is considering the case for small business rates relief—better late than never.

From the considerable evidence that was taken by the Local Government Committee, it was concluded that it appeared that small businesses faced a "disproportionate rates burden". The committee's report said that

"if at all possible, a rates relief scheme should apply only to genuinely small businesses, and not to medium or large businesses occupying small premises."

The committee also recognised that

"any scheme which simply used a RV threshold as the basis for eligibility would not differentiate between those categories of businesses."

We believe that that is a fundamental flaw in the present 1p poundage reduction. Despite that flaw, however, the reduction is welcomed by some businesses.

One of the main difficulties in introducing a small business rate relief scheme is in determining what constitutes a small business. On the one hand, one could have a highly profitable business that operates from one room—particularly given the rapid rise of information technology—yet, on the other hand, one could have a business that operates out of large premises, but which struggles to survive.

Alternative suggestions to the use of rateable values were made to the committee, including, as Michael McMahon said, collections that are based on national insurance contributions, business turnover and profitability. However, according to the evidence that was taken by the committee, those schemes all have flaws.

The Local Government Committee requested that the then Minister for Finance respond to its submission and to report in the autumn on the development of the Executive's thinking on this issue. Autumn is here, but if Kenny Gibson had not initiated this debate, I suspect that we would have been none the wiser. Incidentally, Conservative members welcome the SNP's support for our motion to introduce UBR throughout the United Kingdom.

We were told last October that Scottish Executive officials were considering the proposals from the Forum of Private Business—more than 12 months ago. When will we hear about the

outcome of those discussions and deliberations?

The one issue that appears to unite small businesses throughout Scotland is business rates. It has been calculated that some small businesses pay 10 times more—in terms of profit and turnover—in business rates than larger businesses. I say to Donald Gorrie that that anomaly must be addressed in the interests of promoting employment and entrepreneurs.

There must not be a quick fix—certainly not by next April. There is no easy answer. The issue is complex and I urge the Scottish Executive to commission research on how a fair and equitable system can be devised and delivered.

Mr Gibson: Will Mr Harding give way?

Mr Harding: No—I am sorry, but I have no time.

Mr Gibson: Go on.

Mr Harding: No—we have already heard one of Mr Gibson's lectures.

The Deputy Presiding Officer: Time is short, Mr Gibson.

Mr Harding: We welcome the assurances that were given by the minister that he is considering further initiatives to assist small businesses.

The weakness of any property-based tax system is that it does not take into account ability to pay. The argument over why small businesses pay a greater percentage of their total income than larger businesses do must be addressed. That said, we would not wish for the introduction of a scheme that would increase the burden on any other sector of the business community. Labour's removal earlier this year of UBR makes Scotland a less attractive location in the UK for larger businesses.

Mr Gibson rose—

Mr Harding: That situation would be exacerbated by further increases.

Mr Gibson: Will Mr Harding take an intervention on that point?

Mr Harding: The Deputy Presiding Officer suggested that I should not take an intervention.

The first and overriding priority must be to restore UBR. We could then consider a possible review and overhaul of the current system.

In conclusion, and in supporting the Conservative amendment, I urge the minister to address the matter as a priority and to advise Parliament and its committees of his thinking. When he does so, the Local Government Committee will be able to conclude its findings and assess how his proposals measure up to the principles that were outlined in the report that was

submitted in February 2000.

I support Miss Goldie's amendment.

12:28

The Deputy Minister for Finance and Local Government (Peter Peacock): Like Angus MacKay, I welcome the fact that we have had this early opportunity to display the full depth of our understanding of business rates—I would welcome answers to that particular point on the back of a postage stamp.

On a technical point, I refer members to my declarations in the register of members' interests in case any of those interests impact on matters on which I will touch in my speech.

A range of interesting points have been made and I will try to pick up as many as I can in my response on behalf of the Executive.

I repeat the point that was made by Angus MacKay: the Executive has a clear understanding of the importance of the small business sector to the Scottish economy. We want to listen to and to work with representatives of small businesses throughout Scotland and to weave into the Executive's programme for government the needs of small businesses, however those needs might manifest themselves across our range of interests. We want to support businesses wherever we can, through rating policy—where possible—and through Scottish Enterprise, Highlands and Islands Enterprise and the local enterprise companies. Alasdair Morrison is attending the debate in order to pick up issues that arise in relation to the wider portfolio for which he now has responsibility. Equally, we must try to support small businesses at UK level through UK taxation policy and the benefits that can be brought to taxation from the booming UK economy.

Mr Paterson: Will the minister give way?

Peter Peacock: I want to make some progress before I take any interventions.

We must help small businesses to expand and we must help to establish new small businesses so that they can continue to provide a rich seam of employment throughout Scotland. As many members have said, small businesses are fundamental to how the Scottish economy works and progresses. As someone who has run a small business for years, I understand the significance of fixed business costs and overheads to the success of any small business.

Andrew Wilson: From his experience, will the minister acknowledge that the cost to Scottish small businesses of paying a rates bill is, on average, £1,000 more than their competitors' bills south of the border?

Peter Peacock: I will pick up those points later in my speech.

Another factor for small business is that we must ensure not only that we influence rating and taxation policy to an appropriate extent, but that the Government co-ordinates its actions across a range of different matters such as enterprise, education and health service issues. Government must deal with all those factors because they impact on the potential success of small businesses. Such co-ordination will be very important.

Kenny Gibson rightly pointed to the high percentage of turnover in the small business sector compared to other business sectors in Scotland. We recognise that, which is why—as Angus MacKay indicated—we will review the prospects for extending relief schemes to small businesses.

Kenny Gibson also said that we in Scotland should not pay more headline rate poundage—another example of how the London-led SNP is forming its policies. It is also another example of how some people in the SNP have tried to mislead people in Scotland about what has happened following the recent revaluation, as Fergus Ewing will, no doubt, do in his speech. The valuation principles in Scotland and England are actually exactly the same—the revaluation has made no difference to that position. Although valuations of properties in Scotland have risen, they have not done so as quickly as they have in England and Wales. In Scotland, they have risen by an average of 12 per cent, but south of the border, they have risen by 24 per cent. That is why the headline poundage figure in Scotland is different from the English figure. However, when the two factors are multiplied together, we get the same yield. The purpose of the revaluation is to get exactly the same yield after revaluation as before it. Although the values will change within business sectors, the fundamental equation does not change. Fergus Ewing understands that, but has failed to tell members so.

Fergus Ewing: If the minister is right, why do the CBI, the Institute of Directors, Scottish Financial Enterprise, the Forum of Private Business and the Federation of Small Businesses all agree with me, but not with him?

The Deputy Presiding Officer: Minister, you have about a minute left.

Peter Peacock: I would be astonished if all those organisations agreed with Fergus Ewing. He is portrayed as the leading expert on small business matters in the Ewing family, but that is the extent of his expertise. Indeed, the SNP itself is a small business that has experience of these matters—I hope that it will be a much smaller

business in a few years' time. No one would follow the SNP's advice on running small businesses if they examined how the party runs its own business.

Miss Goldie: I understand the essence of the minister's argument. However, if he accepts that the valuation of property throughout the UK will by implication be a variable factor, is not it absolutely desirable to have the rate poundage as the constant factor?

Peter Peacock: No. It has been interesting to hear that argument from certain members. I understand why the Conservatives make it—they believe in a united kingdom. However, I do not understand why the same argument should be made by the SNP, which does not—allegedly—hold that view. The inevitable consequence—

Mr Gibson: Will the minister give way?

Peter Peacock: Mr Gibson should wait a minute.

The Deputy Presiding Officer: Minister, you have a minute and a half left.

Peter Peacock: I will try to sum up quickly.

To be tied to a UK-led system would mean one of two things. The inevitable consequence of having a UBR throughout the United Kingdom is that Parliament and the Executive would lose their discretion over non-domestic rates. So, either we value equally across the whole UK and, by doing so, lose our discretion—I do not know why the SNP would want to do that—or we constantly tie the Scottish budget into subsidising the business rate in Scotland on the basis of economic activity in England and Wales. That cannot be a sensible argument for anybody who believes in devolved government in Scotland to make.

Mr Gibson *rose*—

Peter Peacock: I cannot give way—I am running out of time and I am testing the patience of the Presiding Officer.

I could go on. George Lyon and others made points about the need to take the issue seriously. I assure Parliament that we are doing that. We want stability in the small-business sector. As Angus MacKay said, we are prepared to consider all the different schemes that have been put to us. The problem is that they are different schemes; there is no common view on these matters. We will try to make progress soon and we will make announcements before Christmas on how we propose to take the discussion forward. In the meantime, I commend the Executive's amendment to Parliament.

The Deputy Presiding Officer: I call Fergus Ewing to wind up on behalf of the SNP. You must finish by 12.44 at the latest.

12:36

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): The first political speech that I made was in 1985, at an SNP conference in Dunoon. This might not come as a surprise, but it was on business rates. I would not say that it was a poor speech, but if anybody has it on video, I will pay handsomely to get it back.

Even if the delivery of the speech was not brilliant, the sentiment that I expressed in it was right. It was quite straightforward—that the SNP does not believe that Scotland and Scotland's businesses should be taxed more highly than businesses south of the border. It is not that we think that taxes should be identical in England and Scotland—

Bristow Muldoon: Will the member give way?

Fergus Ewing: It is far too early, Bristow. I will see you in the Subordinate Legislation Committee.

The principle is very simple; we do not think that Scottish businesses should be penalised. I have campaigned with others on the matter since 1985, when I campaigned to end the disparity that existed under the Conservatives. Credit should go to Gil Paterson—now a member of the Scottish Parliament—who took legal action on the matter to the European Court of Human Rights, on the basis that Scotland was being discriminated against. The case did not succeed—the court found that Scotland was a region and not a nation and that it was therefore unable to take action to protect itself.

Credit should also go to business leaders such as Craig Campbell of the Scottish Council for Development and Industry, Bill Anderson—who is now of the Forum of Private Business—and Bill Mann, a leading Glasgow businessman. They have campaigned over a long period to secure fairness.

What does a level playing field mean? With respect to Mr Peacock and Mr Lyon, they have failed to appreciate that a UBR has two components. The first is the rateable value and the second is the poundage. The victory of parity and fairness was secured by two battles. The first battle was won largely in 1990, when harmonisation of rateable values in respect of most properties was achieved. The second victory was in 1995, when the higher poundages that existed in Scotland were reduced and a common poundage was introduced throughout the UK. That was a hard-fought battle. We had 16 years of Tory rule with higher business rates—a fiscal apartheid that was directed against business in Scotland—before the victory was achieved. However, it was at least achieved.

The Tories had 18 years in power; the Labour

party in the Scottish Parliament has had only 18 months, but in that time it has reimposed a higher business tax in Scotland. That higher business tax stands at 10.1 per cent—I want to put the position quite clearly to Mr Peacock so that he can understand it.

Des McNulty: Will the member give way?

Fergus Ewing: Not yet. If there is a shop in Inverness that has a rateable value of £20,000 and a shop in Colchester has the same rateable value—valued according to the same principles of valuation—the shop in Inverness will pay £840 more this year. I hope that Des McNulty will accept that computation. If not, he should tell me exactly which bit of it he does not understand.

Des McNulty: Fergus Ewing is proposing, and the motion refers to, a self-financing scheme. Is it the case that under the scheme, medium-sized and larger businesses in Scotland would pay higher taxes?

Fergus Ewing: Obviously Des McNulty has not been listening—I have not moved on to the separate question of a rates relief scheme for small business.

I would like to read briefly from a letter dated 22 December 1999 by Mr Mann to *The Herald*. He said that Labour and Jack McConnell tried to justify the

“higher poundage for Scotland on the grounds that Scottish rental values have increased by less than south of the Border over the past five years. In doing so he ignores the experience of the previous five years when values in England increased on average by only 5% whereas in Scotland they had increased by 33%. If there had not been a UBR for the UK this would have meant a materially lower rate poundage in Scotland than in England and Wales from April 1995 to date.”

That is the end of the argument. As I mentioned, the business organisations in Scotland are united around the simple argument that Scottish businesses should not be discriminated against by any tax regime. That is a simple principle, which Labour has breached.

Bristow Muldoon rose—

Fergus Ewing: I would like to move on to the text of the motion.

The SNP has brought forward the proposal that there should be a rates relief scheme for small business. First, how do we measure small business? There are various criteria for measurement. One, as the Forum of Private Business has identified, is employment. The Federation of Small Businesses has referred to a rates relief scheme that relies on property. The SNP is minded to support the FSB scheme, but there are still unanswered questions of detail about it. For example, what would the cost of

computer programmes be for the implementation of the FSB scheme? The FPB scheme is imaginative, but it would require measures to be taken by Westminster. If the Executive was minded towards implementing the FPB scheme—which is unlikely because of the small business consultative group—that would be a test of whether action between Westminster and Holyrood would work.

If the FSB scheme were to be implemented, I can announce to the chamber that a business that has a rateable value of £9,500 would save £1,600 a year on its rates bill. Is not that a prize that is worth achieving? Are we not right to bring forward a scheme that would grant small business the opportunity for growth and expansion, which the Executive—in terms of its target of creating 100,000 new businesses—is supposed to support?

Miss Goldie: Where would that money come from?

Fergus Ewing: The scheme would be self-financing. [*Laughter.*] It would be self-financing. That was the recommendation of the Local Government Committee. If Andy Kerr has not read its report, he should do so.

I point out that that the Conservatives—Mr Harding is not in the chamber, but he is a member of the Local Government Committee—did not demur from the conclusions of the report. Why have the Conservatives withdrawn their support today? They have not said why and I am disappointed, as we usually hear from Annabel Goldie, nor have they denied that discrimination exists as an inherent characteristic of computing rateable values in accordance with the rules of assessment. However, we know that when the Tories were in power for 18 years they pursued anti-Scottish policies for 16 of those years. The Labour party has been in power in this Parliament for 18 months and in those months it has pursued anti-Scottish policies.

I am delighted that the Labour party—bereft of ideas of its own—has stolen our policy on drugs courts. I am delighted that, bereft of ideas, it has copied our policy of having an external affairs minister. I urge it to copy our policy on business rates relief. I have no objection to the Executive being the political plagiarist of Scotland.

Business Motion

The Deputy Presiding Officer (Mr George Reid): The next item of business is consideration of business motion S1M-1304, in the name of Tom McCabe, on behalf of the Parliamentary Bureau, which sets out the business programme.

Motion moved,

That the Parliament agrees—

(a) The following programme of business--

Wednesday 8 November 2000

2.30 pm	Time for Reflection
followed by	Executive Debate on Equality Strategy
followed by	Parliamentary Bureau Motions
5.00 pm	Decision Time
followed by	Members' Business - debate on the subject of S1M-1229 Mr Andrew Welsh: Nuclear Testing Related Illnesses

Thursday 9 November 2000

9.30 am	Ministerial Statement
followed by	Executive Debate on NHS Governance and Accountability
followed by	Business Motion
2.30 pm	Question Time
3.10 pm	First Minister's Question Time
3.30 pm	Executive Debate on Sport
followed by	Parliamentary Bureau Motions
5.00 pm	Decision Time
followed by	Members' Business - debate on the subject of S1M-1210 Donald Gorrie: Misuse of Alcohol

Wednesday 15 November 2000

2.30 pm	Time for Reflection
followed by	Ministerial Statement
followed by	Executive Debate on Social Justice
followed by	Parliamentary Bureau Motions
5.00 pm	Decision Time
followed by	Members' Business

Thursday 16 November 2000

9.30 am	Scottish National Party Business
followed by	Business Motion
2.30 pm	Question Time
3.10 pm	First Minister's Question Time
3.30 pm	Executive Business
followed by	Parliamentary Bureau Motions
5.00 pm	Decision Time

followed by Members' Business

and, (b) that Stage 1 of the Education (Graduate Endowment and Student Support) (Scotland) Bill be completed by 14 December 2000—[Mr McCabe.]

The Deputy Presiding Officer: As no member has asked to speak against the motion, I will put the question to the chamber. The question is that motion S1M-1304, in the name of Tom McCabe, be agreed to.

Motion agreed to.

12:45

Meeting suspended until 14:30.

14:30

On resuming—

Question Time

SCOTTISH EXECUTIVE

Records of Needs

1. Mr Lloyd Quinan (West of Scotland) (SNP):

To ask the Scottish Executive whether it has any plans to reassess the current record of needs provisions for children. (S1O-2463)

The Deputy Minister for Education, Europe and External Affairs (Nicol Stephen): The Scottish Executive, with advice from the National Special Educational Needs Advisory Forum, is currently reviewing all aspects of the record of needs process.

Mr Quinan: I hope that the deputy minister appreciates that there is great concern among parents about the record of needs. It is a protection for children and their parents. There appears to be a suggestion among certain local authorities that they move away from a record of needs and towards an individual learning programme. Will the minister comment on that?

Nicol Stephen: On 6 October, in response to reports that some local authorities were refusing to undertake assessments and were moving to other forms of assessment, the Executive wrote to the local authorities concerned to advise them that they should continue to apply record of needs legislation as it stands.

Lloyd Quinan will be aware that many parents think that the system has become too bureaucratic. It is difficult for parents to understand and there is not, in all circumstances, a right of appeal. The situation needs to be updated and it seems inconceivable that the record of needs process will remain in its present form. In the meantime, the current system should operate and we have taken steps to require local authorities to proceed on that basis.

The Presiding Officer (Sir David Steel): Question 2 has been withdrawn.

Mental Health

3. Mr Adam Ingram (South of Scotland) (SNP): To ask the Scottish Executive what provision it has made to fund mental health strategies in 2000-01. (S1O-2462)

The Minister for Health and Community Care (Susan Deacon): The Scottish Executive has increased general spending in both the national health service and local authorities. The

"Framework For Mental Health Services in Scotland" sets out an agreed policy framework. It is for local health boards and local authorities to decide how best to fund and deliver services locally.

Mr Ingram: The minister will be aware of my concerns about the implementation of the agenda of the "Framework For Mental Health Services in Scotland" in the Ayrshire and Arran Health Board area, where year 2 funding of the programme has been postponed.

Will the minister inform the chamber of the action that she will take to rectify the situation as described in a report of the Executive's mental health and well-being support group on its visit to Ayrshire? The report brought into question the commitment of senior officers of the board to the effective implementation of the strategy. It also highlighted the absence of any information management system, which will severely hamper any understanding of what it is that the services are doing and what they intend to do. And finally—

The Presiding Officer: Order. The standing orders say that questions must be brief.

Mr Ingram: It is important to put the question in context.

The Presiding Officer: I am sorry, but the standing orders are clear: questions must be brief. Please sit down.

Susan Deacon: It is precisely because I want the "Framework For Mental Health Services in Scotland" to be implemented across Scotland, not only by Ayrshire and Arran Health Board, that I established the mental health and well-being support group, which is visiting every part of the country to meet health boards, local authorities and other agencies to see how effectively the strategy is being implemented.

Scotland has a good policy framework for mental health. We know that we have much to do in many parts of the country to ensure that it is implemented effectively. The exercise that Adam Ingram described is an integral part of ensuring that change happens.

Irene Oldfather (Cunninghame South) (Lab): The minister will be aware that one of the key at-risk groups in terms of mental health is that of young women suffering from depression. Some such people in my constituency are as young as 12 or 13 years old. Can the minister give an assurance that mental health strategies and funding will adopt an holistic approach to the problem and will not be too reliant on prescription drugs and anti-depressants?

Susan Deacon: I share Irene Oldfather's concern to ensure that we take an holistic, person-centred approach to dealing with mental health

and other health problems. We cannot see health as being about just the absence of disease. We must recognise that people's mental health is affected by a range of different factors that also affect their overall well-being. I want to ensure that, where appropriate, we offer people suffering from depression the best possible medical support through the national health service, but I agree that support for such people must be wider than that.

Dorothy-Grace Elder (Glasgow) (SNP): I want to ask about the mental well-being of students in particular. Recently, I attended a conference organised by SKILL Scotland. I acknowledge that the current First Minister granted that organisation £115,000 last year—a result of my successful begging letter. Will the minister pay attention to the high suicide rate among young students, which may be linked to the crushing poverty in which they live?

Susan Deacon: The Executive has explicitly recognised the rise in suicide rates among particular groups—not least young men—that has occurred in Scotland but mirrors patterns elsewhere in the UK and abroad. Some of our investment through the £26 million health improvement fund is targeted at action in that area. It is a complex and sensitive area, and we should not rush to conclusions on the causes. We are certainly determined to continue to work to improve the situation.

Police (Funding)

4. Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): To ask the Scottish Executive, further to the answer by Mr Jack McConnell to question S1W-6297 on 4 October 2000, when it expects the review of the formula that determines the level of grant-aided expenditure distributed to individual police forces to be concluded. (S1O-2454)

The Minister for Finance and Local Government (Angus MacKay): The review is making good progress and is expected to be concluded next year.

Mr Rumbles: People in the north-east are looking forward to the conclusion of the report. The minister will be aware that the increasing population of Grampian, the North sea oil industry, and the very welcome but increasing visits of the royal family to Deeside put extra pressure on Grampian police. I am sure that the review will address that pressure. Can the minister confirm that all those factors are being taken into account by the review?

Angus MacKay: A number of police forces make very strong cases for a fairer budget share of the current spending line: Strathclyde police has

strong arguments about international sporting events; and, clearly, Lothian and Borders can make a case in relation to the Parliament, tourism and the festivals. The GAE review is intended to achieve a fairer division of the cake so that police authorities, such as the one to which Mike Rumbles refers, will feel that they have the resources that they need to do the job.

Tricia Marwick (Mid Scotland and Fife) (SNP): The minister will be aware that Fife has fewer police officers per head of population than any other region of Scotland. Will he give an assurance that, at the very least, the review of funding will allow Fife to employ the additional 28 officers who are needed to bring the number of officers in Fife up to the national average?

Angus MacKay: The purpose of the review is to ensure that whatever money is distributed across police authorities in Scotland is allocated on a fair, equal and appropriate basis. From memory, I think that the Executive committed an additional £18 million across Scotland in the current financial year and that that money has been baselined for future years. Police forces are already spending significant additional resources.

Phil Gallie (South of Scotland) (Con): Does the minister accept that recruitment of officers is not a short-term measure, that certainty of finance is a major factor for chief constables, and that that certainty will come from a quick response by the Executive to ensure that long-term recruitment can go ahead?

Angus MacKay: I have a strange feeling that I have not quite left the justice brief. As Phil Gallie well knows, as a result of the additional funding for the Scottish Drug Enforcement Agency, which will provide extra officers in local police forces and the central agency, and the additional funds that I mentioned in my response to Tricia Marwick, the number of police officers on the street is likely to reach record levels in the coming years. There should be no doubt about the Executive's commitment not just to put extra officers on to the front line, but to ensure that the resources required to keep them there are available in succeeding years.

Pre-school Education

5. Dr Elaine Murray (Dumfries) (Lab): To ask the Scottish Executive when it expects the working group on deferred entry to pre-school education to submit its report to ministers. (S1O-2431)

The Deputy Minister for Education, Europe and External Affairs (Nicol Stephen): Ministers expect to receive the working group's report in the next few days.

Dr Murray: I am very pleased to hear that. Does the minister share my concern about the current

level of pre-school provision—about the fact that, because children are entitled to pre-school provision from the term after their third birthday, and because most schools and many authorities have an annual intake, children who enter school at the age of four and a half go to school after one-and-a-half years' pre-school education, whereas children born in March go to school after two-and-a-half years' pre-school education? In the current situation, any local authorities and parents who feel that a child who is four-and-a-half years old is too immature to enter primary school have no provision for the year between—[MEMBERS: "Question."] Wait a minute. I am asking it.

The Presiding Officer: Briefly.

Dr Murray: I am asking whether the minister is concerned that there is no provision for the year between the ages of four and a half and five and a half. Is he aware that local authorities must provide funding from their own resources, and that that is particularly difficult in rural and remote areas—

The Presiding Officer: Order.

Dr Murray: I would like to ask for the—

The Presiding Officer: Order. I have already stated that questions must be brief: that is what the standing orders say. I call on Mr Stephen to answer.

Alasdair Morgan (Galloway and Upper Nithsdale) (SNP): Just say yes. [*Laughter.*]

The Presiding Officer: Indeed, answers must also be brief.

Nicol Stephen: The issue is important, and has caused parents much concern. We are committed to publishing the report. We will consult widely on its recommendations. I can assure Elaine Murray and all members that the Executive is not only aware of the concerns but is committed to taking action in due course.

Irene McGugan (North-East Scotland) (SNP): Is the working group likely to recommend a new concept of funding for deferred entry places, given that Scotland's councils currently have no budget from which to meet the cost of more than 3,000 such children's places? Would the Executive support changes to extend grant funding to deferred entry children if that were recommended? Would it consider the backdating of payments to councils?

Nicol Stephen: I have not seen the report yet, but it is likely to recommend some form of change. As I have said, the Executive is committed to taking appropriate action. It would be inappropriate to comment on that prior to the report's publication and prior to the consultation that we wish to conduct on the issue.

Rugby (Meetings)

6. Mr Brian Monteith (Mid Scotland and Fife) (Con): To ask the Scottish Executive when it last met representatives of Scottish rugby and what issues were discussed. (S1O-2441)

The Deputy Minister for Sport and Culture (Allan Wilson) *rose*—[*Applause.*] Goodness me!

The last meeting between the Scottish Executive and representatives of the Scottish Rugby Union was on Wednesday 20 September. The Executive was represented by Ms Rhona Brankin, the then Deputy Minister for Culture and Sport. Several issues relating to the development of rugby were discussed at that meeting, in particular sport and physical education in schools.

Mr Monteith: I welcome Allan Wilson to question time in his capacity as a deputy minister. Is he aware that, following that meeting, a report in *Scotland on Sunday* contained criticism from Jim Telfer, the SRU's director of rugby, of the former Deputy Minister for Culture and Sport regarding the encouragement of sport in Scottish schools, and that Mr Telfer called on the Government to change its thinking and priorities? Will he take Jim Telfer's advice and give sport greater priority in our schools?

Allan Wilson: I am not familiar with the terms of the article to which Mr Monteith refers, but I can assure Mr Telfer that, as a former rugby player at school, I am—[MEMBERS: "Oh!"] Yes, it is true: I am living testimony to the value of a rugby-playing education.

I would not accept any charge by Mr Telfer of buck-passing. There will be no buck-passing in this Administration; we will be picking up the buck and running with it. [*Laughter.*] Seriously, the Executive is introducing a school sports co-ordinators programme. It is important to the future of international rugby and to the development of sport in general that that programme is successful. As a consequence of the importance that we attach to that programme, I will be meeting Jack McConnell tomorrow on his home island of Arran to discuss further how we can develop it.

Signposting

7. David Mundell (South of Scotland) (Con): To ask the Scottish Executive what progress has been made in reviewing the procedures for approving signposting of tourist attractions from motorways and trunk roads. (S1O-2432)

The Minister for Transport (Sarah Boyack): The Scottish Executive has no plans to review the procedures for approving signposting of tourist attractions from motorways and trunk roads.

David Mundell: That is a very disappointing answer. I understood that the Executive was

undertaking a wide-ranging policy review and it is a matter, if the views of the Scottish Tourist Board are taken into account, that should be being reviewed. The STB's view of the minister's current procedure is that it relies on the personal opinion of one or two individuals in her department whose expertise is in road engineering rather than tourism or economic development. Will she give tourism and economic development more priority?

Sarah Boyack: It might be helpful for me to explain how the procedure works. It has been changed in the past few years to give greater attention to tourism and to ensure that quality is considered. That is why the STB looks first at any proposals for signing on motorways and trunk roads. If it approves and considers that the sign will lead to a tourist facility, as defined in the regulations, and so should be constructed, our roads engineers will then look at the safety considerations. So the procedure focuses on two issues: whether tourist quality is identified, and secondly, whether safety considerations are met. I see no reason to change the procedures.

After a meeting with Elaine Murray and local representatives from Dumfries and Galloway and from Moffat community council, I agreed to look at the specific issue of sign design where we have trunk roads with directional access to two areas. That work is under way, but we do not intend to review the overall procedure.

Alasdair Morgan (Galloway and Upper Nithsdale) (SNP): If quality is so important, surely there is an unanswerable case for Wigtown, Scotland's national book town, to be signposted from the A74(M) at Gretna.

Sarah Boyack: There are ways in which towns can be signposted. I had expected Mr Mundell to mention Moffat today, as it has now got a lovely thistle sign. The criteria specify that for a particular location to be signed it must be a tourist location, not a retail site. There is on-going correspondence with Mr Morgan. If there is something new he would like me to consider, he should write to me and I will be happy to do so.

National Cultural Strategy

8. Donald Gorrie (Central Scotland) (LD): To ask the Scottish Executive whether it will outline the next phase of its national cultural strategy. (S1O-2456)

The Minister for Environment, Sport and Culture (Mr Sam Galbraith): The Executive is currently discussing the implementation of the strategy with our potential partners, including the Convention of Scottish Local Authorities, the Scottish Arts Council, the Museums Council and other interested parties.

Donald Gorrie: Although people welcomed the

strategy and recognised that it is a first shot at the subject, one of the numerous criticisms made of it is that community arts, despite promises to the contrary, are not mentioned in it. What does the minister intend to do to develop community arts?

Mr Galbraith: The cultural strategy does not include strategies for each individual form of the arts—that would have been the wrong way ahead and might have lead to cultural death. The strategy is a series of principles and a framework for development, through enhancing education, developing excellence and making culture more available to all, for example. Community arts, which are vital to the strategy, will be developed within such frameworks.

Terminal Illness (Care)

9. Scott Barrie (Dunfermline West) (Lab): To ask the Scottish Executive what steps are being taken to ensure that appropriate care is available to terminally ill patients admitted to general hospitals. (S1O-2468)

The Deputy Minister for Health and Community Care (Malcolm Chisholm): Any terminally ill patient admitted to a general hospital would, like every other patient, be given the best possible care according to his or her needs.

Scott Barrie: I thank the minister for that answer and congratulate him on his promotion to Deputy Minister for Health and Community Care. [Applause.] He may be aware that the two general hospitals in Fife have separate, dedicated hospices for some terminally ill patients, but that is not the case everywhere. Is it the Executive's intention to encourage other health boards and trusts to examine and expand such provision throughout Scotland?

Malcolm Chisholm: I thank Scott Barrie for his kind words.

The Scottish Executive attaches the utmost importance to palliative care. It believes that pain and other distressing symptoms must be managed effectively, whether that care takes place in a hospice, in a specialist unit or, indeed, at home, where an increasing number of terminally ill patients wish to be. The Executive does not believe that one place is better than another; the quality of the palliative care is what the Executive emphasises. The Executive has commissioned work from the Scottish partnership agency for palliative and cancer care to ensure that health boards have effective policies in place. The newly formed Clinical Standards Board for Scotland is developing standards for palliative care. It will ensure that those standards are kept to throughout Scotland.

Hugh Henry (Paisley South) (Lab): I welcome the minister's comments. Can he reassure us that

terminally ill patients who go home to receive care will not have to face the trauma of being assessed for charges? Will that trauma be removed from that section of the population?

Malcolm Chisholm: A national health service letter in 1996 dealt with the group of patients to whom Hugh Henry refers. The letter emphasises that those patients, wherever they are, should be under the care of the NHS.

Housing

10. Mr Keith Harding (Mid Scotland and Fife) (Con): To ask the Scottish Executive what action it is taking to encourage local authorities to address the issues outlined in its "Statistical Bulletin Housing Series" of October 2000. (S1O-2440)

The Minister for Social Justice (Jackie Baillie): I assume that Mr Harding is referring to "Housing Trends in Scotland: Quarter Ending 31 March 2000", which we published on 26 October. The Executive is committed to ensuring decent, affordable housing for all. Our priorities for this term are attracting new investment, empowering tenants, reducing fuel poverty and tackling homelessness. We are working with local authorities and other partners to deliver those priorities.

Mr Harding: I welcome the minister to her new post. Her assumption is correct. Does she acknowledge that the number of homeless households in Fife has risen by 938 over the past three years, at a time when Fife Council has lost almost £5 million in rents because it has failed to bring unlet properties into use? Does she agree that, as a result, the 3,300 homeless households in the region are being badly let down by the poor management of Fife Council's Labour administration?

Jackie Baillie: I am going to enjoy jousting with Mr Harding in the coming months. The legacy that the Tories left us was one of disrepair and under-investment. We have slowed down the number of people who make homelessness applications in Scotland. In Fife, a decrease has been recorded. We should therefore be congratulating local authorities that are trying to make inroads into homelessness in Scotland.

Mr Harding: On a point of order.

The Presiding Officer: Is it a genuine point of order?

Mr Harding: I think so, yes. The minister possibly misled us there. The report—

The Presiding Officer: Order. That is not a point of order.

Mr Harding: But the report—

The Presiding Officer: No, we cannot have an argument about the content of questions and answers.

Mr John McAllion (Dundee East) (Lab): I welcome the minister to her new post; and I, too, look forward to jousting with her in the months ahead.

An issue that is addressed in the housing bulletin is the level of housing benefit referrals to rent officers. Can the minister confirm that a pensioner couple on full housing benefit, who have been assessed as under-occupying a three-bedroom council house, cannot have their housing benefit referred to, or cut by, a rent officer; whereas a similar couple, who have been assessed as under-occupying a housing association house, can have their housing benefit referred to, and cut by, the same rent officer? Does she agree that that has serious implications for poor pensioners who are caught up in the stock transfer proposals? What steps does the Executive intend to take to protect pensioners in that position?

Jackie Baillie: I also look forward to jousting with Mr McAllion in future, although I hope that it will be good-humoured. We are examining housing benefit issues closely, in the context of stock transfers. We want to ensure that we get the best deal for tenants. A review of housing benefit is being undertaken as part of the Department of the Environment, Transport and the Regions green paper on housing. The Executive will respond to that.

Linda Fabiani (Central Scotland) (SNP): I welcome the minister to her new post.

Shelter has commented on the increase in homelessness that is apparent from the bulletin. Has the minister responded to Shelter's allegation that the right to buy has exacerbated the situation? Will she listen to the community-based housing association movement and abandon her predecessor's obsession with the extension of the right to buy?

Jackie Baillie: I thank Linda Fabiani for her question. The increase in homelessness has slowed considerably. Overall, there is only a 0.5 per cent increase across the board; in the last two quarters it has decreased dramatically. It is rather early to draw firm conclusions from that. However, I suggest that a downward trend in homelessness in Scotland is to be welcomed.

Enterprise

11. Des McNulty (Clydebank and Milngavie) (Lab): To ask the Scottish Executive what plans it has to expand its cluster approach to enterprise. (S10-2430)

The Minister for Enterprise and Lifelong Learning (Ms Wendy Alexander): We are preparing a strategy for enterprise, which will set out the Government's overall approach to enterprise and will include the cluster approach.

Des McNulty: I welcome the minister to her new post. What benefit does she expect the strategy to offer for the development of the health care sector in Clydebank?

Ms Alexander: The health care sector is not currently a cluster. However, I am sure the member will be interested to know that we have recently subscribed to a study to assess the effectiveness of the cluster approach. I want to reaffirm that the Executive thinks that key sectors can be supported outwith the cluster approach. As the member who represents Clydebank, Des McNulty will be particularly interested in the work on the marine sector that is currently being done by Scottish Enterprise Glasgow. A seminar on that subject will take place later this month and the member is welcome to attend.

John Scott (Ayr) (Con): I congratulate the minister on her new appointment. On the cluster approach and its relationship to job creation, is the minister aware that 350 job losses have been announced in Ayrshire in the past week? What will the minister and her department do about that?

Ms Alexander: As the member will know, under my predecessor—now the First Minister—we put in place a set of procedures to address the circumstances when a particular community is facing difficulty. Members should recall that youth unemployment has fallen by 70 per cent and long-term adult unemployment has fallen by 50 per cent from the figures under the party that John Scott represents.

Mr David Davidson (North-East Scotland) (Con): I, too, welcome the minister to her new post. Will she demonstrate the way in which she is prepared to do business by telling us what action she will take to reduce the bureaucracy on Scottish business, which is stifling enterprise?

Ms Alexander: As the member will know, on Monday, we are holding a conference on the review of the enterprise network. The entire membership of the Enterprise and Lifelong Learning Committee, which made recommendations on areas of duplication, has been invited to attend. If the member has a particular interest in attending the conference, we would be happy for him to join us in considering those issues.

Miss Annabel Goldie (West of Scotland) (Con): On a point of order. That was news to my ears—[*Interruption.*]

The Presiding Officer: Was that a point of

order? I cannot hear Miss Goldie as her microphone is not switched on.

Ms Alexander: I am happy to confirm that all members of the Enterprise and Lifelong Learning Committee have been invited to the conference, hosted by the Executive on Monday, which will consider the Enterprise and Lifelong Learning Committee's report and the issue of duplication in the provision of economic development.

Renewable Energy

12. Robin Harper (Lothians) (Green): To ask the Scottish Executive what progress it has made in developing renewable energy in Scotland and what plans there are for the future. (S1O-2448)

The Minister for Environment, Sport and Culture (Mr Sam Galbraith): We have made considerable progress, reflecting our commitment to the promotion of renewable energy. Over 100 projects have been awarded contracts under the Scottish renewables obligation, including a wave energy power plant on Islay. I will publish shortly a consultation document on our new renewables obligation, which I expect will raise Scotland's already significant use of renewable energy.

Robin Harper: Will the minister confirm that the commitment made in the "Scottish Climate Change Programme Consultation" for 5 per cent new renewables by 2010 is still on target? Will he indicate what proportion of those renewables might come from wind, hydro and wave power?

Mr Galbraith: As Robin Harper will know, we have the highest level of renewables in the UK, at 11 or 12 per cent, and we expect that to go up to 13 per cent by 2003. We have proposed a commitment to an additional 5 per cent by 2010, in line with the rest of the UK, which will bring us up to about 18 per cent. We consulted on that in the climate change programme, to which we have had a wide and varied response. I hope to make a final announcement soon.

Maureen Macmillan (Highlands and Islands) (Lab): Is the minister aware that before any proposed schemes for renewable energy can go ahead in the north of the country, a new interconnector will have to be provided to allow the renewable energy that is generated access to the national grid? Will that problem be addressed?

Mr Galbraith: That matter is under consideration. It is correct that one of the problems is that the greatest source of renewable energy is in the west but the best aspects of the grid are in the east. We need to deal with that. An outstanding conference on renewable energy is taking place in Stornoway tomorrow, at which an outstanding speech will be given by Mr Alasdair Morrison. I suggest that everyone listens to the speech in the context of the conference.

Mr Jamie McGrigor (Highlands and Islands) (Con): The Executive will be aware of the negotiations in Campbeltown in Argyll on the proposal by a Danish company, which is the foremost wind farm manufacturer in the world, to build a wind farm manufacturing plant at Campbeltown. Will the Executive give its full support to wind farms in Scotland, and especially to that proposal, which would provide hundreds of jobs in Campbeltown and revitalise that economically depressed area? The area is an ideal location for such a project, which would be of great export value to Scotland and would utilise the new Campbeltown-Ballycastle ferry when it comes into existence.

Mr Galbraith: One area that I will not get into is the Campbeltown-Ballycastle ferry. The proposal concerns a private development and is commercially sensitive, and I do not have anything specific to say about it.

With regard to the Scottish renewables obligations, we will not try to prejudge the market and direct it one way. Everything is open and available for renewable forms of energy.

National Health Service

13. Tommy Sheridan (Glasgow) (SSP): To ask the Scottish Executive whether it intends to provide further additional funding to enable excessive winter pressure to be avoided in the national health service this year in the light of the recent closure to admissions of several Glasgow hospitals. (S1O-2467)

The Minister for Health and Community Care (Susan Deacon): The Executive has already provided substantial additional resources to every health board in Scotland. A great deal of work has been done locally and nationally to spread good practice and to ensure that effective winter plans are in place. It is the responsibility of local health boards and NHS trusts, working with their partners in local authorities and the voluntary sector, to manage changing patterns of need over the winter period and throughout the year.

Tommy Sheridan: Is the minister aware that, between 1991 and 1999, Greater Glasgow Health Board lost 1,163 adult acute beds, while in the north of Glasgow alone there has been an 11 per cent increase in general medical activity and demand in three years? Does the minister accept that the extra £1 million for Glasgow, which will support only an extra 83 beds across the whole of the city, is totally inadequate?

Susan Deacon: I do not know where Tommy Sheridan gets his figures from—some of them have literally been penned on the back of an envelope. I do not know where the £1 million that he mentions comes from. For example, Greater

Glasgow Health Board has had £8.5 million of additional resources, on top of its increased allocation for this year, specifically to deal with reducing waiting lists and waiting times, preparing for winter and tackling delayed discharge.

I beg members' pardon; Greater Glasgow Health Board has actually had £11 million plus for that purpose. The numbers are higher than I said, and I thought that I should give the facts. In addition, it has had £8.5 million recurring to deal specifically with waiting.

Alongside that, it is worth remembering that next year, under the new Arbutnott formula, and given the record increase in NHS spending, the health board's budget will increase by more than 7.5 per cent, which equates to more than £60 million. Let us not underestimate the investment that is going into the system.

Tommy Sheridan raised the issue of bed numbers. If we are to have sensible and reasoned debate about the health service, we must start to realise that the service does not provide just beds. Debate must be about the whole service that is provided in the community and in hospitals. If members examine the pattern in Glasgow, they will see that improvement is taking place.

The Presiding Officer: Members should keep to the question.

Pauline McNeill (Glasgow Kelvin) (Lab): Is the minister aware that the £1 million for the Glasgow north trust to relieve winter pressures has enabled the creation of 13 additional beds and one full-time ward standing by for emergencies? That is the first time that that has happened. Can the minister ensure—or is there a mechanism to ensure—that trusts that gain from such additional resources for contingency plans will retain that money so that Scotland can feel that it will always be able to deal with winter crises and emergencies?

Susan Deacon: It may help if I write to members who represent Glasgow and detail all the additional investment for Greater Glasgow this year. None of us should be in any doubt about the scale of that, because there is a good story to tell.

Pauline McNeill is right. We should consider not just how much money is put in, but how that money is used. Setting up effective contingency plans is crucial for the winter and for other points through the year. I am pleased that there is better preparation, planning and investment this year than in previous years.

Christine Grahame (South of Scotland) (SNP): I have other information for the minister. She is not aware—because she could not supply the information in a written answer to me—that 111 older people in Glasgow hospitals were assessed last month for residential care, but have

nowhere to go. That means 111 delayed discharges, to use the euphemism. What does the minister intend to do about that autumn crisis?

Susan Deacon: Delayed discharge is one of the most deep-rooted and profound problems facing the health and community care system. More than any previous Administration, the Executive has acknowledged that from the outset and has tackled the issue with increased investment, and, crucially, with wider policies that go to the root causes of delayed discharge. The system must be made to work more coherently and we must ensure that all parts of the national health service co-operate effectively. The number of people who are in acute hospital beds inappropriately, for lack of support in a more appropriate setting, is a real tragedy. That is why the £100 million package for older people, which I announced just a few weeks ago, is so important.

Paralympians

14. Mr Duncan McNeil (Greenock and Inverclyde) (Lab): To ask the Scottish Executive what response it has given to the success of Scots Paralympians in the UK team in Sydney. (S10-2451)

The Deputy Minister for Sport and Culture (Allan Wilson): We will write to each of the successful athletes to congratulate them on their superb performances in Sydney and their contribution to Team GB's most successful games since Seoul in 1988. As members who were present at Mary Mulligan's excellent members' business debate last night will know, we will also host a reception for the Scots members of the Great Britain Olympic and Paralympic teams.

Mr McNeil: I thank the minister for his answer and take this opportunity to congratulate him on his elevation to the front bench. I wish him every success and look forward to hearing less about Puccini and more about Porrini. [*Laughter.*] Well, everybody else is doing it.

Will the minister explain what steps the Executive is taking to build on the success of gold medal winners such as Gourock's Margaret McEleny—whose gold in the 50 m breaststroke was one of three medals she brought home—by considering how we can help more disabled people to become involved in sport?

Allan Wilson: I will miss Duncan McNeil's subtle persuasion on how I should cast my vote.

Everybody who participated in the Paralympics was a gold medal winner in their own right. For many people, the games rekindled the true Olympic flame.

The key target is an increase in the number of Scottish medallists at Olympic and world level. I

believe firmly that through the programmes we are putting in place in our schools and communities—building an infrastructure that will increase overall participation in sport—more talented athletes will emerge across a spectrum of sports. That talent must be nurtured and its potential realised.

Adults with Incapacity (Scotland) Act 2000

15. Hugh Henry (Paisley South) (Lab): To ask the Scottish Executive what steps are being taken to ensure the smooth implementation of the Adults with Incapacity (Scotland) Act 2000. (S10-2436)

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): The major bodies with an interest in the Adults with Incapacity (Scotland) Act 2000 are represented on a national steering group, which is progressing the implementation of the act. The group is also considering the best way of providing information to the public and raising awareness among professionals about the act.

Parts 2 and 3 of the act, which deal with powers of attorney and the access to funds scheme, will come into force in April 2001. Draft codes of practice in relation to parts 2 and 3 were issued for consultation on 14 September and comments have been requested by 15 December. The remaining parts of the act will be implemented by April 2002 and, again, there will be consultation in advance on draft codes.

The new office of the public guardian will open in April 2001 in Falkirk. Adverts have been placed in the press to recruit staff and the interest shown has been encouraging.

Hugh Henry: I thank the minister for his answer.

Many people with incapacity and their families and carers cannot feel the full benefit of the reforms until the act is implemented. Will the minister reassure people, such as members of the Renfrewshire Autism and Asperger Group, who are concerned that they have no say in their adult children's lives unless they have the means to go to court?

Will the minister reassure me that, while the legal technicalities, draft codes for attorneys and the rest are devised, the wishes of people with incapacity, or of those who are close to them, will remain at the centre of our thinking?

Mr Wallace: When the act was passed, Hugh Henry and, indeed, the Parliament, acknowledged that one of its main purposes was to simplify legal procedures for those people who are incapacitated and their friends and carers.

It is important that we take full advantage of the consultation periods. We look forward to receiving a wide range of representations on the draft codes that we have published. I assure Hugh Henry and

his constituents, to whom he referred, that proper consideration will be given to all representations received.

First Minister's Question Time

SCOTTISH EXECUTIVE

Prime Minister (Meetings)

1. Mr John Swinney (North Tayside) (SNP):

To ask the First Minister when he will next meet the Prime Minister and what issues he plans to raise. (S1F-623)

Since we are being so convivial this afternoon, I welcome the First Minister to First Minister's question time. [*Applause.*]

The First Minister (Henry McLeish): I last met the Prime Minister on 23 October. I have no immediate plans to meet him again.

Mr Swinney: I suspect that that may be the biggest revelation of the afternoon. [*Laughter.*]

The First Minister assured Parliament when he was appointed last week that he would not let us down, but yesterday the young people of Scotland were let down by the Executive—not once, but twice.

Pupils who were let down during the summer over the Scottish Qualifications Authority fiasco continued to be let down yesterday. Those same young people are likely to be entrants to higher and further education next autumn. They have been let down because the Government has now put a question mark over its ability to deliver grants for students because the bill to provide for those grants has had to be withdrawn. One could call those young people the class of 2000. Why has team McLeish let down the class of 2000?

The First Minister: There is a simple and obvious response to the points made by John Swinney: the Education (Graduate Endowment and Student Support) (Scotland) Bill has not been withdrawn.

In a few weeks' time, we will provide a revised bill, which will contain some changes to the drafting to strengthen particular areas. For example, students who do not successfully complete their degree will not pay. Next week, we will announce formally the detailed arrangements for the bursaries that we are introducing for higher education students next year.

The leader of the SNP is early in his career, but he seems to want to build political mountains out of technical molehills—unlike his distinguished colleague, Alex Neil, who now convenes the Enterprise and Lifelong Learning Committee and who is taking a mature approach to student funding. I hope that John Swinney will reassure the chamber that he will not meddle or seek to

sabotage the bill, which is an important element of the student funding package.

Mr Swinney: Those issues have a second connection as, until last Thursday, the governance of the SQA and the management of the Education (Graduate Endowment and Student Support) (Scotland) Bill were the ministerial responsibility of Mr McLeish.

On the day Mr McLeish promised the Parliament he would not let us down, was he aware that his department might have to let down Scotland's students by withdrawing that bill? Did he know—yes or no?

The First Minister: The only people who are letting Scotland down sit on the benches of the so-called party of Scotland. [MEMBERS: "Answer the question."] Remember the scene last week—[*Interruption.*] I will deal with the Conservatives later.

Does the chamber not remember the soulless, surly, sullen faces of SNP members last week when we announced the contracts for Govan? Next week, the coalition will announce that 30 per cent of Scottish students will in fact receive a new bursary; we will announce that 30 per cent of students will be able to apply for a mature student bursary. We should not forget that this coalition abolished tuition fees. Furthermore, 45 per cent of students will benefit financially from our measures and not one student will be worse off. I commend that package not only to the SNP but to the people of Scotland who want to take these issues seriously, not throw them around like a political football as the SNP does.

Mr Swinney: I noticed that, in among the clichés, the words yes and no did not appear in the answer to my question. In his six days in office, Mr McLeish has already let down Parliament by inferring the politicisation of the civil service and the parliamentary committees; he has let down our school pupils by continuing the SQA saga with no decisive action; and he has continued to let down our students with problems over the student finance bill.

The First Minister has let down, let down, let down the pupils and Parliament of Scotland. Next week, he will continue to let down our pensioners unless he adopts another SNP policy and agrees to pay for the personal care of our pensioner community, as the Sutherland report called for. After his performance in his six days in office, does he agree that, in the words of the song, "Things can only get better"?

The First Minister: I always think that the mark of a talented politician is to stick with one issue and keep going. Today, we have had student fees, the SQA, pensioners and freedom of information. I suspect that that will characterise John Swinney's

reputation. I want to quote him from an interesting little newspaper interview. He said:

"If you were to say to a member of the public what does the SNP stand for I'm pretty sure that they would say the party stands for independence, but I don't think they'd be able to say much more beyond that."

The NP in SNP still stands for no policies.

I want to end on an optimistic note for Scotland. Not only can I record the fact that we will introduce new bursaries next week and a revamped endowment bill, I can announce to Parliament that the number of Scottish students accepted to UK institutions has increased by 7.2 per cent this year. I can also reveal that the number of Scottish students accepted to Scottish institutions is up by 7.8 per cent. We have record figures and a record package of measures; the only people in the country who do not like that sit on the SNP benches with the same sullen faces.

Secretary of State for Scotland (Meetings)

2. David McLetchie (Lothians) (Con): I add my welcome to Mr McLeish on his senior debut as First Minister. I will now ask him a familiar question.

To ask the First Minister when he next plans to meet the Secretary of State for Scotland and what issues he intends to raise. (S1F-618)

The First Minister (Henry McLeish): I speak regularly to the Secretary of State for Scotland on the telephone and I plan to meet him tomorrow.

David McLetchie: I am delighted to hear that. I am sure that the First Minister is looking forward to meeting Mr Reid, if only as a welcome break from his many discussions with Mr Canavan.

One of the continuing problems that the First Minister might wish to discuss with Mr Reid is the crisis at the SQA. Will the First Minister confirm reports that his new Minister for Education, Europe and External Affairs, Mr Jack McConnell, is set to axe the board of the SQA and has called on all the current members to resign? If that is true, does he agree that Mr McConnell has acted with remarkable speed, in sharp contrast to the dithering of his predecessor and the First Minister himself when he was Minister for Enterprise and Lifelong Learning?

The First Minister: I do not think that this is how a First Minister should be treated. Last night, in the Edinburgh *Evening News*, I read the following:

"Scottish Tory leader David McLetchie said today that he would be asking First Minister Henry McLeish why the plan was not pursued."

I am surprised that he is not asking about that. Tomorrow, Jack McConnell will tell us a great deal about what he intends to do with the SQA. Jack will take some tough action, and I do not intend to

give members even a glimpse of what is happening.

Leaving aside the could kail that David McLetchie throws around in this place, we should all be united on one thing: that this fiasco should never happen again. Pupils in Scotland sitting exams should never be faced with that prospect, and parents, who are concerned about and proud of their children, should never be put in this position again.

I am pleased that Jack McConnell will move on the issue tomorrow, when the report will be published—as we promised. There will be a full discussion about that in the country. We will also honour our commitment to the two committees involved. When the dust settles, we must be absolutely clear that we have one purpose: to move on from this situation. Jack McConnell will talk about that tomorrow.

David McLetchie: We can take that as a yes to my question. I would be delighted to ask the First Minister why the cost of the Scottish Parliament building has gone up from £40 million to £210 million. In the time available to him, perhaps he can tell us why that is the case.

Of course, the First Minister has many other problems to deal with. According to newspaper reports at the weekend, the First Minister would like to scrap the plan to introduce workplace parking charges and to adopt the main recommendation of the Sutherland commission in relation to personal care. That is all supposed to be part of

"a change of emphasis and direction".

Can the First Minister clarify his position on the situation that he has inherited? Has he inherited a legacy to be cherished, or is it a liability to be ditched, as his new spin-doctor was telling the Sunday newspapers?

The First Minister: The policies that we inherited, particularly on social justice, have been responded to amply by the fact that we now have a Cabinet minister whose sole responsibility is to ensure that that legacy is fulfilled. It would be helpful if in this chamber David McLetchie would start to talk up some Tory policies. For 18 years the Tories ravaged Scotland, but from David McLetchie we get only a ragbag of issues that are thought up on the back of an envelope before he walks into the chamber.

We have a rich legacy, but it is absolutely right that the new Administration should review its policies and their development. That is why I have asked Cabinet members to report by a week on Friday. Once the review is complete, we can take matters forward. When we speak in this chamber, we speak for the people of Scotland. We should

never forget the fact that we need to build trust and a link with them. After we have examined our policies, I would welcome the opportunity for them to be debated as widely as possible. The SNP and the Tories have no policies; only the coalition has policies to take Scotland forward.

Alex Neil (Central Scotland) (SNP): Will the First Minister discuss with the Secretary of State for Scotland tomorrow ministerial responsibility for the Scottish Qualifications Authority? Is the report in today's *Daily Record* that Mr McConnell will take over ministerial responsibility for the SQA correct, or will that responsibility continue to be shared by two ministers? Would it not have been better to await the outcome of the inquiry by the Enterprise and Lifelong Learning Committee into the governance of the SQA before making that announcement? Should not that announcement be made to Parliament instead of in the *Daily Record*?

The First Minister: No announcement has been made in the *Daily Record*; indeed, no announcement has been made at all. Members should keep calm and keep their anticipation intact. Opposition members are getting very excited, but it will soon be Friday. In the absence of anything positive to say, excitement can fill them up. Tomorrow, Jack McConnell will make a statement on this issue. That statement will reflect what needs to be done, and I have every confidence that it will be the best way forward.

Mr Brian Monteith (Mid Scotland and Fife) (Con): On a point of order, Presiding Officer. Members have often brought before you concerns about announcements being made outwith this chamber. On this occasion not only is an announcement about to be made outwith the chamber, but the First Minister is advertising it in advance. Do you have any comment to make on such advertisements?

The Presiding Officer (Sir David Steel): I think that a public announcement is different from private announcements to newspapers.

Railways

3. Lewis Macdonald (Aberdeen Central) (Lab): From the Labour back benches, I welcome and congratulate the First Minister.

To ask the First Minister what discussions the Scottish Executive has had with Great North Eastern Railways regarding the restoration of the east coast main line north of Edinburgh. (S1F-617)

The First Minister (Henry McLeish): The Scottish Executive has been in daily contact with GNER about services in Scotland affected by the diversion at Hatfield and the current temporary speed restrictions across the GB network.

Lewis Macdonald: In pursuing those discussions, will ministers remind GNER that its east coast main line franchise commits it to direct rail links not only from Edinburgh to London, but from Aberdeen to London? Will ministers press it to fulfil that commitment and make it clear that its continued failure to do so will jeopardise whatever credibility it still has in seeking a renewal of its franchise on the east coast main line?

The First Minister: I am pleased to align myself with the comments and concerns of the local member, Lewis Macdonald. This has not been a good two weeks for the railways of the United Kingdom—[*Interruption.*] This is astonishing behaviour from the SNP lot. This is a serious issue about railways. The SNP does not take much seriously these days.

Sarah Boyack has been in close touch with the rail authorities. We are keen to make progress on the matter that Lewis Macdonald has raised. We have also had problems at Polmont, problems with the west coast main line and problems with sleepers that are not running. That is not the way to run a modern railway. If we are going to enter the 21st century we must step up our discussions with the rail authorities. We will work with local members to ensure that that happens.

I repeat my point about Railtrack and the operating companies: in the public interest, they will have to raise their game, because the service that we are getting—not only in Scotland, but in other parts of the United Kingdom—leaves a lot to be desired.

Tommy Sheridan (Glasgow) (SSP): Given the comments that the First Minister has just made, his comments on radio about Railtrack being a farce and the overwhelming mood of the people of Scotland, will he announce today that he supports the call for the renationalisation of the public rail network?

The First Minister: I realised that I would face many challenges and questions, but I did not think that I would get that one from Tommy Sheridan. I will not join him on that commitment.

Suffice it to say that the Conservatives botched up Railtrack. Even Railtrack has now accepted that. Our key concern is that we want to be at the heart of the UK and Europe. That means that we must have effective rail links from the south right up to the north of Scotland.

This is about investment and a concern for the passenger, which has not been evident over the past few days. I stick with the comments that I made about Railtrack earlier in the week; we want to see improvements.

Sutherland Report

4. Nicola Sturgeon (Glasgow) (SNP): To ask the First Minister whether the Scottish Executive will now implement the key recommendations of the Sutherland report, including the funding of personal care on the basis of assessed need. (S1F-619)

The First Minister (Henry McLeish): Susan Deacon outlined the Executive's response to the report of the Royal Commission on Long Term Care for the Elderly on 5 October.

Nicola Sturgeon: I am disappointed that the First Minister's answer does not appear to live up to his briefings to the Sunday newspapers. The First Minister has made much in the past few days of wanting to get rid of unpopular Labour policies. Does he agree that now would be a good time to instruct the Minister for Health and Community Care to scrap her opposition to a policy that has such widespread support in Scotland? Is it not time that Labour agreed to implement the central recommendation of the Sutherland commission and say to the 30,000 older people in Scotland who currently pay for basic help with washing, dressing and toilet needs that that support will now be received free of charge? That would remove once and for all the threat, which those people face, of having to sell their own homes or to dip into their life savings to pay for such support. Would that not be a good start—

The Presiding Officer: Order. We cannot have mini-speeches in support of questions.

Members: Hear, hear.

The First Minister: They say a change is as good as a holiday, but in Nicola Sturgeon's case it has not helped a great deal.

There is no monopoly of concern among the Opposition parties. That has been exemplified in recent weeks and months by Susan Deacon's substantial announcement in response not only to Sutherland, but to the wider needs of our older community, ranging from central heating to free travel to the vast improvements that will be made next year in relation to care. *[Interruption.]* I hope that SNP members will have the manners to listen.

I said with sincerity on the weekend radio and television that I am concerned about what is happening. If we listen in any way, we will hear that there is concern in the country. Susan Deacon has gone a substantial way forward—and in many areas further—on what we are doing. All I can say at this stage is that the ministers will be reviewing.

When Susan Deacon made her statement—*[Interruption.]* If the SNP mob would listen, they would learn something. In her statement, Susan Deacon said:

"We agree with the principle of equity that underpins the recommendation"

of the Sutherland commission, but it may be difficult

"to make that change at this time"—*[Official Report, 5 October 2000; Vol 8, c 1022.]*

We will consider that. The point is that we are always looking, and if we are doing that Susan Deacon will be reviewing that policy. We will have a further look at that and we will take it from there.

Dr Richard Simpson (Ochil) (Lab): Will the First Minister ensure that the redefining of personal nursing care that is being undertaken by the chief nursing officer, which was announced by the Minister for Health and Community Care, will ensure that full and appropriate care will be provided free of charge to those who are suffering from dementia, mental illness and learning disability?

The First Minister: Richard Simpson's question is important and what it calls for is crucial to any way forward. The Minister for Health and Community Care is nodding her head, acknowledging the points that have been made. I take it that those matters will be considered.

We have in Scotland 950,000 women over the age of 60 and men over the age of 65. We owe it to them to do the best we can. We have moved substantially on that agenda. If we are being progressive, we will always look at how much further we can go. That is an important catch line for this Parliament and Executive.

The Presiding Officer: That concludes question time.

Points of Order

15:33

Michael Russell (South of Scotland) (SNP): On a point of order, Presiding Officer.

The Presiding Officer (Sir David Steel): I have a point of order of my own. I want to clarify a point that I made this morning.

A number of points of order were raised at the beginning of this morning's proceedings, and I indicated my intention to do what I could to discourage the advance release to the press of the details of ministerial statements or announcements. In the course of those exchanges, a point was made by Hugh Henry on the pre-release of statements to non-Executive parties. Unfortunately, I misheard the point that he was making and I interpreted it as a question about the advance release to the press of non-Executive party announcements.

Having checked the draft of the *Official Report*, I now appreciate that Hugh Henry was raising the question of the advance release of ministerial statements to the non-Executive parties. I want to make it quite clear that that is a matter for agreement between the Executive and the non-Executive parties—it is not a matter for the Presiding Officer.

Michael Russell: On a point of order. The First Minister has indicated today that there will be some sort of event or press conference to launch decisions that are based on the Deloitte & Touche report. As the commissioning of the Deloitte & Touche report was announced to the chamber on 6 September, it is essential that the chamber hears about that report first. It would be exceptional if a study of this importance—which was announced to the chamber in a ministerial statement—were released elsewhere before the chamber had had a chance to respond to it. I ask you to think about that carefully, Presiding Officer. The act of announcing the report to the chamber in a special ministerial statement surely implies that the chamber must be involved when that urgent report returns.

The Presiding Officer: I will reflect on that. However, I think that—if I am correct—that is an internal report to the Executive, which the Executive has commissioned. Is that correct, Mr McConnell?

The Minister for Education, Europe and External Affairs (Mr Jack McConnell): Yes. Arrangements have been made for the committee conveners to receive copies of the Deloitte & Touche report in confidence this evening and for

all members of the two committees who are involved to receive copies of the report tomorrow morning, before the press conference takes place.

The Presiding Officer: Thank you, Mr McConnell.

Michael Russell: I am afraid that that answer does not deal with the point of order, which concerns the right to ask questions on that report. I ask you to reflect on that, Presiding Officer.

The Presiding Officer: You have asked me to reflect on that and I shall do so. However, I think that there will be later opportunities to ask questions.

National Cultural Strategy

The Presiding Officer (Sir David Steel): We now move on to a debate on motion S1M-1305, in the name of Sam Galbraith, on the national cultural strategy, and on two amendments to that motion. Those members who are not waiting to be cultured should leave quietly.

15:35

The Minister for Environment, Sport and Culture (Mr Sam Galbraith): I am a cultured individual myself, Presiding Officer, and I am particularly delighted to open this debate. It is unlikely that Scotland's first national cultural strategy, "Creating our Future, Minding our Past", would have been prepared had it not been for the coming into being of this Parliament. It is fitting that members have the opportunity to discuss it now. It is also fitting that, at this stage, I should pay tribute to my colleague Rhona Brankin for her contribution. Much of the effort and work that was put into developing the strategy was due to her unstinting efforts, and the Parliament should recognise that.

"Creating our Future, Minding our Past" is, by its nature, a radical document. For the first time in its history, Scotland has a clear framework of objectives and actions to guide the development of its cultural life. It also gives a clear statement of the importance of cultural life to everyone in Scotland. The strategy dispels once and for all the mistaken assumption that culture is only for the elite few. Scotland's cultural life is broad and diverse and is for absolutely everyone in the land. Everyone can contribute to it and everyone can enjoy it. Our cultural sector makes a significant contribution to our economy—locally and nationally—and I want to emphasise that it is fundamental to the image of Scotland abroad.

Culture is not monolithic. It is fair to say that fiddles and electronic instruments can take their place alongside opera. Gaelic poetry and detective fiction also have a place, and we acknowledge the role of sport in our cultural life. I believe that the Parliament will want to commend and celebrate that breadth of cultural activity, and that it will share the Executive's view that our culture and its development have a significant role to play in promoting social justice and in education. Those are the central planks of the Executive's policy framework. The contribution that culture can play in each of them was a significant theme that emerged from the extensive consultation on which the document was based. Once again, I record our thanks for the 350 written responses and to the many people who turned up at a series of open consultative meetings in all parts of Scotland.

I stress that the strategy does not set out a detailed cultural development plan or manifesto, either generally or in each cultural area. That should address the point that is raised in Brian Monteith's amendment. Although some people have sought such a plan, I believe that to do so—and I agree with Brian on this point—would be utter folly and would quickly lead to cultural death and the end of the generation of culture. That is what Brian Monteith is talking about, but that is a separate issue. It is not what we set out to provide, and any assumption that that is the case is misplaced.

"Creating our Future, Minding our Past" does no more than provide a comprehensive framework of objectives to guide cultural development. Where the public sector has a role to play in making provision, the strategy is based fundamentally on the Executive's commitment to supporting and developing our cultural life in ways that widen access, promote education and develop excellence.

People throughout Scotland see the clear connection between culture and education and social justice. Culture can make such connections by giving people and communities ways to acquire and expand skills, giving them new insights into themselves and their communities. Most of all, culture can bring enjoyment into people's lives: the enjoyment of participation as an actor, musician, photographer or whatever and the enjoyment of being part of the audience.

The Executive wants to rise to the challenge and to work with other agencies to realise the potential contribution that culture can make. Since the publication of the strategy, we have been in close discussions with key agencies, working on implementing the key actions. The role of the national bodies and the local authorities is vital. An important stress of the strategy is to find better ways of working in partnership so that local and national activities complement one another and are not seen to be in conflict.

I can mention only a few of the key developments in this debate. I am particularly enthusiastic about the actions and the strategy identified in relation to education. Most important, we will pilot co-ordinators in schools whose role will be to champion culture in schools. People in those posts will work with teachers and children to realise the contribution that cultural activity can make to young people's learning and skills and to find ways of embedding cultural activity and opportunities in the school experience. That will go some way to develop our aim of enhancing education through culture. We are not adding on a cultural element; we are using culture to enhance education, self-esteem and self-development for the individual. We will work closely with the

Convention of Scottish Local Authorities and the Scottish Arts Council to design and monitor the pilots, exploring a range of ways of building on what is already there and what has already been achieved in schools throughout Scotland.

I look forward to the detailed framework—which is being developed by the SAC—for our scheme for supporting excellence in the traditional arts. Too many voices over the years have said that our traditional arts, music in particular, are regarded or are treated as being inferior. I do not believe that that criticism is wholly valid—there is and has been significant support—but the new initiative will give traditional arts an opportunity to confirm their importance to continuing Scottish culture. I hope that, in many cases, the traditional arts will provide a basis for world leadership in the development of techniques in key areas. We have already supported the piping centre in Glasgow, which provides just such international leadership and excellence in its area.

I also look forward to the outcome of detailed feasibility work on the proposal for a national theatre. We seek a practical option to add to our theatrical activity and to raise its overall quality. This is not a proposal to build a new venue or to replace the dynamism of local companies with a single central performing or commissioning body. It will be important that what emerges builds on and enhances what we have and widens access to the highest-quality theatrical productions. If the study confirms a practical means of achieving that, I give the guarantee that additional finance will be available to make it happen.

Linda Fabiani (Central Scotland) (SNP): Will the minister also guarantee that Scottish touring theatre companies will be considered? There is a bit of a crisis in Scottish touring theatre. The minister may remember, for example, that the SAC refused to provide further funding to the Wildcat theatre group last year.

Mr Galbraith: Such decisions are a matter for the SAC. I remember well Wildcat, of which I was a director, as I was the minister when the decision was taken not to fund it any longer. We lived in interesting times then. Touring theatre is important and will continue to be considered by the Scottish Arts Council.

On heritage and museums, we are putting in hand actions with the Scottish Museums Council, the National Museums of Scotland and local authorities that will be of fundamental importance to our museums sector. We have already announced that funding will be available to fund structural change in the museums sector and to undertake an audit of collections throughout Scotland. We recognise that priority must be given to considering the position of industrial museums. We are examining specific proposals for a number

of them at the moment. The key to taking those proposals forward will be the commitment of the relevant local authorities to the museums in their localities. I look forward to reporting further on that when our discussions are concluded.

With that assurance, and given that what the SNP has asked for is already in hand, I hope that the SNP will consider it possible to withdraw its amendment. However, I see that, in keeping with the SNP's usual policy of co-operation, Mike Russell is shaking his head. I await his contribution.

Dr Winnie Ewing (Highlands and Islands) (SNP): The minister should remember that we are the Opposition.

Mr Galbraith: At the launch of the strategy, an initial funding package of £7.25 million was announced. Following the spending review, we will make available an additional £11.7 million to our national institutions over the next three years, including specific amounts to support the expansion of their important educational programmes and to meet the costs associated with additional activities that they have taken on in recent years.

We will also invest significant additional amounts in the arts through the Scottish Arts Council. At the time of the launch, we announced a £1.5 million programme to support excellence in the traditional arts. In addition, we will be increasing overall support for the SAC by £13.2 million over the next three years. That is the most significant increase in funding that the arts in Scotland has ever had. The resources will include support for the proposed national theatre for Scotland, should the present feasibility study come up with a practicable proposal. Depending on the outcome of that study, up to £1.5 million will be available for the first full year of the theatre in 2003-04 and up to £500,000 to support its start-up in the year before that.

To succeed in the 21st century, Scotland needs to foster the creativity and ingenuity of all its people. We want to ensure that we reflect the potential of the cultural dimension in all our policy development and place culture at the heart of all that the Executive does. The national cultural strategy provides a framework for achieving that.

The initiatives that I have mentioned briefly and the additional funding that I have described illustrate the breadth of our approach and our commitment to promoting excellence and wider access. Overall, the strategy is ambitious and forward looking. It is based on a carefully thought-out appraisal of what people have said about Scotland's culture. It provides a framework within which Scotland's culture can flourish, can be accessible to and enjoyed by all and can develop

and exploit its international potential.

To achieve those objectives, many people across Scotland need to work together at a local and national level. I commend the strategy to everyone. The Executive is committed to playing its part and I am sure that the Scottish Parliament will also want to make a continuing and positive contribution. I look forward to hearing what members have to say about this document and its importance to Scotland.

I move,

That the Parliament recognises the strength and breadth of cultural activity in Scotland and the important contribution it makes to Scotland's economy and to the quality of life of people throughout Scotland; considers that public support and encouragement of cultural development should be guided by a framework which widens opportunities to participate, promotes education in and through culture and supports and celebrates excellence in all areas of cultural activity, and therefore welcomes the publication by the Scottish Executive of *Creating Our Future, Minding Our Past*, Scotland's first National Cultural Strategy.

15:48

Michael Russell (South of Scotland) (SNP): I welcome the new culture team and give a regretful wave to Rhona Brankin as she leaves both the department and, I note, the chamber. I wish the Minister for Environment, Sport and Culture well in his role. Not only is he the new minister with responsibility for culture, he was the old one as well—he carries his portfolio with him. I welcome him and the new deputy minister at his side.

I also welcome the cultural strategy document. There is no great harm in it, but there is no great virtue in it either. It is a disappointing document. The cultural champions involved laboured long and hard and took a lot of evidence before producing a clamjamfrie of over-design—a *bùrach*, to use a Gaelic word—and not much else besides. There are some major flaws in the document's proposals and I will concentrate on them.

When he launched the consultative document in the chamber, Sam Galbraith—the former minister and the present minister—said that the national cultural strategy was

“not an exercise in re-engineering bureaucracy.”—[*Official Report*, 2 September 1999; Vol 2, c 148.]

However, the people who produced this document were not listening to him, because it contains 64 pledges, including four feasibility studies, four reviews and three audits. In addition, there is a commitment to identify a contribution, another commitment to measuring and reporting progress and even the announcement of a new ministerial committee. The proposals are over-bureaucratic. I wish that those who were in charge of the document had listened to the minister, as that would have made it better reading. It is an

exercise in missed opportunities. It has no vision, no excitement and no passion.

As with most things, when the Executive hears the word “culture”, it reaches for its management tools. All we have in the document is a set of management tools. There are no radical solutions to undertake the real task that faces Scotland, which is to involve the whole of Scotland in creativity and to free creativity in Scotland from the burden of bureaucracy. Those key objectives are nowhere to be found.

My colleagues will deal with a series of concerns, including the national theatre. A major opportunity has been missed. There have been three studies on a national theatre and it would be perfectly possible to move quickly towards the establishment of one. Unfortunately, the matter has been delayed again.

The document proposes the creation of a form of educational life involving what are called cultural champions in Scottish schools. Every teacher to whom I have spoken about this has found it an extraordinary concept—one teacher described it as plain daft. There are many teachers in schools who are cultural champions and are keen to release the creativity of all their students. Cultural champions are likely just to get in the way. We should be encouraging every teacher, child and school to get involved in creativity and culture. To ghettoise culture into cultural champions in schools is a retrograde step. I hope that in summing up the minister might consider that it is a step too far.

Despite Mr Galbraith's request, we oppose the Executive—as Dr Ewing rightly said, we are here to oppose—on museums, because his commitment was vague and unspecific. If he could give me a specific commitment to the future of the key industrial museums, of course we would consider withdrawing our amendment. Local authority funding is a difficult issue for industrial museums. Local authorities have been kept perpetually short of funds by the Administration and its predecessor. To squeeze more money out of local authorities for local and industrial museums would simply not be possible in the present climate.

Industrial museums, of which there are only a small number, need a commitment to ensure that they have a future. Yesterday, the Museum of Lead Mining at Wanlockhead closed for the winter season. It is unlikely to reopen next year unless an extra £10,000 can be found for the costs of running the buildings during the winter. In Wanlockhead, winters are winters. Duncan McNeil looks surprised at that—he lives down on the balmy shore of the Clyde. The museum has in its care the second oldest working men's library in Europe; if that building is not heated, the collection

will deteriorate. The museum has asked repeatedly for the £10,000. I hope to hear today a commitment to providing that money.

Five staff were made redundant at the Scottish Maritime Museum in Irvine on 1 October and the museum was closed, except for the cafeteria. By the end of the year, 31 more staff will go, including its inspired curator Jim Tildesley. There has to be a solution to keep museums such as the Scottish Maritime Museum going until the national audit takes place.

In its annual review, the Scottish Museums Council, which is holding its museum of the year awards next week, asks for

“a stable revenue funding base for a network of museums, including non-national museums”.

That is what we need. The Executive strategy document contains pledges for an audit and for a fund for reconstruction, but not a penny of that money appears to be forthcoming. What will happen—in the best Sir Humphrey tradition—is that museums will close while restructuring goes on so that there will be less need to restructure because there will be fewer museums. The situation is appalling. If the minister can give a commitment today to providing money for those museums, we will not press our amendment; if he cannot, we will press it.

Although the national cultural strategy is disappointing, at least it exists. It is important that the Parliament and the Executive pay attention to culture. Last year, in concluding the debate in which the cultural strategy was launched, Rhona Brankin said:

“The main aim . . . is to establish . . . clear, understandable objectives.”—[*Official Report*, 2 September 1999; Vol 2, c 182.]

If members can find clear, understandable objectives in this document, they must be reading the Gaelic version rather than the English version. There is nothing clear in it, there is little that is understandable and the objectives are all in new Labour management speak.

When I spoke in the national cultural strategy debate last year, I quoted from the document that set the consultation in motion. At the heart of that document, in the very middle pages, is a quotation from George Campbell Hay. It reads:

“Fad na bliadhna rè gach ràithe
Gach la's gach ciaradh dhomh
Is e Alba nan Gall 's nan Gàidheal
Is gàire, is blàths is beatha dhomh”.

The English version is:

“All year long each season through
Each day and each fall of dusk for me
It is Scotland, Highland and Lowland
That is laughter and warmth and life for me”.

Culture is about laughter and warmth and life. The job of a Government is to try to ensure that the context of culture can create that laughter, that warmth and that life. I hoped against hope that the Government might manage to do that in its national cultural strategy. I was rightly sceptical; it did not happen. I want the Executive to find a way to create that context, as our amendment suggests. If that can be done, it will release the river of creativity that runs through Scotland.

That is what we need to do. I am afraid that it has not been done yet. I hope that it can be done. If it is not done by the current Administration, this SNP Administration in waiting will do it, and we will succeed. [*Interruption.*] There was a hollow laugh from the minister. The biblical phrase is:

“Like the crackling of thorns under the pot, so is the laughter of fools.”

The Executive's time is passing; our time is coming.

I move amendment S1M-1305.1, to leave out from “welcomes” to end and insert:

“calls upon the Scottish Executive to tackle with urgency problems such as the impending closure of key industrial museums in Scotland whilst also developing and implementing a vibrant and accessible vision of the place of the arts and heritage in the lives of the people of Scotland.”

15:56

David Mundell (South of Scotland) (Con): I, too, congratulate Allan Wilson on his appointment. I am disappointed that the rules of our procedural equivalent of the Union of European Football Associations meant that he could not make his debut in this debate. I know Allan to be not only a man of culture, but a good sport. His elevation to the front benches became inevitable when he was the only Labour back bencher not to be the subject of media speculation about who would be in the new Executive.

My first point is simply on the cost of publishing, distributing and launching “Creating our future: minding our past, Scotland's national cultural strategy”, which is an unusually shaped document. The total cost was £75,000, despite the fact that it is already available on the worldwide web. That money could do a lot of good in village halls across Scotland, where culture is played out in everyday people's lives. Village halls are the places where real people do real things that they enjoy and cherish—badminton, women's institute demonstrations or even the dreaded line dancing.

It is regrettable that, although the document declares that

“culture can be enjoyed by everyone in Scotland”,

its whole tone is institutionally urban and therefore, I believe, elitist.

Mr Galbraith: What?

David Mundell: I said "institutionally urban".

Mr Galbraith: I heard it; I just did not believe it.

David Mundell: Oh, well—I do.

I raised that point when we last debated this subject. Rhona Brankin, the then Deputy Minister for Culture and Sport, assured us that she had

"competed in the Black Isle show on many occasions",—
[*Official Report*, 2 September 1999; Vol 2, c 182.]

but that may not be among Mr Allan Wilson's many attributes. The document does not recognise the ordinary, day-to-day activities that make Scotland the place that it is.

I do not wish to spend too long rehearsing arguments from that debate, but, in the south of Scotland, events such as annual common ridings or ridings of the marches are the principal cultural events in the communities where they take place. Thousands of people from the area around Langholm, for example, return to the town every year and reconnect with their community. I wait with some trepidation to see how such events will fare in the audit of

"all public support for arts and culture in terms of its social benefits, including its planned contribution to social inclusion",

as page 53 of the document states. Traditional events such as those that I have mentioned do not fit into that sort of packaging, which smacks of political correctness gone mad. People who run events such as a common riding want other support: they want the local police force to be funded properly in order to provide the necessary support for road closures and public safety and they want the local authority to be properly funded so that roads are maintained and litter is picked up afterwards. They do not want or need state interference with important traditions. The fundamental problem with the whole exercise is that it is proceeding on the premise that the Executive can and should control and manage our culture.

I accept that the cultural strategy document contains a number of good ideas and possible improvements to the management of existing structures. I am particularly pleased that there is a commitment to maximising the potential of information and communications technology to enhance and widen cultural participation and access. I recently visited Blacksburg in Virginia, the most wired community in the world—87 per cent of people are online. That has encouraged more people to participate in cultural events, rather than reinforcing an anorak image of people staying at home.

It is disappointing that the document does not

recognise the wider issue of science and technological development as part of our culture. For Scotland, with its famous sons Alexander Graham Bell and Alexander Fleming, science is as much a part of our culture as the contributions of many of the people pictured in the document are. Science, like rural life and our living and working environment, is part of culture and not some separate entity. That is why industrial museums such as the one at Wanlockhead and the clipper ship the City of Adelaide are so important.

As for the pictures in the strategy document, I was particularly disappointed not to see any of Robert Burns, who many Scots believe made the pre-eminent contribution to Scottish culture of the past millennium. Had we not had a change of minister, the Burns Federation and I would have met Rhona Brankin today to discuss how the Scottish Executive, through its tourism and culture departments, might begin to recognise the part that Burns should play not only in our social and cultural development, but in economic development in Scotland. That has been given no real attention.

As someone who firmly believes that minorities should be allowed to participate in sports and interests of their choosing without state interference, I have no problem with the Scottish Executive's promotion of unicycling, which takes up a whole page of the document—page 36. However, I have a problem with the belief that Scottish culture can be compartmentalised, packaged, audited and delivered to targets. Regrettably, the cultural strategy caters for an urban elite and for politically correct gurus. There is nothing in it for the ordinary person, to preserve and enhance the culture of Scotland.

I move amendment S1M-1305.2, to leave out from "public support" to end and insert:

"culture in Scotland is the product of our nation's artistic, political and economic history and the spontaneous and independent interactions of individuals and organisations and that ownership of Scottish culture lies with Scotland's people; believes that cultural excellence will best develop in an open and free society and that the role of the Scottish Executive should be to preserve and promote our historical record and artistic achievement and to foster an open society where new contributions can be made without requiring endorsement by politicians or producer groups, and further considers that the Executive's Cultural Strategy document represents a missed opportunity to clarify the limitations of government in Scotland's culture."

16:03

Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD): The Scottish Liberal Democrats warmly welcome the cultural strategy. We believe that the arts should be valued in a civilised society. The arts are life enhancing, confidence building and help to give individuals,

communities and the nation a sense of identity. We believe that it is a function of Government to create a climate in which the arts can flourish—not to direct, but to ensure that all aspects of arts and culture are accessible to everyone.

We cannot accept the laissez-faire attitude that Brian Monteith takes. Rural culture and culture in deprived areas would wither away if it were not for the properly directed support of central and local government. David Mundell talked about not minding minorities, but minorities would not be catered for by arts run on purely capitalistic economic terms.

Nor do we believe that culture should be narrowly nationalist. I do not think that Michael Russell meant that; I do not mean to be controversial. There are international and personal dimensions to creativity that cross boundaries and that should be recognised.

Michael Russell: I agree that culture should be broad and internationalist. There is nothing narrow about the nationalism represented on the SNP benches.

Ian Jenkins: I accept that, on this occasion.

Michael Russell: Ian Jenkins is more generous than his coalition partners.

Ian Jenkins: The document is a wide-ranging statement of our position, aspirations and intentions. I hope that it will provide the conditions in which our already lively cultural scene can thrive and grow.

The strategy contains many welcome measures that will allow us to take stock of the situation—the audit and review of museums and the promised review of the role of the Scottish Arts Council. I do not say that in any threatening way; I just think that it is time to consider the ways those bodies function. The strategy has welcome statements of intent about promoting creativity, celebrating our heritage and ensuring that there is an effective national support framework for culture. There is recognition of the value of our cultural industries and the potential for cultural tourism. Above all, we can welcome the commitment to inclusiveness—in the desire to allow and encourage culture to flourish in all geographical areas of Scotland and in the rejection of exclusiveness and cultural snobbery in promoting and embracing artistic excellence in all cultural fields, including music, as was mentioned earlier.

On Friday, I gave a presentation for a chap who had been in Peebles silver band for 50 years. I had thought that he was younger than me, but he had started when he was 10, so he is just a bit older than me. The week before, I was at Scottish Opera Go Round in Galashiels. Not so very long ago, in sad circumstances, I listened to Cathy

Peattie and Aly Bain. The other night on the radio, I heard a kind of Highland version of acid house, called acid croft. Who are we to say that any one of those is more important or more valuable than another? We must support people who wish to practise and be involved in such things.

Using this document as a starting point, the time has come to move away from the strategy, with its abstractions and its slight vagueness, to the practicalities. When I speak about these things, I find it hard not to talk about the culture of gardening—horticulture—as well. We talk about letting things flourish: I see in this strategy the chance to sow seeds in our education system. I welcome new moves on music tuition. Nobody should be stopped from getting such tuition because of poverty. I would like all music tuition in Scotland to be free, and I hope that we can move quickly in that direction.

I am interested in the idea of cultural champions in schools. When I was an assistant head, I ran an activities week when the timetable was suspended. I sent kids to Edinburgh Castle, to the theatre and all over the place. If someone has that specific job, someone else will be relieved of administrative duties. I do not mind somebody batting for culture in schools—I am a little worried about the details, but I do not deny the need for such a post.

I would like to promote drama in schools, for all sorts of reasons that I do not have time to go into. Drama is life enhancing. Further up the educational ladder, I would like to promote courses in television and film such as the one in the Royal Scottish Academy of Music and Drama. Sam Galbraith knows that I support the Scottish Youth Theatre.

The Presiding Officer is indicating that I should wind up. I will hurry. We have to consider our heritage—the past. I support what Mike Russell says. I hope that ways will be found to support the Scottish industrial museums, including the Scottish Mining Museum at Newtongrange.

If the Presiding Officer will forgive me, I would like to quote a few lines from Norman MacCaig, which seem appropriate when we are talking about maintaining our heritage and remembering individuals—politicians, musicians, poets—who have helped to shape our lives.

The Deputy Presiding Officer (Mr George Reid): All right.

Ian Jenkins: The lines could refer metaphorically to memories of our fathers and grandfathers in shipbuilding and coal mining.

The Deputy Presiding Officer: The lines, please.

Ian Jenkins: They could refer to Norman

MacCaig himself. I thought of them—

The Deputy Presiding Officer: Let us hear them, then. Come on.

Ian Jenkins: I thought of them at the time of Donald Dewar's death.

"On that stormy night
A top branch broke off on the biggest tree in my garden.
It is still up there
Though its leaves are withered black among the green
The living branches won't let it fall".

In nurturing our cultural present and future, we must not let fall the great things of our past.

16:09

Irene Oldfather (Cunninghame South) (Lab): Cultural strategy encompasses a wide range of issues but, today, I would like to speak about two specific ones: the concept of arts for all and the Scottish Maritime Museum.

I would like to begin by congratulating my good colleague from North Ayrshire, Allan Wilson, on his promotion to the Executive. It has been a significant week for culture in North Ayrshire, which brings me to the concept of arts for all. As well as Allan's appointment, North Ayrshire junior schools choir performed a specially written opera, "Turn of the Tide" at the millennium dome on Monday. The project is a partnership between Scottish Opera and North Ayrshire schools, which traces the history of our community maritime traditions and our connections with seafaring nations throughout Europe.

Earlier this year, the children from the choir visited Finland to perform with young people from Helsinki as part of the city of culture celebrations. Over the next couple of days, 1,000 children—including Finnish children—will perform the opera, somewhat aptly, in the Scottish Maritime Museum in Irvine. The local community has responded in a remarkable way. Although I have plugged the event today, there are no tickets left for any of the eight performances. Heritage, education, international exchange, community and culture show that this project is a good example of joined-up working, as I am sure the minister will agree.

The event demonstrates several themes that run through the national cultural strategy. Opera is an art form that is often cited as being elitist and is seen as being inaccessible to local communities, but the project involves a group of ordinary children from ordinary schools and backgrounds performing and excelling in that art form in a quite extraordinary way. Making the arts accessible and inclusive is a far from hopeless cause. The major reason for the success of the project has been the relevance of the work to the children and their heritage. The opera has been integrated into the school curriculum through its musical and

historical content. When the project is concluded, it will form the basis of teaching packs to develop what has been learned.

The minister has mentioned the concept of school culture co-ordinators. Having discussed the matter yesterday with officers of North Ayrshire Council, I know that it will be welcomed. I would like to put down a marker and say that when the minister decides on pilot projects for such co-ordinators, I hope that areas such as North Ayrshire, which has placed so great an emphasis on the arts, education and community, will be considered.

Having recognised the tremendous achievement in North Ayrshire, it would be remiss of me not to mention the difficulties faced by the Scottish Maritime Museum, which is hosting the event over the next few days. I should also mention the world's oldest clipper ship, the Carrick/City of Adelaide. The minister will be aware that the museum closed its doors as a tourist attraction a month ago. If funding for future financial years is not secured by March, that closure will be permanent. The national cultural strategy envisaged a long-term solution for our national museums, starting with an audit of Scotland's museum collections. Regrettably, by the time the audit has been completed, the Scottish Maritime Museum will be closed. It is essential that short-term contingency plans are put in place and I would welcome the minister's comments on the matter.

Allied to the future of the Scottish Maritime Museum is the future of the Carrick/City of Adelaide. I am sure the minister is aware that that is a cause dear to my heart and one that has captured the imagination of ordinary people throughout the world. More than 100 objections, from all corners of the globe, have been lodged against an order for demolition.

The title of the strategy document is "Creating our future: minding our past". It has been a privilege to speak in the Parliament today and to celebrate the achievement of young people in my area. This is about creating and investing in our future, but we owe it to past and future generations to mind our past also. I trust that the minister will ensure that the cause of the Carrick and the Scottish Maritime Museum will not be lost.

16:15

Linda Fabiani (Central Scotland) (SNP): In a members' debate earlier this year, the then Deputy Minister for Culture and Sport, Rhona Brankin, assured us that the national cultural strategy would at last address Scotland's traditional arts. We now have the strategy, but I do not feel that it does. There are more fine words, although not that

many, about Scotland's traditional culture. In her introduction, Rhona Brankin says:

"The development of the Cultural Strategy has been a stimulating and invigorating experience".

I am pleased about that, but there should be stimulation and invigoration of Scotland's traditional arts.

Page 17 of the document tells us that

"excellence in the traditional arts"

is what is being promoted. We already have excellence in our traditional arts; it is the promotion and funding that is the problem. I asked this question before, but it was never answered, so I will ask it again: why does the core funding for the municipal arts contribute substantially to the wages and fees of performers of those art forms while there is little support for the performers of traditional music? Adequate core funding is what is required. Let the practitioners of the traditional arts spend their time doing what they do best, which is not administration and filling in lottery applications, but performing, teaching and passing on their art.

We learn on page 19 of the brochure that the Executive will

"Investigate the feasibility of identifying national centres of excellence in traditional arts".

What on earth does that mean? I do not know. No one in the traditional arts whom I have spoken to knows what it means either. There is a worry that excellence implies a selection process, but how will it be decided who is included and who is excluded? I ask the minister to explain in plain language what

"Investigate the feasibility of identifying"

actually means.

The strategy document, which is welcomed by the SNP, reflects culture as part of the education portfolio—an admirable and sensible grouping of responsibilities. Education and culture are inextricably linked and, rightly, the strategy wishes to extend young people's opportunities to learn instruments within and outwith the school setting. Traditional instruments—and I include voice as an instrument—must be given their rightful place. Teachers and examiners who are skilled in the traditional techniques must be identified. It took a long fight to convince the establishment that traditional music should be examined at all. Our Parliament should commit to ensuring that traditional music is given its rightful place and importance. Pilot schemes are not enough.

We are talking about our country's heritage, but we are committing only £1.5 million over three years. Members should compare that with the rescue package—funding that was taken from

education, mark you, by the minister last year—that was given to Scottish Opera, which allowed it to produce Wagner's ring cycle. What a difference to the teaching of traditional arts and music in our schools that £3 million could have made.

Earlier, the minister outlined further consultation plans. I look for more reassurances from the Executive this time. I ask for a commitment to a distinctly Scottish cultural strategy—and by that I do not mean that we should be insular or parochial in our cultural outlook; I contend that to understand and cherish other cultures we must understand and cherish our own.

16:19

Alex Fergusson (South of Scotland) (Con): I would like to use this short time to focus on the heritage aspect of the Executive's cultural strategy. In doing so, I will use as an example a museum that I visited only last Monday and which Mike Russell mentioned: the Museum of Lead Mining at Wanlockhead in Upper Nithsdale. It is by no means just a museum of artefacts. It is a living, breathing example of great historic and educational importance nationally; it is also of enormous social and economic benefit to Upper Nithsdale.

Due to the decline in its traditional industries, the area now suffers more than twice the national average level of unemployment and substantial deprivation. Consequently, local communities lack certainty and confidence about their future sustainability. However, they do not simply sit back and wait for the Government to come to their aid, or accept that there is no way forward. A recent survey—Kirkconnell 2000—achieved a remarkable response rate of almost 70 per cent and flagged up several key points that the community wishes to explore. A couple of months ago, I attended a meeting at which the working of the miners regeneration fund was explained. That meeting positively bristled with ideas and projects to try to regenerate the area.

A further project is called deals on wheels. It involves a community bus that is entirely funded, operated and maintained by local voluntary effort. The volunteers ask for nothing in return for their effort, save the satisfaction of knowing that they are helping people less fortunate than themselves. The community does not hold out the begging bowl at every opportunity. Rather, it takes pride in trying to help itself, as rural communities so often do. However, it is deeply troubled at the prospect of losing the Museum of Lead Mining, which is its most important asset.

Although the museum is important to the future economy of Upper Nithsdale, it is of greater importance that the Scottish Executive takes

action to preserve Scotland's industrial heritage and the history of its working people. It is not right that important cultural facilities such as the Museum of Lead Mining must rely on the generosity of already financially beleaguered local authorities for survival. Dumfries and Galloway Council has already said that it will be unable to maintain its previous commitment to the museum in the next financial year. Even last year, despite that commitment, staff had to volunteer to work for some months on half salary, to allow the museum to survive. They showed real commitment.

In the short term, it is imperative that the Scottish Executive takes action to ensure that Scotland's industrial heritage museums do not close because of short-term cash flow problems. The minister said that the Executive is allocating millions for an audit of such museums. A tiny percentage of that money would ensure their survival. As David Mundell said, the cultural strategy document cost more than £70,000 to produce. If that sum were added to Wanlockhead's existing support, it could keep going for about 10 more years.

The museum has suffered, as has all rural Scotland, because of the drop in tourist numbers—they have fallen by 17 per cent in the past year alone. That is not the fault of the museum, but it could lead to its closure. We believe that the Scottish Executive must put in place funding provision that ensures the preservation, protection and promotion of these important museums, to allow future generations to gain insight into Scotland's industrial heritage. I would also venture that such support could be delivered directly from the Scottish Executive, through the Scottish Museums Council. There is a precedent for that, as some £127,000 went to the Scottish Mining Museum by that route in the previous financial year.

Given that the new audit of museums ordered by the Scottish Executive will not report for 18 months to two years, complacency is no option. Wanlockhead has about two months left. The Executive must act now, or some of our most important industrial heritage museums may be lost to the nation for good.

16:23

Iain Smith (North-East Fife) (LD): Thank you, Presiding Officer, for giving me the opportunity to speak for the first time from the back benches. [Applause.] Members were not meant to cheer.

Members: We are.

Mr John Home Robertson (East Lothian) (Lab): Join the club.

Iain Smith: Like many who have spoken in

today's debate, I would like to take the opportunity to make a plea for one of the important museums in my constituency, the Scottish Fisheries Museum in Anstruther.

Having enough confidence in our culture and history to be willing to make the commitment to preserve and promote it is something of a test for the Parliament. Not only the Scottish Parliament has a role in that; local councils play an essential part in promoting local arts and culture, which often benefit communities in a direct and visible way.

However, as we know, local government has suffered in recent years from Tory spending cuts that have had a direct effect on community facilities, libraries, local museums and galleries. Library book funds, music tuition in schools and grants to community groups and voluntary museums and galleries have all been relatively easy targets for hard-pressed councillors looking for savings.

Local authority funding for cultural services amounts to some £227 million a year, compared with the Scottish Executive's funding of £128 million. The Convention of Scottish Local Authorities estimates that cultural funding by local authorities fell by 8.7 per cent between 1994 and 1997.

Ms Sandra White (Glasgow) (SNP): Iain Smith mentions COSLA and local authorities. We know that local authorities have a statutory duty to provide moneys for the cultural strategy. If local authorities cannot provide those moneys, would it not be appropriate for the Scottish Executive to put extra money into local authorities?

Iain Smith: The important point that I was about to come on to is that the Scottish Executive is providing more funding for local government. There will be record increases in local government spending over the next three years, which must be welcome. That funding will enable councils to start to reverse the trend of cuts in spending on our cultural facilities. In addition, the creation of three-year budgets for our councils will enable them to provide more secure funding for the cultural sector.

I welcome the fact that today there has been support from all sides of the chamber for our industrial museums. In my constituency, the Scottish Fisheries Museum in Anstruther provides an excellent facility that is well used by local people, schoolchildren and tourists alike. It also employs 13 people, is well supported by 73 volunteers and is a vital tourist attraction, helping to attract many visitors to Anster and the east neuk of Fife.

On 18 April, Rhona Brankin, the then Deputy Minister for Culture and Sport, opened the

museum's new wing and the project Zulu gallery, which enhance the important role that the museum plays in observing and illustrating our fishing heritage. That role is important because we should not forget the decline of Scotland's traditional industries. Museums set down markers along the path that has led us to where we are today. They illustrate much about the way of life in Scotland and where our culture and heritage come from. Museums are a valuable educational resource, and that role could be enhanced greatly if they were given the security of funding that they deserve.

In Scotland, we have been good at preserving for posterity the work of our numerous great artists, but often we fail to recognise that our working culture is part of what makes us Scottish. Secure, long-term funding is the key. The performing arts are well funded—and rightly so—but our working and industrial heritage is often funded on an ad hoc basis, relying on sympathetic local authorities.

A small proportion of the funding that goes to the national performing arts companies would enhance considerably the position of industrial museums. For example, the Scottish Museums Council estimates that the nine industrial museums require just £2.5 million over the next five years to have a secure future. That amount is equivalent to around 4 per cent of the money that goes into funding the national companies every year.

I welcome the cultural strategy's recognition of the importance of our museums. I also welcome the national audit, but it is still unclear how it is to be conducted and when it will be completed. At the Education, Culture and Sport Committee on 20 September, it was suggested that the audit might be completed by October 2001. However, I now understand that it may not even start until April 2001, with a completion date of a year later. Quite simply, that may be too late for some of our industrial museums.

I hope that when the minister sums up the debate he will be able to assure members in all parts of the chamber that support will be forthcoming to help keep our industrial museums open until the audit is complete and to help ensure that the valuable national assets that those museums look after for Scotland can be preserved for the benefit of future generations of Scots.

16:28

Cathy Peattie (Falkirk East) (Lab): I welcome the cultural strategy. Scotland's culture does not stand on its own, as it impinges on education, tourism, the economy and social inclusion. It is a rich tapestry of all that is good and, sometimes, of

the not so good, in Scotland. Four minutes is not enough time to discuss fully the strategy or its potential. I will try to pick out some of the areas that I believe it is important to highlight.

We heard a little about traditional folk music. The promotion of excellence in the traditional arts is welcome, as is the promised £1.5 million over the next three years. That cash should be used to develop support for grass-roots, locally based, sustainable educational projects throughout Scotland. Money should also be targeted to support our traditional artists, to enable them to perform in Scotland and overseas. Our musicians are very much in demand overseas but, as Sheena Wellington says, they should go as cultural ambassadors, not economic refugees.

As far as tourism is concerned, cultural and folk festivals, gatherings such as Celtic Connections and the international film festival all play a vital role in the Scottish economy.

The arts can play a very important role in social inclusion, which I would prefer to call community development. Organisations such as Adult Learners Project in Edinburgh provide excellent examples of that. In my area, the community training and development unit based in Falkirk, which does work throughout the old Central Region, is a good example of how arts can be used in community development. The unit employs media such as film to discuss issues; for example, "The Full Monty" was used to discuss social deprivation and to encourage people who would never consider responding to a Government document to think about what should be included in the social inclusion paper. Through discussion of films such as "My Name Is Joe", people explored how drama can be used to highlight issues such as drugs and the choices that face people in our communities. That is what a cultural strategy should be examining. Furthermore, we should employ Scots language and song to promote both active citizen work and pride and confidence in our traditions.

The fèis movement is doing wonderful work to bring traditional music to children and young people but, as is the case with many of our traditional arts, funding is a real issue. I hope that the cultural strategy can change that.

Last week, I attended the opening of the new Bo'ness Academy, the highlight of which was the wonderful brass, strings and pipes of the school band. The former mining village of Bo'ness boasts no fewer than five bands for children in the area who want to expand their love of music. That is what I call community arts and it is important to support it.

Unlike Iain Smith, I do not think that performing arts such as jazz, traditional and popular music

are well funded and it seems a great pity that they appear to have less value than the work of the national companies. Those arts are just as valid as opera, ballet and the work of national orchestras so, as one of his first tasks, the minister might consider commissioning a review of the Arts Council to ensure that all the arts in Scotland are valued. I look forward to further discussion of the cultural strategy over the coming months.

16:32

Mr Adam Ingram (South of Scotland) (SNP): I welcome the opportunity to speak in the debate. Unfortunately, the Executive has brought something dull and disappointing to us for consideration. Although I support the strategic objectives outlined in the Executive document, the framework for action that it describes is terribly hidebound and lacks ambition and imagination.

In looking to the future, the strategy should be all about creating opportunity and encouraging excellence. In that context, I am deeply disturbed that the document makes no mention of the groundbreaking project to establish a purpose-built school of music and recording technology—or SMART—in Ayr.

SMART will be a world-class centre of excellence for popular music. Equipped with state-of-the-art technology, it will provide a creative environment unique in Scotland and Europe offering the highest-quality professional training to talented people and combining music performance, recording technology and music business management in a co-ordinated structure.

The school will provide a curriculum of vocational courses at further and higher education levels relevant to the needs of the popular music industry. Furthermore, it will place Scotland and Scottish students at the forefront of a rapidly expanding industry which in UK terms is worth £3.6 billion a year, accounts for 7.2 per cent of the world market and employs more than 100,000 people. It will do so because it will meet the critical needs of the industry as identified by the creative industry task force set up by Chris Smith.

Those needs are, first, to provide business support and guidance for the many small independent companies on which the industry relies; and, secondly, to ensure that musicians and others in the industry receive the training that they require. The new technologies coming rapidly to the fore mean that such needs are expanding just as rapidly.

The potential for Scotland of the SMART project has been widely recognised. In June, Bob Crawford, the chief executive of Scottish Enterprise, wrote to assure me that SMART was

“already positioned as a key infrastructure project for Ayrshire and Scotland in our creative industries cluster action plan”.

Scottish Enterprise is a key investor in the project, along with South Ayrshire Council, the University of Paisley and Ayr College. Why has there been no commitment from the Scottish Executive? Could it be that the Executive is embarrassed by its failure to assist with the capital funding of the project, and that SMART is an illustration of how the current devolution settlement cannot ensure an effective national support framework for culture? I refer again to Bob Crawford’s letter, in which he states:

“I share your concerns at the delay in securing capital funding for this exciting project . . . despite the SMART building design and educational model being commended as innovative developments . . . the resulting deferral by the Scottish Arts Council of the partnerships capital funding application meant we also lost the opportunity to secure capital funding last year from Strathclyde European partnership.”

The cold fact is that lottery funds that are available to the Scottish Arts Council for distribution to arts capital projects have been cut back so drastically that the SAC is no longer in a position to core-fund major capital projects. That is in sharp contrast to the position in England, where massive amounts of lottery funding continue to be poured in. They include £25 million for the South Bank centre in London and £11 million for a national museum of music in Sheffield. The Arts Council has set aside a staggering £43 million for a regional arts centre in Gateshead. By comparison, Scotland is on starvation rations, with only £9.8 million in lottery funds available to the Scottish Arts Council for distribution to capital projects this year.

The minister must address that inequality of funding as a matter of priority. In particular, he must challenge the totally unfair and deeply biased practice of top-slicing funds available to the arts for so-called national projects, invariably to the benefit of England, and London in particular. As long as the purse strings of this Parliament are held in London, ambitions will be curbed and opportunities denied to our people. That is nowhere more evident than in the creative arts and industry.

I hope that the minister and the Executive have the courage to confront their Westminster counterparts on this issue. They will sell Scotland and their own aspirations short if they fail to do that.

The Deputy Presiding Officer (Patricia Ferguson): We have roughly a minute and a half left. I will call Kate MacLean if she can confine herself to that time.

16:37

Kate MacLean (Dundee West) (Lab): I will try, although it is very unusual for me to be able to limit myself to speaking for such a short time.

I welcome many of the principles that are contained in the national cultural strategy, particularly the reference to the role that the arts can play in social inclusion and regeneration. I was very supportive of the consultation that took place, which involved dialogue not only with the usual suspects—as has happened in the past—but with a wide range of interested individuals and organisations.

Although I support the Executive motion, I find the final result of the exercise slightly disappointing. The strategy is like a big sponge. It soaks up everything and accepts it as culture, which is fine, but it fails to prioritise sufficiently. It is difficult to see how the strategy fits in with the emphasis on wider participation and using the arts as a tool for social inclusion and regeneration.

At the meeting that was held in Dundee, one young person expressed genuine—and, I think, justified—concern about the lack of funding for popular music in Scotland. That was wholly justified if we recall that currently Scottish Opera receives £6 million and the Royal Scottish National Orchestra receives £4 million, whereas popular music receives £8,000. I hope that in his summing-up the minister can reassure me that the Scottish Executive recognises that for young people popular music is a route to other cultural forms, as well as an important part of Scottish culture in its own right, and that I have simply overlooked it in the strategy.

I hope that the strategy can develop more over the coming months and years and that it can become bolder. Some years ago, Ireland re-examined its cultural strategy. The Government listened to the Irish people to find out what was relevant to them, and invested heavily in music. I am not suggesting for a moment that we should follow the Irish example and ditch our national opera company, but the Irish Government did listen to what people were saying. If we have a larger cake that is eaten up almost entirely by the same organisations, with everybody else scrabbling about at the bottom for the crumbs that are left, I cannot see how we can achieve the strategy's admirable aims.

I welcome the commitment to the possibility of creating a national theatre company for Scotland. However, if the cultural strategy is for the whole of Scotland, there should be an assumption that, as the other national companies are based in either Edinburgh or Glasgow, the national theatre company should be located outwith those two cities. My colleague John McAllion and I will

strongly support a community-based bid from Dundee for the national theatre company to be based there.

16:40

Mr John Munro (Ross, Skye and Inverness West) (LD): I welcome the opportunity to participate in this debate on our national cultural strategy.

Our national culture must be cherished and nurtured, as it continues to embrace so many diverse customs and traditions that have been hewn and formed us into a proud and united Scottish nation. Our heritage and culture, of which we can all be proud, consists of a unique and intricate jigsaw that includes our built and natural environment, language, music, arts, sports and much more. It creates for us all a beautiful mosaic of identity, people and place that we all know and love as Scotland.

Michael Russell: Does Mr Munro agree that while that is true, some parts need strengthening from time to time? A commitment to secure status for Gaelic would considerably strengthen the Gaelic element. I am sure that Mr Munro will use his good offices to ensure that the Executive takes that on board.

Mr Munro: I am sure that Michael Russell knows my sentiments of support for Gaelic, which are equally as strong as his own. That debate will continue until we achieve the success that we all desire.

I accept that much has been—and is being—done to support and extend our national heritage. I suggest that more support be given to music in schools and to our indigenous sports.

It is hard to quantify the benefits of music tuition to a child, in terms of both their enjoyment and their personal development. I am concerned about the decreasing number of local authorities that still offer free music tuition. I hope that the Executive can be encouraged, for the benefit and continuance of our national heritage, to give that serious consideration.

We have just celebrated our annual national Mod at Dunoon. As members will know, it is a presentation and appreciation of the best of our Gaelic language, music and culture, which attracts an international audience and participants from all groups and backgrounds. This year, the Mod programme was innovative in that it incorporated a shinty/hurling festival, which extended over three days. It afforded the Irish and Scottish culture an opportunity to be appreciated and enjoyed. It also brought a welcome boost to the economy of the area in the off season.

We recently sent a team of international shinty players to represent Scotland at a shinty/hurling match in the west of Ireland. A crowd in excess of 50,000 attended the match. I am sad to say that Scotland lost the game, but I am happy to say that it was the first time that we had lost in seven years. I am not surprised that we lost as our players had to find their own way to Glasgow and back and meet the cost. They also had to hand in their strips when they had finished playing in Ireland. What a way to treat an international shinty team on the international stage.

I raise shinty in this debate because sport is woven into the fabric of our culture. The cultural strategy does not recognise that, especially with regard to shinty, which I consider to be the greatest of all sports.

Much of the world of shinty has survived only through the dedicated support of volunteers and fundraisers within those communities, who stoutly try to retain and defend their culture and tradition. This week, shinty has been dealt another blow with the announcement that the sponsorship of £6,000 from the Bank of Scotland has been withdrawn. That might not seem a large sum in relation to other sports, but it is significant for the survival of shinty.

Our partnership agreement pledges, among other things, to invest in Scotland's diverse cultural life and heritage and to support the Gaelic language and culture. It also recognises that sport has the potential to bring out the best in Scotland's people. Let us agree to support those laudable aims and objectives with the appropriate funding.

Finally, I ask Mr Wilson, our new Deputy Minister for Sport and Culture, to see whether he can encourage our new Minister for Finance and Local Government to give us some more cash for the benefit of our indigenous sports, such as shinty, and music.

16:45

Mr Brian Monteith (Mid Scotland and Fife)
(Con): I am pleased to take part in today's debate, and I, too, welcome the new ministerial team, although I hope that, in his winding-up speech, the minister can tell us what creative genius decided that culture and sport should be included in the newly created environment department. As several members have pointed out, education is fundamental to the arts and sport, and I remain puzzled at what gains may be made by bringing sport, arts and the environment together in one ministerial portfolio. Perhaps more playing fields will be saved, or perhaps we will have more opera outdoors. I am intrigued to know the minister's answer.

There is a clear misunderstanding over the

difference between culture and the arts. I accept that the Executive has at least avoided making the error of assuming that only high arts represent our culture. Culture is more than the sum total of our artistic canon, and I join John Farquhar Munro in saying that sport is part of Scottish culture—indeed, it is part of culture throughout the UK.

Our culture is the product of our nation's political and economic history. It is spontaneous and is made from independent contributions by talented individuals and organisations. It is not conjured up by official statement or produced by subsidy; it is the games in the school playground and our liking for golf on our windswept links. For me, it is sometimes a Scotch pie, and I declare my interest as the president of the parliamentary pie club—although people would never have guessed.

Michael Russell: We now know who ate all the pies.

Mr Monteith: I can testify to that.

We believe that the role of every Government should be to preserve and promote our historical record. We do not believe in an entirely laissez-faire approach, as Ian Jenkins suggested. Our buildings and traditions need to be fostered in an open society in which new contributions can be made without requiring a politician's endorsement. A cultural strategy might be required by bureaucrats, but only so that they will know how to prioritise the spending of our hard-earned taxes. That should be done at arm's length, and I welcome the fact that the Government accepts that. That is important, to avoid creating an official culture.

As always, administrators and artists are looking for a subsidy to help them to achieve their aspirations. Nevertheless, many of our most cherished cultural icons—be they books, buildings or art works—have been fashioned in adversity. Money is seldom the catalyst; it is love and all our other human emotions, together with that creative spark which is the essence of artistic genius. Throwing subsidies at a so-called film studio in Glasgow, when film producers are willing to pay for one themselves in Perthshire, will not make our fledgling film industry sustainable. The present flourishing condition of the Scottish novel owes nothing to political interference. Indeed, political support of any cultural programme is likely to create a counter-culture. To set about a strategy to plan for culture is therefore the wrong way to go about it. As Leon Trotsky said, culture is permanent revolution.

Michael Russell: Said without a blush.

Mr Monteith: There is more.

What does the strategy do? By its very nature, it was always going to disappoint. As Aneurin Bevan

said:

"The language of priorities is the religion of Socialism."

For many, this cultural strategy has committed sacrilege. Let us take literature, for example. According to the newspapers, Ian Rankin was astonished at the cultural strategy. He said:

"There does not appear to be an acknowledgement of Scottish writing in there. Iain Banks, J K Rowling and Irving Welsh sell all over the world. There are people all over the world who are inspired not by Scottish Opera but by books."

Jamie Byng, the publisher of Canongate Books, said:

"It is pretty pathetic that, after months and months and God knows how much money they were given to come up with a blueprint, this is it. Not to recognise literature as crucial to the strategy is typically myopic."

Michael Russell: As ever, I am somewhat baffled by Mr Monteith's logic. He has just argued—and I do not agree with him—that there should not be a film studio because the market will bear it, yet he is suggesting that there should be subsidies for good novelists, such as Ian Rankin, who are world bestsellers. Is there any logic in that argument, or is it just another Tory rant?

Mr Monteith: I am not given to rants, as Michael Russell knows. If he bears with me, he will see the logic of my argument.

The Deputy Presiding Officer: You need to wind up now, Mr Monteith.

Mr Monteith: After accepting that intervention, I beg just a little leave, Presiding Officer.

It is clear that there were always going to be some people who would be disappointed by the national cultural strategy. That in itself shows that the national strategy has been unsuccessful, and the Conservatives believe that it has failed. There is clearly agreement among theatres on how we could move forward to establish a national theatre. The Federation of Scottish Theatres produced a plan that would take us forward, but the national cultural strategy holds us back.

Do we really need a cultural strategy? I believe that, in its current form, the answer must be no. We need a strategy for the arts and the role of the arts, a strategy for science and education, and a strategy to preserve our heritage. However, the national cultural strategy is incomplete and underfunded. It is just an artistic broth that does nothing more than to say that the Government is well-meaning but Philistine or, even worse, interested only in gesture politics.

16:51

Irene McGugan (North-East Scotland) (SNP): I shall begin by expanding on a point that Michael

Russell and others have made. Of the 64 pledges that were made in the national cultural strategy document, 39 are non-specific. The remaining 25 are meaningless, including the pledge to

"Ensure that the potential contribution of culture is recognised in community learning".

However, my favourite extract comes from page 29, which states:

"Libraries hold a wealth of resources in traditional print format".

I do not know whether content of such substance justifies the cost of the document or is worthy of the name strategy.

Instead of all that nebulous froth, we could have had a few succinct statements that would achieve something—I would like to give the minister one or two examples. The document could have said, "Teach Scottish history in schools." [MEMBERS: "Hear, hear."] It could have said, "Provide allowances and tax breaks to outstanding artists and musicians. Offer bursaries to musicians who study traditional music. Lobby for 5 per cent of music on radio to be indigenous as part of the conditions of licence."

Key priority 2.1 sets out how Scotland's languages are to be protected. That is to be achieved by examining

"the feasibility of a centre for the languages of Scotland covering Gaelic and . . . Scots which could incorporate the Scottish National Dictionary".

Well, I am sure that that is reassuring for the Scottish National Dictionary Association, whose finances remain precarious. Its future is linked to a centre that does not and might never exist and, if it is established, there is no certainty that it would include the SNDA. Scots language activists take no encouragement from the document and they feel let down, because it reflects little of the support that was indicated throughout the past year by the minister who formerly held the culture portfolio, Rhona Brankin. She assured us many times that the Scots language is important to our cultural heritage. Perhaps her definition of important is different from mine.

As for Gaelic, the document seeks only to identify a place for the language. The Executive claims to support Gaelic-medium education, but refuses to make it a right. It claims to support secure status, but has yet to introduce legislation to achieve that.

Any cultural policy that aims to be effective must have a clear set of objectives to ensure that it engages with education. As everyone knows, access to the arts in school, as an integral part of the curriculum, allows creative potential to develop. I do not think that the minister would disagree with that and the document says quite a

bit about educational links.

However, any worthy aims are severely undermined by other Executive policies. Because of local authority funding cuts, teachers of music, art, drama and physical education are among the first to have their contracts terminated. Contrast that with Denmark, where there are specially trained workers whose full-time job is to engage with young people from an early age to effect a full understanding of the culture and heritage of their country. I suggest that that is a more relevant model for Scotland than school champions.

I want to say a brief word about the National Galleries of Scotland. The annual purchase grant, supplied directly by the Executive and used for new acquisitions, has yet to be restored to its 1993-94 level. That severely restricts the National Galleries' buying power on the international arts market. With an annual budget allocation this year of £1.2 million, it will be difficult to take up the offer of one of the Michelangelo drawings that have come on to the market, because both are valued at £8 million. There are no Michelangelo drawings in public collections north of Oxford, but there are 81 in the British Museum. Unless there is another desperate scramble to raise public and private money, Scotland will be deprived of the opportunity to own its one and only Michelangelo.

The minister will have noted that there has been all-party support for industrial museums. I encourage the minister in his summing-up to make a real commitment to that sector.

In conclusion, the document is not a starting point for a truly new way of doing things, which would be shorn of bureaucracy and strong on encouraging creativity in every part of Scotland. Unfortunately, the strategy will not deliver a vibrant and accessible vision of the place of art in the lives of the people of Scotland.

16:56

Mr Galbraith: I start by making a correction for the record. I said that the increase in funding to the Scottish Arts Council was £13.2 million; in fact, the increase is £15.2 million. It is significant that in almost every speech, such record funding of the arts was not acknowledged. All we got from the nationalists was the girning and whining in which they always indulge. Mike Russell gave the usual chauvinistic and paranoid contribution—that characterises almost everything that he ever says or does.

One of the issues that Mike Russell raised was industrial museums, which were mentioned by a number of members. I repeat what I said at the start. There are 350 non-national museums in this country. The Executive cannot be expected to fund them all. We decided, therefore, to examine

them to see which are of national significance and we have committed £0.25 million to that audit. We realise also—

The Deputy Presiding Officer: May I interrupt you, minister? Would members please keep the background noise down? The minister is trying to close the debate.

Mr Galbraith: The nationalists do not like the good news. They want to run Scotland down all the time. That is their policy—to run Scotland down.

We realise that we cannot wait for the audit. It is therefore necessary for us to do something and to put additional money in. There is £3 million available for restructuring, for which there was a distinct lack of welcome from the nationalists. However, before we commit any of that money, it will be necessary for us to discuss that with the local authorities—which have a duty in this regard—and with the boards and sponsors of the organisations. Not to do so would be foolhardy. I expect to be able to make an announcement on the matter very soon.

Michael Russell *rose*—

Mr Galbraith: I see that Mike Russell is going to welcome the £3 million contribution that I have made. I thank him.

Michael Russell: I know that the minister makes a stock-in-trade of unpleasantness, but I will not do so. I have welcomed the money on several occasions, but we want to see the colour of that money—people have lost their jobs. Is the minister going to do something to save jobs? Is he going to restore the money that has been cut, or is he just going to keep talking about it? Talking is not enough; people are losing jobs and Scotland is losing its museums.

Mr Galbraith: Having increased the funding for museums during my period in office—

Michael Russell: The money has not been spent.

Mr Galbraith: Just a minute. Having increased the funding, that charge cannot be made against me. Whatever I do, I can be certain that Mike Russell will complain. When we make a contribution, he will sit there girning away.

I am reminded of what the nationalists did when we made the announcement about Govan—they sat silent. I remember when we announced that there would be no strike at Caledonian MacBrayne, the whole chamber welcomed the announcement and cheered—apart from the nationalists. They just sat there and complained. That is because good news is bad news for them. The only news that the nats are interested in is bad news. All they are interested in is running this

country down.

I have given my commitment to the industrial museums. We are consulting on the matter with the relevant bodies and I will make what I think will be an announcement that will be welcomed by everybody—apart from the Scottish National Party.

A number of matters were brought up again. Brian Adam gave us the old red herring about more lottery funding going to England. He asked whether I would redress the balance. I certainly will not—if I do, our share will be cut. Scotland gets a greater share of the lottery funding per head of population than England. I had better not raise that matter with anybody else.

Linda Fabiani was right to talk about the importance of traditional arts and I want to echo much of what she said. She might also have acknowledged that we committed £250,000 to the piping centre, that £700,000 of the Scottish Arts Council budget is for the traditional sector and that we have again agreed to an additional £1.5 million for excellence in the traditional sector. None of that was mentioned or welcomed—all we heard was the girning that we always hear from the SNP. However, we should recognise what the Executive has done in the important areas that we are discussing.

David Mundell went on at length about the fact that he did not want state interference. That is a misconception of what the strategy is about. It is not about deciding the content of culture—that is dependent on the many sources that generate it. It is about establishing a structure that allows cultural excellence to develop. It is about excellence and education and widening access.

It is a bit rich for David Mundell to say that he does not want the state to interfere in culture, but that he wants it to provide policing for events and the clearing up of litter after those events. I have always believed that people say that they do not want state intervention until they need it, at which point they come banging on the door to ask for it.

I was also disappointed when David Mundell went on about the missing bits of the strategy. Of course, the national cultural strategy is not supposed to be universal. People complain that there is too much in the document, but then everybody stands up to say, "You forgot my bit." We cannot have it both ways. What we have done is highlight areas of excellence.

I was grateful to Ian Jenkins for mentioning the value of cultural co-ordinators. They do not exist to produce cultural ghettos, as Mike Russell misunderstood—which he always does because he never reads anything before giving us the usual soundbites. The cultural co-ordinators exist to ensure that culture is used to enhance education

and that everybody realises their full potential and achieves a sense of self-worth.

I am grateful to have had the opportunity to present the document to the chamber today. The motion invites the Parliament to endorse the strategy and the objectives that are identified in it. The strategy is an important first step that provides the essential framework to allow all agencies to work together to widen opportunity, promote education and celebrate excellence. I commend it to the Parliament.

Parliamentary Bureau Motions

17:03

The Deputy Presiding Officer (Patricia Ferguson): The next item of business is consideration of Parliamentary Bureau motions. I ask Mr Tom McCabe to move motion S1M-1309, on the membership of committees, and motion S1M-1302, on the designation of lead committees.

Motions moved,

That the Parliament agrees that the following Members be appointed to committees

Lloyd Quinan to the Audit Committee

Irene McGugan to the Education, Culture and Sport Committee

Linda Fabiani to the Equal Opportunities Committee

Kay Ullrich to the Equal Opportunities Committee

Richard Lochhead to the European Committee

Lloyd Quinan to the European Committee

Alex Neil to the Finance Committee

Shona Robison to the Health and Community Care Committee

Nicola Sturgeon to the Health and Community Care Committee

Kay Ullrich to the Procedures Committee

Winnie Ewing to the Public Petitions Committee

Fergus Ewing to the Rural Affairs Committee

Duncan Hamilton to the Rural Affairs Committee

Brian Adam to the Social Inclusion, Housing and Voluntary Sector Committee

Sandra White to the Social Inclusion, Housing and Voluntary Sector Committee

Fiona McLeod to the Subordinate Legislation Committee

Bruce Crawford to the Transport and the Environment Committee

Fiona McLeod to the Transport and the Environment Committee

John Home Robertson to the Enterprise and Lifelong Learning Committee

Frank McAveety to the Health and Community Care Committee

Johann Lamont to the Social Inclusion, Housing and Voluntary Sector Committee.

That the Parliament agrees that the Enterprise and Lifelong Learning Committee is designated as a Lead Committee in consideration of the Education (Graduate Endowment and Student Support) (Scotland) Bill and that the Bill should also be considered by the Local Government Committee. —[Mr McCabe.]

Decision Time

17:04

The Deputy Presiding Officer (Patricia Ferguson): There are 11 questions to put as a result of today's business. The first question is, that amendment S1M-1303.2, in the name of Iain Gray, which seeks to amend motion S1M-1303, in the name of Roseanna Cunningham, on drugs courts, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)

Barrie, Scott (Dunfermline West) (Lab)

Boyack, Sarah (Edinburgh Central) (Lab)

Brankin, Rhona (Midlothian) (Lab)

Brown, Robert (Glasgow) (LD)

Chisholm, Malcolm (Edinburgh North and Leith) (Lab)

Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)

Curran, Ms Margaret (Glasgow Baillieston) (Lab)

Deacon, Susan (Edinburgh East and Musselburgh) (Lab)

Eadie, Helen (Dunfermline East) (Lab)

Finnie, Ross (West of Scotland) (LD)

Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)

Godman, Trish (West Renfrewshire) (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)

Livingstone, Marilyn (Kirkcaldy) (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)

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)

Munro, Mr John (Ross, Skye and Inverness West) (LD)

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)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Campbell, Colin (West of Scotland) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fergusson, Alex (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)
 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)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 McGrigor, 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)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Mundell, David (South of Scotland) (Con)
 Neil, Alex (Central Scotland) (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)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Sheridan, Tommy (Glasgow) (SSP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Mr Murray (South of Scotland) (Con)
 Ullrich, Kay (West of Scotland) (SNP)
 Wallace, Ben (North-East Scotland) (Con)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)
 Young, John (West of Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 60, Against 51, Abstentions 0.

Amendment agreed to.

The Deputy Presiding Officer: Amendment S1M-1303.1 is pre-empted. The next question is, that motion S1M-1303, in the name of Roseanna Cunningham, as amended, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)
 Godman, Trish (West Renfrewshire) (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)
 Livingstone, Marilyn (Kirkcaldy) (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)
 Munro, Mr John (Ross, Skye and Inverness West) (LD)
 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)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)

Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Sheridan, Tommy (Glasgow) (SSP)

ABSTENTIONS

Aitken, Bill (Glasgow) (Con)
 Campbell, Colin (West of Scotland) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Davidson, Mr David (North East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fergusson, Alex (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)
 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)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 McGrigor, 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)
 Neil, Alex (Central Scotland) (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)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Mr Murray (South of Scotland) (Con)
 Ullrich, Kay (West of Scotland) (SNP)
 Wallace, Ben (North East Scotland) (Con)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)
 Young, John (West of Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 61, Against 1, Abstentions 48.

Motion, as amended, agreed to.

Resolved,

That the Parliament recognises the complex nature of the drugs problem in Scotland; accepts that addressing the problem requires effective law enforcement working in partnership with well resourced rehabilitation and treatment strategies; and acknowledges the work that the Scottish Executive is doing in tackling this problem.

The Deputy Presiding Officer: The next question is, that amendment S1M-1301.1, in the name of Angus MacKay, which seeks to amend motion S1M-1301, in the name of Mr Kenneth Gibson, on rates relief for small businesses, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)
 Godman, Trish (West Renfrewshire) (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)
 Livingstone, Marilyn (Kirkcaldy) (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)
 Munro, Mr John (Ross, Skye and Inverness West) (LD)
 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)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)

Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Campbell, Colin (West of Scotland) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fergusson, Alex (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)
 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)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 McGrigor, 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)
 Neil, Alex (Central Scotland) (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)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Sheridan, Tommy (Glasgow) (SSP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Mr Murray (South of Scotland) (Con)
 Ullrich, Kay (West of Scotland) (SNP)
 Wallace, Ben (North-East Scotland) (Con)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)
 Young, John (West of Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 62, Against 50, Abstentions 0.

Amendment agreed to.

The Deputy Presiding Officer: Amendment S1M-1301.2 is pre-empted. The next question is, that motion S1M-1301, in the name of Mr Kenneth Gibson, as amended, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)
 Godman, Trish (West Renfrewshire) (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)
 Livingstone, Marilyn (Kirkcaldy) (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)
 Munro, Mr John (Ross, Skye and Inverness West) (LD)
 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)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Aitken, Bill (Glasgow) (Con)

Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Fergusson, Alex (South of Scotland) (Con)
 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)
 Scott, John (Ayr) (Con)
 Sheridan, Tommy (Glasgow) (SSP)
 Tosh, Mr Murray (South of Scotland) (Con)
 Wallace, Ben (North-East Scotland) (Con)
 Young, John (West of Scotland) (Con)

ABSTENTIONS

Campbell, Colin (West of Scotland) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (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)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 McGugan, Irene (North-East Scotland) (SNP)
 McLeod, Fiona (West of Scotland) (SNP)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 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)
 Ullrich, Kay (West of Scotland) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)

The Deputy Presiding Officer: The result of the division is: For 62, Against 19, Abstentions 31.

Motion, as amended, agreed to.

Resolved,

That the Parliament commends the Executive for delivering a 1p reduction in the poundage applied to small businesses with a rateable value of less than £10,000; notes that the revaluation of business rates has been delivered with the minimum turbulence for Scottish business and was conducted on a clear partnership basis with full participation from business rate payers and local authorities at every stage in the process, and welcomes the Executive's current consideration of the case for small business rate relief.

The Deputy Presiding Officer: The next question is, that amendment S1M-1305.1, in the name of Michael Russell, which seeks to amend

motion S1M-1305, in the name of Mr Sam Galbraith, on the national cultural strategy, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Campbell, Colin (West of Scotland) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (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)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 McGugan, Irene (North-East Scotland) (SNP)
 McLeod, Fiona (West of Scotland) (SNP)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Robison, Shona (North-East Scotland) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Mr Alex (Banff and Buchan) (SNP)
 Sheridan, Tommy (Glasgow) (SSP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Ullrich, Kay (West of Scotland) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Davidson, Mr David (North-East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Fergusson, Alex (South of Scotland) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)

Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Johnston, Nick (Mid Scotland and Fife) (Con)
 Johnstone, Alex (North-East Scotland) (Con)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 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)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLeish, Henry (Central Fife) (Lab)
 McLetchie, David (Lothians) (Con)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 Munro, Mr John (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tosh, Mr Murray (South of Scotland) (Con)
 Wallace, Ben (North-East Scotland) (Con)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)
 Young, John (West of Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 32, Against 80, Abstentions 0.

Amendment disagreed to.

The Deputy Presiding Officer: The next question is, that amendment S1M-1305.2, in the name of Mr Brian Monteith, which seeks to amend motion S1M-1305, in the name of Mr Sam Galbraith, on the national cultural strategy, 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)
 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)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLetchie, David (Lothians) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Mundell, David (South of Scotland) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Tosh, Mr Murray (South of Scotland) (Con)
 Wallace, Ben (North-East Scotland) (Con)
 Young, John (West of Scotland) (Con)

AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Campbell, Colin (West of Scotland) (SNP)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Finnie, Ross (West of Scotland) (LD)
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Godman, Trish (West Renfrewshire) (Lab)
 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)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lochhead, Richard (North-East Scotland) (SNP)
 Lyon, George (Argyll and Bute) (LD)
 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)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 McAllion, Mr John (Dundee East) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McGugan, Irene (North-East Scotland) (SNP)
 McLeish, Henry (Central Fife) (Lab)
 McLeod, Fiona (West of Scotland) (SNP)
 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)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Munro, Mr John (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Neil, Alex (Central Scotland) (SNP)
 Oldfather, 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)
 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)
 Scott, Tavish (Shetland) (LD)
 Sheridan, Tommy (Glasgow) (SSP)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Ullrich, Kay (West of Scotland) (SNP)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)
 Wilson, Andrew (Central Scotland) (SNP)

The Deputy Presiding Officer: The result of the division is: For 19, Against 93, Abstentions 0.

Amendment disagreed to.

The Deputy Presiding Officer: The next question is, that motion S1M-1305, in the name of Mr Sam Galbraith, on the national cultural strategy, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)

Finnie, Ross (West of Scotland) (LD)
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)
 Godman, Trish (West Renfrewshire) (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)
 Livingstone, Marilyn (Kirkcaldy) (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)
 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)
 Munro, Mr John (Ross, Skye and Inverness West) (LD)
 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)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS

Aitken, Bill (Glasgow) (Con)
 Campbell, Colin (West of Scotland) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fergusson, Alex (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)
 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)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 McGrigor, 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)
 Neil, Alex (Central Scotland) (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)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Sheridan, Tommy (Glasgow) (SSP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Mr Murray (South of Scotland) (Con)
 Ullrich, Kay (West of Scotland) (SNP)
 Wallace, Ben (North-East Scotland) (Con)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)
 Young, John (West of Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 61, Against 0, Abstentions 49.

Motion agreed to.

That the Parliament recognises the strength and breadth of cultural activity in Scotland and the important contribution it makes to Scotland's economy and to the quality of life of people throughout Scotland; considers that public support and encouragement of cultural development should be guided by a framework which widens opportunities to participate, promotes education in and through culture and supports and celebrates excellence in all areas of cultural activity, and therefore welcomes the publication by the Scottish Executive of Creating Our Future, Minding Our Past, Scotland's first National Cultural Strategy.

The Deputy Presiding Officer: The next question is, that motion S1M-1309, in the name of Mr Tom McCabe, on behalf of the Parliamentary Bureau, on the membership of committees, be agreed to.

Motion agreed to.

That the Parliament agrees that the following Members be appointed to committees

Lloyd Quinan to the Audit Committee
 Irene McGugan to the Education, Culture and Sport Committee
 Linda Fabiani to the Equal Opportunities Committee
 Kay Ullrich to the Equal Opportunities Committee
 Richard Lochhead to the European Committee
 Lloyd Quinan to the European Committee
 Alex Neil to the Finance Committee
 Shona Robison to the Health and Community Care Committee

Nicola Sturgeon to the Health and Community Care Committee

Kay Ullrich to the Procedures Committee

Winnie Ewing to the Public Petitions Committee

Fergus Ewing to the Rural Affairs Committee

Duncan Hamilton to the Rural Affairs Committee

Brian Adam to the Social Inclusion, Housing and Voluntary Sector Committee

Sandra White to the Social Inclusion, Housing and Voluntary Sector Committee

Fiona McLeod to the Subordinate Legislation Committee

Bruce Crawford to the Transport and the Environment Committee

Fiona McLeod to the Transport and the Environment Committee

John Home Robertson to the Enterprise and Lifelong Learning Committee

Frank McAveety to the Health and Community Care Committee

Johann Lamont to the Social Inclusion, Housing and Voluntary Sector Committee.

The Deputy Presiding Officer: The next question is, that motion S1M-1302, in the name of Mr Tom McCabe, on behalf of the Parliamentary Bureau, on the designation of lead committees, be agreed to.

Motion agreed to.

That the Parliament agrees that the Enterprise and Lifelong Learning Committee is designated as a Lead Committee in consideration of the Education (Graduate Endowment and Student Support) (Scotland) Bill and that the Bill should also be considered by the Local Government Committee.

Groundwater Maintenance Charge

The Deputy Presiding Officer (Patricia Ferguson): We now come to members' business. I ask members who are not participating to leave the chamber as quickly and as quietly as possible.

Today's debate is on motion S1M-1171, in the name of Alex Fergusson, on the waiver of the groundwater maintenance charge. The debate will be concluded without any question being put after approximately 30 minutes.

Motion debated,

That the Parliament notes that the annual groundwater maintenance charge has been waived for sheep farmers in England and Wales and believes that the Scottish Environment Protection Agency should waive its charge in order to eliminate the competitive disadvantage which is currently borne by Scotland's farmers.

17:14

Alex Fergusson (South of Scotland) (Con): In registering my interest, I thank the Parliamentary Bureau for picking this vexed question for debate today. Hoping that his head is not getting too big this afternoon, I too welcome the new Deputy Minister for Sport and Culture to his role. I wish him every success therein.

During the two summers that have passed since the first election to this Parliament, I have held a series of tented surgeries at some of the agricultural shows in the south-west of Scotland, where I live. This year, there was virtually only one subject that people wished to draw to my attention: the annual Scottish Environment Protection Agency levy known as the groundwater maintenance charge. When I say that fury was the principal emotion displayed by many constituents who came to see me about the issue, that is to understate the case.

The Deputy Minister for Sport and Culture (Allan Wilson): What—nothing about the euro or low commodity prices?

Alex Fergusson: I am not sure what I have done to deserve the opprobrium of the minister, but doubtless all will be revealed in due course.

As he embraces his new portfolio, the minister will witness that fury for himself and see that it has, if anything, grown stronger. That fury is understandable when the current plight of agriculture is considered alongside the fact that the Scottish Parliament was expected to make a difference. However much the Parliament might like to make that difference, the Executive has delivered a slap in the face to Scottish farmers which leaves in the mouth a bitter taste of

arrogance and hypocrisy.

When the charge was initially introduced it was accepted, if grudgingly, as another piece of red tape dressed up as a way of reassuring the general public of the high standards of agricultural production that prevail in this country. Set at £123 per annum, even with the current economic fragility of Scottish agriculture, that amount of money was not likely to break the bank. Furthermore, the charge was initiated in response to an EU directive to protect groundwater. However, I would argue strongly that because it is an EU directive, and therefore an obligation, there should be an appropriate allocation of public spending to cover the cost.

Neither the reason for the charge nor the amount of it was greatly questioned by those affected. All that changed following the aid package announced after the Downing Street farming summit on 31 March 2000, when the levy in England and Wales was waived for the following four years. Scottish producers waited expectantly for a similar announcement from the Scottish Executive, because it is a devolved issue. When no such announcement was forthcoming, questions were asked in the Parliament, all of which received a similar answer, that the Scottish Executive has no plans to waive the groundwater maintenance charge and that it is SEPA's policy to move towards full recovery of the costs of the regulation, in line with the polluter pays principle.

In this case that is blatant nonsense. The original charge of £150 per producer covered the cost of establishing SEPA's database. SEPA carries out only a minimal number of inspections each year, and however much the Executive may talk of a review of authorisations, as it doubtless will, any such review is not due for another four years. I would love to hear the minister's justification for charging for inspections that may take place some four years hence.

So all that has happened is that Scottish sheep producers are being charged for purely notional costs. That they have to pay them when the charges have been dropped in England and Wales flies in the face of the Minister for Rural Development's support for initiatives aimed at minimising farmers' costs. Far worse, it flies in the face of the pronouncements that we have had from the Executive that it is fighting to give our farmers a level playing field in Europe so that they can compete on equal terms. Never again can ministers say that; they have gone out of their way to create an uneven playing field in the United Kingdom.

As I said earlier, neither the amount of the charge nor the reason for it is questioned. The blatant unfairness is being questioned—to such an extent that most farmers I know are refusing to

pay what it is now, by definition, an iniquitous charge. It would cost the Scottish Executive only £300,000 a year to waive the charge—that is 25 per cent less than the cost of moving the Parliament to Glasgow for three weeks. That is a minute amount to pay for justice, a pittance to pay for equality.

17:19

Richard Lochhead (North-East Scotland) (SNP): Congratulations to Alex Fergusson on securing the debate and congratulations to the Deputy Minister for Sport and Culture on his new post.

I have a lot of sympathy for Alex Fergusson's motion. We are not talking about a lot of money, but the charge has the effect of kicking farmers when they are down. Farmers do not have troubles to seek just now. They face poor prices at the markets; the cost of fuel, which is crippling the industry financially, is another disadvantage they have compared to farmers in other countries and the recent poor harvests with terrible weather meant high drying costs.

To put the £123 into perspective, we have to remember that the average income of farmers is only £4,600. It is projected that that will fall by another 22 per cent to £3,600. They do not have a huge income in the first place from which to pay the charges. I therefore have a lot of sympathy with the motion.

The standard reply that we have all had from the former Minister for Transport and the Environment is about consultation. I cannot reconcile that with the fact that farmers are saying that they oppose the charge, and the fact that the National Farmers Union of Scotland has written to all MSPs to say that it is campaigning against the charge. I would like to hear the minister's comments on the nature of the consultation. Who was consulted, and what were their views? Did some farmers contact the Executive to say that they were in favour of the charge? If Mr Wilson is listening, I would like to know where Mr Finnie, the Minister for Rural Development, stands on all this. Can Mr Wilson confirm whether Mr Finnie has been in touch with the environment department about the charge? If so, what were his views? That is important, because we are always hearing about joined-up government from this Executive.

I tend to think that SEPA has been denied cash from the Government. Some figures that I received from SEPA today show that its grant from the Government last year was £18.6 million, but that the figure for 2000-01 fell to £17.3 million. It seems that the Executive is denying SEPA the cash, and that SEPA is then turning to the farmers to fill the gap. That is unacceptable—which brings me to the

spending review.

The Executive has just been given an extra £5 billion over three years. It could surely have found a couple of hundred thousand pounds from the spending review to pass to SEPA to cover the cost of the groundwater charge, which does not sound like a lot of money to me. I appeal to the minister to revisit the issue, to consider the various options and to go back and speak to the industry. We could delay the charge for a couple of years and hope that there is an upturn in the industry. We could consider offsetting the charge by removing other regulations and charges. We should also consider the farmers' income. I ask the minister for a positive response. Please do not simply reiterate the standard reply that we have all heard from the environment minister.

17:22

Mr John Home Robertson (East Lothian) (Lab): If the debate had occurred when it was originally scheduled to occur—last week—I would have been replying to it. I am therefore in the peculiar position of having seen the minister's brief, and even a draft of his speech. It is an excellent speech—and I am sure that it will be delivered very well indeed.

On balance, I think that the position of the Executive is dead right, because the package of support that was made available to farmers in Scotland was a whole lot better than the package that was made available in England. If the Opposition parties were to try to pick the package apart in order to make good the groundwater charges, farmers would be worse off over the piece.

However, when I saw the papers for this debate, I fired off one question back to the officials. I said that I fully understood the need for a charge, because of the costs involved in the initial survey of the area where the sheep-dip, or whatever, was going to be discharged on the land. I knew that that survey was important, it required safeguards and it incurred costs. However, what I did not understand was the need for an annual repeat charge of £123 for simply shuffling paper around. I put that question into the system but I never got a reply. I hope that my friend, the new minister, has a reply because I would like to know the answer.

17:24

Euan Robson (Roxburgh and Berwickshire) (LD): I would like to congratulate Alex Fergusson on securing the debate. I would also like to welcome the two new ministers—Allan Wilson and Tavish Scott. It is a pleasure to follow my constituent, John Home Robertson—but I will not agree with his sentiments.

In the Scottish Borders, these fees have been described to me as a great irritation, but not for all farmers. Of the 1,200 sheep farmers in the Scottish Borders, some 250 actually pay this charge. I agree with John Home Robertson in that no one can find a justification for the annual charge. No one quite knows what it is for, and it is taking between £30,000 and £40,000 out of the Borders agricultural economy—money that we can ill afford to lose in the sheep sector, let alone the arable sector. Some arable farmers are paying the fee, too.

The four-year scheme in England is not permanent and I do not understand why it could not have been replicated in Scotland. It is important to harmonise the two schemes, particularly in the Scottish Borders, which abuts England. I have constituents who own land on both sides of the border; they pay in Scotland, but not in England.

Mrs Margaret Ewing (Moray) (SNP): Is John Home Robertson one of those constituents?

Euan Robson: I cannot answer that question. Mrs Ewing must ask the member about that.

The total sum of money involved is £300,000 to £350,000, which is peanuts in a budget of some £15 billion. It is time that the Executive got rid of the irritation, because it is causing friction where friction need not exist. It is a small sum of money that affects a few farmers. The Executive could get rid of the charge. The fact that the package that Scottish farmers got was better than that which farmers received in England and Wales is no reason why Scottish farmers should have to pay the charge.

The issue is a particular concern in the Scottish Borders because we abut England. Many of my farming constituents meet their English counterparts at local marts and it is a subject of continual discussion, as Alex Fergusson discovered in his summer tour of the shows and agricultural events in the south-west. I had a similar experience in the south-east of Scotland, where the issue was raised with equal force. I am sure that other members will have found the same in their areas of Scotland.

I support the motion and I hope that the Executive will come to the chamber—perhaps not today—and announce the end of such fees.

17:27

John Scott (Ayr) (Con): I must declare an interest in the subject as a farmer and a dipper of sheep. I am also one of the farmers in receipt of the iniquitous bill, which I am holding up in evidence.

As has already been outlined, 2,128 farmers in

Scotland are being asked to pay a bill of £123 each, while their colleagues in England, Wales and—significantly—Northern Ireland, are not. That adds extra cost for Scottish farmers, which is bad enough, but the fact is that many of the farmers being asked to pay the charge already face higher costs due to climatic disadvantages. They also face higher costs because 85 per cent of Scotland is classified as a less favoured area; almost 100 per cent of those facing the bill will be farming such land, which suffers from “permanent natural handicaps”—to use the former Scottish Office definition of less favoured areas. Not only is the charge being imposed in Scotland and not in England, but it is being imposed on those farming in the toughest farming conditions in Britain.

We hear much from the Executive about tough choices. However, this choice is tough only on the most disadvantaged part of our rural economy. None the less, the Executive has made that choice and is implementing it through SEPA.

When the introduction of the charge was first mooted in 1996 or 1997, the proposed level of charging for the whole of the UK was about £700 per farmer. At that point there was an outcry and what we have today is a watered-down charging system—2,128 asked to pay in Scotland; none asked to pay in England, Wales and Northern Ireland. SEPA tells me that, of the 2,128 farmers affected in Scotland, 1,702 have paid up. Those who do not pay will, in due course, be subject to debt recovery process and ultimately will have their licences withdrawn.

However, it is more than money that is at stake. As Alex Fergusson has said, there is a point of principle of which I would ask the minister to take note. In England and Wales, the Department of the Environment, Transport and the Regions is paying for the issuing of licences to about 12,000 farmers, who receive them free of charge. In Northern Ireland and the Republic of Ireland, charges are not being levied on farmers.

In fact, as far as I can find out, the charge is not being levied anywhere else in Europe. This is another manifestation of the Executive's desire to penalise and disadvantage rural areas and communities. Take note, minister. It is a conscious decision knowingly entered into by the Scottish Executive, and no other spin can be put upon it. I cannot accept that the Executive is serious about its declared aim to minimise farmers' regulatory costs if it continues to impose the charge, especially when it is being imposed only in Scotland. It is yet another attack on rural areas and the rural way of life, and must be recognised as such.

I ask the Executive to change its mind on the tax—that is what it is; another stealth tax, this time levied on sheep farmers—I ask the Executive to

repay the charges that have already been paid, and give us parity with our competitors in England, Wales, Ireland and Europe. I ask the Executive in future not to impose such charges, and in the interest of making life easier for it and for farmers, I ask it to introduce a charging policy that is consistent with the rest of the UK. As far as I am aware, in agriculture at any rate, this is the only charge that is levied by Government on farmers that is different in different parts of the UK. I urge members to support the motion.

17:31

Mrs Margaret Ewing (Moray) (SNP): I will be brief, because I want to listen to Allan Wilson. I congratulate him on his new position and I congratulate Alex Fergusson on bringing this issue before Parliament—it is important. I will not rehearse the arguments that have been propounded, nor will I rehearse the figures, because they are known. I suspect that we all received letters from our local branches of the National Farmers Union of Scotland and from individual farmers. If I have one criticism for Alex Fergusson, it is that groundwater charges was not the only matter that was raised with me when I did a tour of the north of Scotland during the summer. There are many other issues—as Richard Lochhead mentioned—such as fuel, that affect our farmers. None the less, it is an issue.

When Sarah Boyack responded to me—we all got the standard letter—at least it was done within six weeks, which beats some of the other ministers in the Executive. Having read the representations and replies, I wish to make some brief points. Sarah Boyack's letter says that the Scottish Executive must take a separate decision. What is it that makes the Scottish Executive feel that the polluter pays issue is more important in Scotland than it is in England and Wales? If there is to be a separate decision, will the Executive take it and will it follow the example that has been set elsewhere? If so, will the Executive put pressure on SEPA to reconsider its decision? The decision seems to be that there will be no relief, which has been promised in England and Wales, and that the annual fee will not be waived.

There is also a claim in the letter from Sarah Boyack that a special approach has been made available for smaller farmers and crofters—they could share costs by working collectively. That is an interesting idea—almost as interesting as hearing Brian Monteith quoting Trotsky. I did not think that the Executive would start talking about rural collectivism. I wonder how the concept of asking small farmers and crofters to work together will be implemented, given the communication problems that we have in our rural areas.

I hope that there will be a constructive response

from the new Deputy Minister for Sport and Culture, because this issue, although it is not a major issue in terms of funding, is seen by our rural communities as another wound to an already severely injured industry. I hope that the Executive will take a constructive approach to Alex Fergusson's motion and to those of us who support it.

17:34

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I congratulate Alex Fergusson on his motion and on his carefully constructed and thoughtful speech, to which I will return in a minute. Members can imagine, given the area that I represent, that I know about the problem. Lamb and sheep prices are somewhat better this year, but the situation is pretty touch-and-go for many crofters in Caithness, Sutherland and Easter Ross. What seems like a small sum in a great city such as Edinburgh can make all the difference to them.

I, too, hope that the minister will be as constructive as he can be, but I realise that these are early days. It has been said almost parrot fashion today, but I say from my heart that I give hearty congratulations to Allan Wilson and Tavish Scott.

A European Union directive is involved, but, as Euan Robson said rightly, the sum that is needed is small—less than the cost of moving Parliament to Glasgow. The objective can be achieved easily out of the £15 billion budget.

John Scott mentioned the Executive's desire to penalise rural areas. I say to him that we do things rather differently from London in this Parliament. Alex Fergusson exemplified that fact nicely with the charming and rather tempting manner in which he argued his case.

Alex Fergusson: Settle down.

Mr Stone: I do not dish out praise often, Mr Fergusson.

I do not think that anyone who is in touch with the farming industry can accuse the Executive of not taking rural areas seriously. I know that Tory members have genuine, albeit grudging, respect for Ross Finnie and the good work that was done by Mr John Home Robertson during his tenure. I am sure that Rhona Brankin will bring a new fragrance to the farmyard, which will invigorate us all.

Mr Ross Finnie and the rest of the Executive have shown no hesitation in rolling up their sleeves and weighing into farming issues. We all know that Mr Finnie and his team have had the bottle to go off to Europe and take the Eurocrats on at their own game. He is a fine bonnie fechter, and everyone in the farming world knows it. From

big farmers to wee crofters, I have heard time and again that he is a good man. Good luck to him.

17:37

The Deputy Minister for Sport and Culture (Allan Wilson): I thank all members for their good wishes. I will take matters head on. It will come as no surprise to members, and certainly not to Mr Fergusson or his colleagues, that the Executive opposes Mr Fergusson's motion. [*Interruption.*] My phone is causing that buzzing. That was Tony.

I was surprised by the tone of the debate, although I would like to thank the National Farmers Union of Scotland for giving me a parliamentary briefing on why I should support the motion. The Executive recognises the importance of the issues that were raised by members. Sheep farming is vital to rural communities—I will take the issues that were raised head on.

I say to Richard Lochhead and Euan Robson that the motion is not being opposed on the ground of affordability. The point is not the cost of dropping the charge, which—at about £350,000—members have said is minimal. At issue is the principle that regulated sectors should meet the cost of regulating pollution. Dropping the charge would set a bad precedent for the transfer of such costs to the taxpayer.

We are aware that farming faces difficulties. With respect to Mr Fergusson, it is not simply the charges, but various factors that have contributed to that: the impact of BSE; continuing export difficulties; and the weakness of the euro. The Executive has moved to address those problems with a range of measures. To answer a point that was made by Richard Lochhead, there was extensive consultation with the farming industry about the groundwater regulations and the charging scheme. Following that, great efforts, which were welcomed by the NFUS at the time, were made to minimise the burden of the regime.

In response to the points that were raised by Jamie Stone and John Home Robertson, we have made significant additional funding available to farmers. The main package of £39 million that was announced in March focused on Scottish priorities. It was a good deal for Scotland and it gave Scottish farmers a 20 per cent share of the total UK package.

Hill farming was recognised as a priority, with £20 million going to support those in less favoured areas, which John Scott mentioned. Ross Finnie recently announced a further £5 million for LFAs over the next three years, and sheep farmers also share in the £12 million that is earmarked for agrimonetary compensation for livestock farmers over the three years to 2001. I advise Richard Lochhead that we have consulted Ross Finnie

about those matters.

Richard Lochhead: I thank the minister for giving way.

The Scottish Parliament information centre's briefing on groundwater charges states:

"SEPA anticipated receiving some 10,000 applications for Authorisation to discharge listed chemicals . . . To date SEPA has received 2,600 applications."

That is clearly a major shortfall.

I have two questions for the minister. Did SEPA budget for 10,000 applications and, if so, who will make up the financial shortfall? Does not that highlight the fact that the minister will have to go back to the drawing board in any event?

Allan Wilson: That is a matter for SEPA. I will address those points if the Presiding Officer gives me time, but farmers turned to alternatives to dipping sheep in the short term, following the ban on organophosphates.

The package that was announced in March recognised the impact that certain environmental regulations might have on farmers. The Executive relaxed the timetable for the introduction of the regulation on integrated pollution prevention and control for existing pig and poultry installations. We also announced a new 40 per cent grant scheme to aid the capital expenditure that might be needed to prevent nitrate pollution in nitrate vulnerable zones.

The question for members is whether we should have included in the groundwater regulations a measure that was adopted in England and Wales; that is, whether we should have asked SEPA to drop its annual charges for four years. It is important to put the charge in perspective because we are not talking about a lot of money. The vast majority of farmers pay no more than £123 and many pay much less.

The regulations address real environmental problems.

Alex Fergusson: The charge is level across the board—every farmer pays £123.

Allan Wilson: The charge of £123 is a minimum charge for 5,000 litres. Many crofters have combined with their fellows to reduce that charge—many pay only about £10 as a consequence of sharing resources.

There are real environmental concerns and problems. Sheep dipping plays a vital role in controlling sheep diseases but, as highly toxic chemicals are involved, it poses risks to health and the environment. Spillages of only a few litres into a river can devastate aquatic life for tens of kilometres downstream.

Those who dispose of dangerous chemicals on to land must obtain authorisation to do so from SEPA. That process ensures that disposal sites meet environmental and public health criteria.

The unique position of Scotland was mentioned. To simplify the authorisation process, applications involve self-assessment that is based on a flow chart. That approach is unique to Scotland and it has removed the need for farmers to commission specialist hydrogeological surveys. Small farmers and crofters—a group that is unique to Scotland—can share authorisation for a single disposal site. I understand that that approach works well in Shetland and the Western Isles.

The charging scheme is not unique. It is the Executive's policy that SHEEPA should—*[Laughter.]* SHEEPA? I meant to say that the Executive's policy is that SEPA should recover the costs of regulating polluting activity from those who are regulated. That policy applies to all sectors and to depart from it would shift that burden on to the taxpayer.

Mr Home Robertson: I am grateful to the minister for giving way.

We all understand and, for my part, I agree with the need for charges to be made and for people to meet the costs of regulating. My point, and that of Euan Robson, was that in some cases there are no costs; there are only repeat charges—annual charges—simply for shuffling paper. I tried to get replies to questions on those charges from officials and I recognise that the minister cannot do so now, but perhaps he could reply to members on that point.

Allan Wilson: I was going to address that point. I pay tribute, as other members have done, to John Home Robertson's record of work for the Executive during his period in office.

Farmers are not being singled out—other sectors must also pay the cost of environmental regulation and of the treatment and disposal of their waste. The application fee, which has been referred to, covers registration and assessment by SEPA of the suitability of the proposed disposal site.

Contrary to Mr Fergusson's claims, only 350 of more than 2,000 authorisations have required site visits so far. The annual maintenance charge—which is at issue today—covers the on-going costs to SEPA of site monitoring, groundwater sampling and analysis and administration.

The charge is intended to recover staff costs—there are six full-time equivalent specialist staff, plus technical assistants. There are scientific investigations, including groundwater monitoring, at more than 300 sites and maintenance of public registers and records.

Mrs Margaret Ewing: Will the minister give way?

Allan Wilson: If the member does not mind, I will continue.

Those costs were estimated at £315,000 per year, but the scheme is not now expected to recover the full amount this year, which means that there will be a shortfall of costs from the charges that have been levied. SEPA plans to inspect about a quarter of the sites each year over the next four years in order to assess their compliance with authorisation conditions.

The charge also covers the cost to SEPA of surveillance monitoring of groundwater for pollution by dangerous substances—that is expensive. I should tell Richard Lochhead that, as an example, the cost of one analysis of one sample of groundwater for one sheep dip chemical is about £50, excluding the cost of transport and collection. In addition, SEPA maintains public registers of several thousand authorisations and groundwater examinations. That work carries significant and continuing costs.

The groundwater regulations regime is a necessary requirement of European law. It enables SEPA to protect groundwater from pollution by dangerous chemicals, and has been implemented in a way that is sympathetic to the practicalities of farming and with as light a touch as possible. Considerable efforts have been made to set the charges at a low and reasonable level. The vast majority of farmers will pay no more than £123 per year and many will pay less.

Farmers are not being singled out. The Executive's policy is that the costs of regulation of polluting activity should be borne by those who are being regulated.

John Scott: Will the minister give way?

Allan Wilson: No—I am concluding.

We believe that this approach is to the long-term benefit of the industries that are involved, the taxpayer and the Scottish environment.

Meeting closed at 17:47.

Members who would like a printed copy of the Official Report to be forwarded to them should give notice at the Document Supply Centre.

Members who would like a copy of the bound volume should also give notice at the Document Supply Centre.

No proofs of the *Official Report* can be supplied. Members who want to suggest corrections for the bound volume should mark them clearly in the daily edition, and send it to the Official Report, Parliamentary Headquarters, George IV Bridge, Edinburgh EH99 1SP. Suggested corrections in any other form cannot be accepted.

The deadline for corrections to this edition is:

Thursday 9 November 2000

Members who want reprints of their speeches (within one month of the date of publication) may obtain request forms and further details from the Central Distribution Office, the Document Supply Centre or the Official Report.

PRICES AND SUBSCRIPTION RATES

DAILY EDITIONS

Single copies: £5

Meetings of the Parliament annual subscriptions: £500

BOUND VOLUMES OF DEBATES are issued periodically during the session.

Single copies: £70

Standing orders will be accepted at the Document Supply Centre.

WHAT'S HAPPENING IN THE SCOTTISH PARLIAMENT, compiled by the Scottish Parliament Information Centre, contains details of past and forthcoming business and of the work of committees and gives general information on legislation and other parliamentary activity.

Single copies: £3.75

Special issue price: £5

Annual subscriptions: £150.00

WRITTEN ANSWERS TO PARLIAMENTARY QUESTIONS weekly compilation

Single copies: £3.75

Annual subscriptions: £150.00

Published in Edinburgh by The Stationery Office Limited and available from:

The Stationery Office Bookshop
71 Lothian Road
Edinburgh EH3 9AZ
0131 228 4181 Fax 0131 622 7017

The Stationery Office Bookshops at:
123 Kingsway, London WC2B 6PQ
Tel 020 7242 6393 Fax 020 7242 6394
68-69 Bull Street, Birmingham B4 6AD
Tel 0121 236 9696 Fax 0121 236 9699
33 Wine Street, Bristol BS1 2BQ
Tel 01179 264306 Fax 01179 294515
9-21 Princess Street, Manchester M60 8AS
Tel 0161 834 7201 Fax 0161 833 0634
16 Arthur Street, Belfast BT1 4GD
Tel 028 9023 8451 Fax 028 9023 5401
The Stationery Office Oriol Bookshop,
18-19 High Street, Cardiff CF12BZ
Tel 029 2039 5548 Fax 029 2038 4347

The Stationery Office Scottish Parliament Documentation
Helpline may be able to assist with additional information
on publications of or about the Scottish Parliament,
their availability and cost:

Telephone orders and inquiries
0870 606 5566

Fax orders
0870 606 5588

The Scottish Parliament Shop
George IV Bridge
EH99 1SP
Telephone orders 0131 348 5412

sp.info@scottish.parliament.uk

www.scottish.parliament.uk

Accredited Agents
(see Yellow Pages)

and through good booksellers