

# **MEETING OF THE PARLIAMENT**

Wednesday 8 November 2000  
(*Afternoon*)

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DEPUTY FIRST MINISTER—Mr Jim Wallace MSP

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## Scottish Parliament

*Wednesday 8 November 2000*

*(Afternoon)*

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

### Time for Reflection

**The Deputy Presiding Officer (Mr George Reid):** Today's time for reflection will be led by Robert D Kernohan, an elder of the Church of Scotland at Cramond Kirk.

**Robert D Kernohan (Elder of the Church of Scotland, Cramond Kirk):** Let us hear the word of God, from the Old Testament book of Ecclesiastes.

"To everything there is a season, and a time to every purpose under the heaven.

A time to be born and a time to die. A time to plant and a time to pull up . . . A time to weep and a time to laugh, a time to mourn and a time to dance . . . A time to get and a time to lose; a time to hold and a time to cast away . . . a time to keep silence, and a time to speak".

I am sure that the enigmatic cross-bench Hebrew preacher whom we call Ecclesiastes would be happy to know that you have a time for reflection. No doubt he would add a rhetorical contrast with a time to act.

However, a company of practising politicians need not be told of two practical difficulties: it is not easy to make real, individual time for reflection—quality time, in the current jargon—and it is not self-evident when it is time to act, or how to act. Such things are not easy in private or public life for those of us who confess a creed, a divine word and a Lord as the way, the truth and the life; I cannot imagine that they are easier for those who do not. However, without time for reflection we are apt to claim that we act from conviction—when we may be merely reacting to dogmatism in ourselves and in others. It may be best when, whether in traditional or unconventional form, we accept the judgment of John Buchan—that notable Scots writer who thought of himself as a Presbyterian cavalier, but who was also a parliamentarian—who said:

"Dogmatism gives way to questioning; and questioning in the end to prayer".

So let us pray.

God who created humanity in such diversity, with such capacity, noble in reason and infinite in faculty, we confess where we have fallen short, seen the better and done the worse and spoiled

our own plans and obstructed yours.

Renew and restore us in reflection and constructive repentance, that we may better serve the national, civic and family communities to which we belong.

God, save our Queen. Lord, give us peace in our time and harmony at home.

Support all who bear heavy burdens. Today, we pray in particular for the candidate to be confirmed as President-elect of the USA, who will be called to his country's greatest office and heaviest burden. Sustain and guide him. Give wisdom to those judging any matters in dispute and patience and forbearance to the American people in their uncertainty.

Let us also pray for the Scottish Parliament and the Westminster Parliament, for those set in authority and all who serve under authority. We pray that all things may be so ordered and settled by their endeavours, upon the best and surest foundations, that peace and happiness, truth and justice and faith and piety may be established among us for all generations.

May the peace of the Lord Jesus Christ be with us all. Amen.

## Equality Strategy

**The Deputy Presiding Officer (Mr George Reid):** The first item of business is a debate on motion S1M-1320, in the name of Jackie Baillie, on the equality strategy, and two amendments to that motion.

14:35

**The Minister for Social Justice (Jackie Baillie):** I would like to take members back to 1 July 1999. In his outstanding address at the opening of this Parliament, Donald Dewar said:

“we will never lose sight of what brought us here: the striving to do right by the people of Scotland; to respect their priorities; to better their lot; and to contribute to the commonweal. I look forward to the days ahead when this Chamber will sound with debate, argument and passion. When men and women from all over Scotland will meet to work together for a future built from the first principles of social justice”.

That was a mission statement for the Parliament. However, it was more than that, because it captured the aspirations of the people of Scotland for something altogether better and different: a Parliament where their needs and priorities would be recognised and considered. It was a statement that embraced the hopes of all the communities of Scotland—communities of both interest and place—for something altogether more inclusive.

Equality is one of the founding principles of the Scottish Parliament. From the outset, there has been an expectation that the Parliament would address the issues of inequality and injustice, counter the effects of discrimination and prejudice and seek to bring inclusivity to the new democracy. The Executive has made an equal commitment to work to meet that expectation.

We stated our commitment to equality for all in our programme for government. We established an equality unit and immediately we began to develop dialogue with the equality interests on the action that needed to be taken. We continued support for the women in Scotland consultative forum and established the race equality advisory forum in November 1999.

In our statement to Parliament last December, we committed ourselves to developing a strategy for addressing inequality and the Parliament affirmed its support for our approach. That was not meant to be a quick fix or a short-term exercise; rather it was a search for lasting solutions built on firm foundations. Since last December, we have been involved in widespread consultation and dialogue to shape the strategy and draw up an action plan.

We had a good response to the consultation on “Towards an Equality Strategy”, which was circulated widely. We had direct input from grass-roots equality organisations through a series of events in the summer. We also welcomed the frank and open discussion with the Equal Opportunities Committee on the development of the strategy.

Therefore, with the help of many individuals and groups—including those new to engagement with the Government and those with years of experience—we have produced our strategy: “Working together for equality”. It is the first equality strategy for Scotland. We are grateful for the time and effort that so many people gave to the process and for the guidance of many organisations and individuals who have worked hard over the decades to combat injustice and unfairness and to progress equality in Scotland. In its delivery, just as in its preparation, the strategy will depend on a fruitful partnership with a wide range of bodies and interests in the public, private and voluntary sectors.

Our vision is of a just and inclusive Scotland. However, that cannot be achieved whilst many in our communities experience discrimination, prejudice, exclusion and disadvantage. It is incumbent on us to tackle those issues if we are to become a truly modern and progressive society. To those people who shout that the strategy is merely political correctness, I say that if we are to deliver social justice for all Scotland, part of our work must be to address the underlying inequalities in our society.

This is not a marginal activity; there is a clear need for action. Let me make that statement real for members. One in five households in Scotland includes someone with a disability. We know that disabled people are much less likely to be in employment than are non-disabled people and that when they are in jobs, they often earn less. Despite the real improvements that have been made over recent years in tackling the physical barriers that prevent disabled people from travelling, working and generally participating in everyday life, there is no doubt that much still needs to be done.

People from our ethnic minority communities are more likely to earn low wages and to experience poor housing conditions. For some, life in Scotland today can mean enduring verbal and physical violence and harassment. In 1999-2000 police in Scotland recorded 2,242 racist incidents—a 76 per cent increase on the previous year. That is clear evidence that in Scotland we have a problem that we must address. The tragic murder of Stephen Lawrence was a watershed in race relations in Britain, and we welcome the increasing awareness of institutionalised racism and its impact.



Women make up 52 per cent of the population, yet still they do not have equal pay. That is despite 30 years of equal pay legislation. We know that women are more likely to live in poverty and to earn low pay.

The list of disadvantaged groups does not end there. The elderly, the young, lesbians, gays and travelling people can all experience discrimination and exclusion. Some people may experience discrimination on the grounds of their religious beliefs and observances. There is no doubt that there is a major job to be done. "Working together for equality" sets the framework for advancing work in these areas. Our task in the coming period will be to move from planning into action.

The strategy is overarching and long term. It is set in the context of our devolved responsibilities and emphasises the scope for achieving change through policy and practice. It sets out clearly how we will work to fulfil our vision of fostering respect and understanding of our diverse communities, encouraging and enabling everyone to live, work and take part in society to their full potential, free from prejudice and discrimination and, above all, working to empower all our communities.

The strategy centres on three strategic objectives. The first is about making better policy and delivering better services. The second is about promoting equal opportunities and tackling discrimination. The third is about the Executive being a good employer. Those objectives will drive the Executive to deliver an equality agenda by improving its policy making, programme development, service design and delivery and spending plans; by promoting and influencing change; and through its role as an employer, in which it can develop good practice and seek to be a model of equal opportunities policies and practice.

We have identified a range of actions to deliver the objectives. They are shaped by the very clear messages that we received during the consultation. For example, there was widespread support in Scotland for the mainstreaming of equality. We all recognise the diversity of our population; we recognise less readily the consequent diversity in its needs and aspirations and the variation in the impact of decisions and policies on different groups.

Mainstreaming equality means taking those differences into account. It means that equality issues will be integrated into policy making, legislation, spending plans, service design and programme development. It means addressing equality issues from the start—not as an add-on or as an afterthought.

People want to see their needs catered for in the mainstream of policy, not just through sporadic

initiatives or short-term projects. We can make a difference to the lives of the people of Scotland if that perspective is brought to our daily business. We were urged to be strategic but also to outline clear actions with time frames.

**Fiona McLeod (West of Scotland) (SNP):** I am pleased that Jackie Baillie is talking about ensuring that mainstreaming is part of our daily business. Today, at the Transport and the Environment Committee, I moved amendments at stage 2 of the Transport (Scotland) Bill to ensure that disabled badge holders will gain exemptions in the bill. The Executive argued against those amendments and voted against them. Can the minister explain that inconsistency?

**Jackie Baillie:** We are taking forward our mainstreaming work in two pilot areas that were identified in the strategy document. One is housing and the other is the schools division. The focus of our attention in developing the guidance, tools and mechanism is on those areas, with a view to spreading it across the Executive.

I will be happy to hear the detail of the point that the member has raised. I have tried to explain the process of how we intend to take mainstreaming forward.

During the consultation, we were urged to ensure accountability and measurement of progress. This is an especially strong personal commitment. We simply must deliver, and to show that we have done so we need appropriate indicators and the frameworks for monitoring and evaluation. We will produce an annual equality report to Parliament. We will expect reporting frameworks to be developed across the public sector.

The consultation emphasised, as many members have done, the need for appropriate data, information and research to inform our equality work. The Executive is committed to providing better statistics about different equality groups. Only by doing so will we start to have policy making based on evidence. We have published a very useful guide to sources of equality statistics. We plan to produce a series of equality statistics fact cards as part of the guide to sources of statistics. We recognise the value of the gender audit, which was published by Engender over a number of years. The Scottish Executive will now publish a compilation of gender disaggregated statistics in spring 2001.

We are keen to consult a wide range of equality statistics users as to the usefulness of publishing statistics in various formats. We will also discuss the gaps in data and the priorities for filling them. We will start that process with a seminar for equality statistics users.

We will develop a research strategy to support

mainstreaming. It will aim to ensure that all research projects commissioned by the Executive include equality categories as part of their data collection and analysis where that is possible and appropriate.

The need to work in partnership and in collaboration with other bodies and groups was identified. Equality is not just the responsibility of the Executive, or of this Parliament, but of us all. While the Executive aims to lead by example, it expects to work in partnership to roll out the strategy across the public sector and beyond.

The importance of training and awareness raising to the effective mainstreaming of equality and promotion of equal opportunities was also highlighted. We will put training initiatives in place in the Executive and we will examine how best to raise public awareness.

**Mr Lloyd Quinan (West of Scotland) (SNP):** I thank the minister for her statement so far.

Could we have an outline of the financial structures that will be used to deliver this strategy across the different departments? When will the financial memorandum to go with the strategy be available to the Parliament?

**Jackie Baillie:** The financial structures are clear. The equality unit has always been meant to be strategic. It will have a budget and I will provide the chamber with details of that later in my speech. Mainstreaming will fail if it is owned by a small, strategic unit in the Executive. It is owned by the entire Executive, by every department and every minister so that there is political commitment and commitment from senior management to making this happen.

**Mr Quinan** rose—

**Jackie Baillie:** I will continue. One of the key messages to emerge during our consultation was the need to find better ways for people to get involved and more effective ways to consult and engage with communities. If the changes we want to make are to be real and relevant to people, we must ensure that we listen and, more important, that we hear their voices.

We intend to draw on the valuable comments that were made during the consultation in scoping our proposals for better dialogue and communication. As part of that process we will review the women in Scotland consultative forum and the lessons learnt from the work of the race equality advisory forum.

The Executive is a big employer and we have identified in the strategy the importance of being a model of good practice. We are committed to equal opportunities, but there is more that we can do. The Executive is finalising its diversity strategy, which aims to increase the diversity of its

work force and to manage and value diversity in the Executive.

We have identified as a first step an extensive list of actions to be taken. They range from supporting networks for ethnic minority and part-time staff to developing further family-friendly measures in the area of child care and extending equality monitoring to all key personnel processes. Actions will include promoting the increased development and availability of alternative working patterns. We are making targeted efforts to increase the number of people from ethnic minorities applying to join the Executive and have appointed an outreach worker to take that forward.

The diversity strategy will complement the equality strategy and aims to ensure that staff in the Executive are better equipped to meet the challenges of the future. Promoting equal opportunities and tackling discrimination head on will be an important feature of the strategy. We will discuss with a variety of interests how we will raise public awareness and build respect for others.

It is widely recognised that there is under-representation of women, people from ethnic minority communities and people with disabilities in the public appointments system. A strong focus on equality and diversity is needed at the appointment process stage and at the post-appointment level. Ministers are currently considering changes in the light of responses to the consultation paper "Appointments to Public Bodies in Scotland: Modernising the System".

The development of an effective mainstreaming programme and the delivery of a long-term equality strategy require resources. Where mainstreaming is in place, equality will be resourced through departmental allocations. However, we acknowledge that resources must be made available to initiate action and to provide the tools, guidance, training and mechanisms necessary for implementation of the strategy.

I am very pleased to announce that we have doubled the resources that are available. On top of our annual programme budget for equalities of £0.5 million we have added a further £0.5 million for 2000-01 and for each of the next three years, for a programme of equality development. The money will be used to develop an equality communications strategy, including a framework of national guidance on translating and interpreting; to develop effective mechanisms of consultation and dialogue with communities; to support departments in the development of mainstreaming; and to develop research and information to support the mainstreaming of equality. In addition, we will devise equality performance indicators and monitoring and evaluating frameworks and we will promote equal opportunities for all across Scotland.

I said that the strategy is overarching and applies to the needs of all equality groups. In addition, we will look at the action required to address the needs of specific equality interests. The race equality advisory forum was established last November to advise the Executive on a strategy for race equality and the action required to tackle institutional racism. The forum will report shortly and the Executive will then be able to take matters forward. We are also considering how to take forward the recommendations of the disability rights task force. We will consider the issues that are of relevance to other equality groups in the period ahead.

We have titled our strategy "Working together for equality". We did so advisedly. There is indeed much that we can do as an Executive and as a Parliament, but we can do much more with others. We want the strategy to be rolled out widely and a strong partnership to be developed with the statutory equality bodies, public bodies, the private sector and the voluntary sector—as well as communities themselves. We will listen and learn from others and will recognise the importance of their contribution.

History has taught us that the impetus for change lies outwith government. The cause of freedom—the cause of equality and justice—has been advanced over the years through the campaigns, struggles, and courage of people such as Nelson Mandela, Martin Luther King, the Ford machinists who campaigned for equal pay and Rosa Parks, the mother of the civil rights movement. That cause has been furthered by the dedication of the thousands of others who have sought to progress equality over the years. It will be advanced in the future by the activities of those who work daily with the reality of discrimination and injustice and of those who experience it. We need to listen; we need to learn. We also need to act.

By implementing the strategy outlined in "Working together for equality", our policies and programmes will be more responsive to the needs of all our communities. Respect for diversity and difference will be fostered and new partnerships for change will be forged. That sits firmly with our drive to achieve social justice.

If we do not tackle inequality in our society now, we will exclude future generations. We in this Parliament can start the process of change. The equality strategy is a first step in making a real difference to the lives of people across Scotland.

I move,

That the Parliament welcomes the Scottish Executive's commitment to ensuring that people are treated as equal individuals regardless of, for example, their background, gender, ethnicity, sexuality, any disability, age or religious belief; commends the strategy set out in *Working Together*

for *Equality* and the Scottish Executive's commitment to address inequality, prejudice and discrimination through an inclusive, participative and mainstreaming approach, and calls upon other organisations to do likewise in working to attain equality of opportunity for all.

**The Deputy Presiding Officer:** I suspect that a number of members want to speak but have not yet pressed their buttons. I ask them to do so. I will then be able to make up my list of members to call to speak.

14:57

**Fiona Hyslop (Lothians) (SNP):** I welcome Jackie Baillie on what I believe is the occasion of her first speech in her capacity as Minister for Social Justice.

It is worth starting by examining the context in which we find ourselves. I tried to follow what the minister was saying in her speech. I hope that she can forgive me for this, but I had some difficulty with the language that she was using. This is one of the dangers of this Parliament—we have to ensure that we use language that will be understood not just by people in the Parliament or in the offices at St Andrew's House, but by the general public.

We do not have equality of opportunity in this country. Last year, the police recorded 2,242 racist incidents, an increase of 76 per cent. Women earn only 72 per cent of men's average weekly wages. Nearly a third of gay men and lesbians believe that their educational achievements were negatively affected by attitudes to their sexuality. That evidence is both anecdotal and actual. It proves that this is not a country of equal opportunity.

We all know that, however. If we have any illusions about equality, we need only look back to the debate on section 28 to know that the battle for equality in this country is far from won. The need for a strategy to promote equality has never been greater and the need for cross-party consensus on that strategy has never been more important.

No party in this chamber has a monopoly on commitment to equality and anti-discrimination. Many members, in their political and personal lives, have dedicated themselves to fighting discrimination, not just in this country but in other countries. The Parliament contains members who have unquestionable commitment towards fighting oppression and discrimination—let us not forget our Presiding Officer's role in the anti-apartheid movement.

The Parliament contains a significant number of women because many feminists of all political opinions fought their corner in their parties, each in their own way, to ensure that women made it to this Parliament and that male domination of Scottish politics was brought to an end. Moreover,

like many colleagues, I will be on the Scottish Trades Union Congress anti-racism march on 30 November.

The majority of people in the Parliament can stand together in their commitment to such issues and in solidarity. We are prepared to set aside party political differences to work towards our common goal. In fact, only this week, I was singing the praises of our Minister for Social Justice for her commitment to campaigning on domestic abuse, giving credit where credit is due and going beyond party political interests in recognition of the fact that some issues are too important for us to start scoring points.

In this debate, however, I believe that the Parliament is in danger of allowing the Executive to slip into the realms of self-affirmation. It is too easy to make the speech that I have just made. It is too easy to slap one another on the back and praise one another's commitment. I do not detract from a word that I have said—I have great admiration for many colleagues—but it is easy to end it there. Today, if we do not watch out, could end up as an exercise in going through the motions—the political equivalent of a group hug. It is easy to fall back in the contented knowledge that we all agree. We can denounce the evils that exist in our society and make fine speeches but still leave the central question—what will we do about it?—unasked. If the Executive comes here seeking affirmation, I suggest respectfully that it goes elsewhere to find it, because the second, the minute, the hour that we were elected to become representatives of the people, our duty became to act, not simply to talk.

I mentioned section 28 as an example of the inequality that still exists in our society. It is a good example of what happens without a strategy and when, without thinking and in an effort to gain credentials with key sectors, a minister announces a measure as an add-on to an unrelated piece of legislation and then reaps the whirlwind of that decision. Instead of being on the front foot, promoting equality and anti-discrimination, we all end up on the back foot, defending the rights of lesbians and gay men to have legal status. That is what happens when there is no equality strategy, because equality strategies are about not just processes and structures but political leadership.

For the benefit of those who choose to hide behind non-partisanship and accuse others of playing politics with issues, let me take an argument head on. It should not have been left to Glasgow Women's Aid to take on the promoters of the Mike Tyson fight; it should not have been left to a small voluntary organisation to risk bankruptcy. The Parliament should have demonstrated its commitment to equality and should have challenged the decision of the Home

Secretary. The Parliament should have stood in solidarity with battered and abused women and told Mike Tyson that he was not welcome in Scotland. That would have been the substance of a real equality strategy, based on action, not just warm words.

On the subject of warm words, the document that we have before us, however well intentioned, is self-congratulatory, navel-gazing mince, which will mean heehaw to the general public and, worse still, heehaw to the people who are being discriminated against. The document is not a strategy.

**Mr Michael McMahon (Hamilton North and Bellshill) (Lab):** I accept that the member has concerns about aspects of the equality strategy, although she should be specific about them, but where in the SNP motion does she call for any action to be taken? The motion consists of nothing but navel-gazing, this time on the Scotland Act 1998. Why cannot she put forward something constructive in conjunction with the equality strategy?

**Fiona Hyslop:** Would the member like to have the power to amend the Disability Discrimination Act 1995? Would he like to have powers over employment legislation? Yes, he would.

**Mr McMahon:** Answer the question.

**Fiona Hyslop:** I will not enter into a dialogue on this.

Businesses do not look to this Parliament to examine employment strategies for people with disabilities; they look to Westminster, because we have no powers. Here is a positive suggestion: let us examine the exceptions listed in section L2 of schedule 5 to the Scotland Act 1998, which mean that the Parliament could, through the Executive, ask health boards and quangos how they are implementing their powers under that section.

**Jackie Baillie:** I am conversant with section L2 of schedule 5 to the Scotland Act 1998. Will Fiona Hyslop be good enough to recognise that we have used one of the duties on public authorities in that section through the Standards in Scotland's Schools etc Act 2000?

**Fiona Hyslop:** As the minister is conversant with section L2, I sincerely hope that she will consider supporting the SNP's amendment, which asks the Executive to use the section. It is well and good if it has been used once, but it should be used time and again, because it represents all the powers that the Executive has. The Parliament was founded on equal opportunities but was not given the accompanying legislative competence. That is not fitting. The Executive cannot have credible equal opportunities policies when the Parliament does not have the relevant powers.

**Johann Lamont (Glasgow Pollok) (Lab)**  
rose—

**Fiona Hyslop:** I am sorry, Johann. I would like to move on.

Before I was elected as an MSP, I spent my years in business, so I am fully conversant with management-speak. I know that strategy is about the hows—how do people achieve their aims and how do they achieve their objectives? The equality strategy document is not an analysis of how we achieve our aims and objectives. It reads like an internal working document and simply represents a method of responding to other people's aspirations, intentions and aims. The document is light and woolly and reads like an internal progress report on administrative function, not like a strategy document for a Parliament that was founded with equality at its core.

I am trying not to be too provocative. I do not know what internal discussions took place between the coalition parties. I do not know whether the Liberal Democrats argued for and lost the case for a beefed-up strategy that had real teeth and pushed the envelope of the Parliament's powers. I know that the Liberal Democrats voted for the Parliament to have powers in relation to equal opportunities when what was the Scotland Bill was progressing through Westminster.

**Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** I understand the point that Fiona Hyslop makes, but I do not understand why she seems to berate the Scottish Executive, because the issue that she is addressing concerns the powers reserved to Westminster. That issue needs to be discussed in the forum at Westminster and she should not blame the Executive for it. Moreover, she should not worry about the group hug; we have not heard from Bill Aitken yet.

**Fiona Hyslop:** I will be interested to hear whether Bill Aitken wants to embrace the Labour party in its self-affirmation and self-congratulation.

Mike Rumbles makes a valid point: the powers are reserved to Westminster. However, there is no reason why the Parliament cannot have an opinion on them. Part of the SNP amendment concerns those powers and the powers that are available under exceptions in schedule 5 to the Scotland Act 1998.

The Parliament's valuable time should not be taken up with debates about internal thought pieces and vague intentions. The issues that are involved are real: prejudice, hatred, bigotry, racism and institutional discrimination. If the Parliament is to be strong on equality, we should debate those matters. Today's debate of two and a half hours would probably be better used in hearing the findings and analysis of the reporters of the Equal Opportunities Committee.

The SNP amendment

"regrets that currently the legislative competence for equal opportunities remains"

with Westminster. We need to give the Parliament real teeth and real powers if we are to be taken seriously on the issue. The Parliament was founded on a guiding principle of equality of opportunity, yet with little real power. I understand that the Executive has used the little power that can be exercised under section L2 of schedule 5 only once. I hope that that will be used more.

I have some sympathy with Bill Aitken's amendment, although I would part company with him if he considers that rethinking Executive policies is the only way to achieve equality. However, he makes a valuable point. People out there are looking not only at the processes and structures but at the practical issues and where the leadership lies.

**Johann Lamont:** Will the member give way?

**Fiona Hyslop:** I am sorry, but I would like to continue.

It is important that the Executive, as an employer, uses good practice, but it should remember that senior civil servants are under the control of Whitehall. What numbers is the Executive talking about when it says that it is considering the promotion of women and other groups?

We will welcome the housing bill when it finally arrives—let us see how effective it is. That is what we should be debating: not vague intentions, but what is actually achieved. Fiona McLeod made a valid point when she described what happened in the Transport and the Environment Committee this morning on disabled badge holders.

While we are on the subject of people with disabilities, why is it that the learning disabilities budget in Scotland will be less than that for England and Wales? The Executive can look at mainstreaming but we should remember that, just like other policy objectives, learning disability has to be funded.

The fact that we addressed the discriminatory aspects of the Act of Settlement is a practical example of political leadership by this Parliament, of which there is little in the Executive's thinking. Where is the action plan for elder abuse? We have addressed domestic abuse, but what about elder abuse, age discrimination and power relationships with older people? Moreover, where is the progress on the Macpherson report? Is it too slow? Is it satisfactory?

Another subject on which I feel strongly is the Immigration and Asylum Act 1999. If we are to ensure that we live in a country of equal

opportunity, we must address the issues affecting asylum seekers in our country and the discrimination that they experience. Why should they have to live on 70 per cent of income support? No one else would be expected to, so why should they be subject to that discrimination just because they are immigrants seeking asylum?

I want a Scotland with equality of opportunity. The best political leadership that this Parliament can give on equality of opportunity is to keep the well-intentioned internal documents internal, bring to this chamber and the people of Scotland real policies that will make a difference and ensure that we have real power regarding section L2 of schedule 5 to the Scotland Act 1998 to back up any of our strategies. Those things can be done.

I want a Scotland with equality of opportunity, but that does not come about just by wishing for it and aspiring to it. We do people a disservice if that is what we concentrate our time and effort on. We will be judged on what we do, not the number of glossy documents and consultation exercises that we produce. The strategy is well intentioned, but we must come back when the job is done, not when it is half-baked.

I move amendment S1M-1320.2, to leave out from "welcomes" to end and insert:

"notes the publication of the Scottish Executive's strategy set out in *Working Together for Equality*, regrets that currently the legislative competence for equal opportunities remains with the Westminster Parliament, and therefore calls on the Scottish Executive within its limited powers to implement all the exceptions listed under section L2 of Schedule 5 to the Scotland Act 1998 in meeting their objectives to attain equality of opportunity for all."

15:11

**Bill Aitken (Glasgow) (Con):** In rising to move amendment S1M-1320.1, I think that it would first be appropriate for me to congratulate the new Minister for Social Justice and the new Deputy Minister for Social Justice on their appointments. As I look at that formidable duo, and having heard Fiona Hyslop, I am reminded of the words of the philosopher Leary, who said that women who seek to be equal with men lack ambition.

It was once said that all men were created equal; although the term "men" is used in its generic form in this sense, it is manifestly the case that not everyone is created equal. We are all different, and not only in gender, race and religion, for example; we are each our own person, with different strengths, weaknesses, abilities and characteristics. We are all individuals; humanity cannot be viewed as a large, amorphous, homogeneous mass. That has to be appreciated. With the greatest respect to Thomas Jefferson and the other authors of the American constitution on this day of all days—the day of the American

presidential election—the debate should be about not equality, but equality of opportunity.

As I look at yet another glossy document, produced no doubt at considerable expense, I wonder and question just how far it will go to achieve what we are all anxious to achieve—a better and more inclusive society. Indeed, the Conservatives would argue that in some respects the document, well meaning as it undoubtedly is, has within it the possibility of achieving the converse.

For too long, minorities here and elsewhere have been subjected to patronising treatment from Governments. Initiatives that have been implemented in order to give minorities equal rights have, in some instances, actually given them more rights than the average citizen. Minorities are tired of being the focus of insulting and patronising legislation and strategies. They are proud, and rightly so, of their talents, which they want to use to the best of their ability. They want equal opportunities and they demand equal rights, but they do not want more than that and they should certainly take no less.

**Mr Rumbles:** I am not following Bill Aitken's reasoning, so could he be specific about which insulting and patronising legislation he is referring to?

**Bill Aitken:** If Mike Rumbles will bear with me, he will hear the answer to his question as I proceed. If he will not bear with me, he will have other opportunities to intervene, if the Presiding Officer allows him to do so.

However, let us deal with the issue that is before us today—the equality strategy. It might not, as the minister said, be a quick fix, but perhaps I should outline why the Conservatives disagree with it. To be frank, we have heard it all before. We have heard it in this debate and in many other debates. No doubt we will hear it in another debate next week. However, we are no further forward. We are no further along any meaningful road towards equality of opportunity. Despite the Executive's protestations in support of equality, it clearly misunderstands what equality means. The Executive pours millions of pounds of taxpayers' money into the pursuit of a politically correct agenda and on ensuring that it is seen to be pursuing a politically correct agenda. The Executive simultaneously fails to realise that, while it gives benefit to one area of society, it ignores another.

The Conservatives want to see a truly inclusive approach being taken. We want to see some firm action to ensure equality of opportunity, rather than hearing again the revamped mantra about equality. Surely the fact that there is a hard-working Equal Opportunities Committee, an

equalities unit and a framework document over and above the legislation is enough. I remind Mike Rumbles that a Conservative Government introduced the legislation. [*Interruption.*]

**The Deputy Presiding Officer:** Order.

**Bill Aitken:** Once again, the same nebulous nonsense is being parroted.

Let us turn to some of the specifics. I am sure that members will agree that it would be absolutely outrageous if any applicant for a job was denied that job on the grounds of race, religion or gender. The sole criterion for any appointment should be that it is given to the best applicant for the job. It would be totally wrong to preclude an individual from consideration on any of the grounds that I mentioned. If, however, an individual were to get a job as a result of being a member of a minority or of being a woman, despite the existence of better candidates, would not that be an equal injustice? That would leave unsuccessful candidates not only crying foul, but feeling decidedly embittered and cynical about the selection process.

**Jackie Baillie:** I wonder whether Bill Aitken is aware of the difference between positive discrimination and positive action. Is he also aware that positive discrimination—which he has just described—is unlawful?

**Bill Aitken:** Of course I am. I rather suspect, however, that our roles should be reversed—I am not convinced that the minister realises the difference. The Executive might not want to impose a policy of positive discrimination and, as the minister is obviously aware, such discrimination is illegal as a result of legislation that was introduced by a previous Conservative Government. However, the requirement to monitor the situation through the imposition of targets will create real pressures on departments and positive discrimination will be the logical result of and conclusion to that.

The Executive's strategy in respect of recruitment is simply positive discrimination being allowed in through the back door. As the minister has conceded, positive discrimination is not legal under UK anti-discrimination law, but can any member doubt that the setting of percentage targets in recruitment will pressure those who are responsible for civil service and Executive appointments into recruiting those who are seen to be from minorities?

**Mike Watson (Glasgow Cathcart) (Lab):** I thank the Rev I M Jolly for giving way. Bill Aitken started off by saying that what we have is another glossy document. Perhaps a document printed on brown paper would make him happier—I am sure that that could be achieved. He asked how we could move the debate forward and then denigrated targets and monitoring, which are

central to the process. Surely it is precisely through targets and monitoring that we can move the debate forward and see where we are now and where we are a year from now.

**Bill Aitken:** I am reminded of an old saying—fools and old women should not see half-done work. I leave the member to decide in which category to place himself in that respect.

I want to describe how we can arrive at solutions that will take us forward. Let us expand on how Executive policies are denying equality of opportunity. Our education system has taken some hard knocks lately, but I prefer to dwell on its long-term decline, rather than what I hope will be a short-term problem of failures in the Scottish Qualifications Authority. The comprehensive education system was introduced many years ago and there are many arguments in favour of that system. Equally, however, there are compelling arguments in favour of allowing parents maximum input into the policies that affect their children's education.

I can well understand how MSPs might feel some sense of grievance that parents have the opportunity to buy an education for their children and how they might argue that no one should be in such a position. However, are we not denying equal opportunities to many of our schoolchildren? The fact is that, if a child's parents are reasonably well off and live in a good area, that child is likely to attend a school with a reasonable academic performance. A child with poor parents who lives in a disadvantaged area will be provided with education of much worse quality. That is the reality of the situation, but what has the Executive proposed to do about it? We have heard absolutely nothing that will progress that matter.

As for the Executive's health policies, members will remember the clarion call in 1997 that we had two or three days in which to save the national health service. The NHS is less than safe in Labour's hands. Again there is a stark contrast between poor and prosperous areas. I need not rehearse the statistics, which are extremely depressing. However, who can doubt that in many cases the current health service administration relies on prescription by postcode? That situation did not arise under the Conservative Government. There are few equal opportunities in the health service.

**Mr Rumbles:** Will the member give way?

**Bill Aitken:** No.

Jackie Baillie's comments about the disabled struck a sympathetic chord and we all rejoice that disabled people can play a much wider role in life than they could have done a few years ago. However, we must consider what we intend to do with that policy. For example, on the issue of

housing, should we not consider making it a requirement for a percentage of social housing to be built with specially adapted features to meet the needs of the elderly and disabled? That is a very real argument; indeed, it is part of Conservative policy. I look forward to seeing the housing bill's provisions on this issue, on which I hope we can reach some agreement.

I am concerned about other aspects of housing. On 29 September, Jackie Baillie said that £5 million would be targeted at housing occupied by ethnic minorities. I said at the time that I was delighted that ethnic minorities, who are a much-valued and enriching part of Glasgow's wider community, would benefit from that money. However, questions must be asked about the merits of any one ethnic group enjoying preferential treatment. Everyone deserves better housing, and no section of the Glasgow community should be placed above any other section.

**Jackie Baillie:** For the sake of clarity, I should explain that the £5 million is for below-tolerable-standard housing, a significant majority of which is occupied by ethnic minority communities. A responsible Executive should do something about that situation.

**Bill Aitken:** I fully acknowledge that the money was for below-tolerable-standard housing. My argument is that everyone is entitled to live in a house that is above tolerable standard. The minister's press release stated that the money should be targeted at ethnic minorities.

I do not for a moment doubt the sincerity of the minister and her colleagues in attempting to realise their vision of a just and inclusive Scotland. However, I dispute the idea that her party's policies are likely to provide everyone with the opportunity to fulfil their potential. The danger with political correctness is that each reaction can cause an equal and opposite reaction of resentment on the part of people who feel that they are being passed over in favour of minorities. That is not acceptable. It is time for realism; we must appreciate that, in the words of Honoré de Balzac,

"equality may be perhaps a right, but no power on earth can turn it into a fact".

At the same time, we must all strive towards developing the equality of opportunity that is so vital to the creation of the truly inclusive and cohesive society to which we all aspire.

I move amendment S1M-1320.1, to leave out from "commends" to end and insert:

"but recognises that true equality, namely the equality of opportunity, can only be achieved by a radical rethink of many Scottish Executive policies."

15:25

**Nora Radcliffe (Gordon) (LD):** I welcome the equality strategy published by the Executive this week. I enjoyed reading it. There is an energy, vigour and confidence in the document that gives me hope for the future. The confidence is rooted in the way that the document was drafted, in consultation with those people who had most to tell us about inequality and discrimination. The consultation process practised what it preached, and comments that I have seen and heard from various groups confirm that they can see the fruits of that process in the document.

What permeates the strategy is the absolute necessity of involving people in drafting the policy and in making the decisions that affect their lives. They are the people with the knowledge and experience that can properly inform that policy and those decisions. They are the real experts on their requirements and how those requirements can best be met.

It will take persistence and patience to do this properly. It will take a long time for people whose needs, views, beliefs and special requirements have been ignored at best, or attacked and vilified at worst, to be persuaded that the powers that be—that means us—genuinely want to hear what they have to say.

**Fiona Hyslop:** Does Nora Radcliffe acknowledge that there is concern about the fact that, although the Executive issued 4,000 racial consultation documents, only 185 responses were received? Either we have consultation fatigue or people are not properly engaged at the level that she is talking about.

**Nora Radcliffe:** We must tease out the reasons for that and do something about it. We must work at consultation, and I submit that we have a long way to go and that people must—[*Interruption.*]

**The Deputy Presiding Officer:** Order. There is a mobile phone ringing. Could the owner please switch it off.

**Nora Radcliffe:** I get so used to hearing phones going off that I did not even notice it.

As I was saying, people whose needs have not hitherto been recognised must be persuaded that people in authority genuinely want to tap into their knowledge and experience, and that we will make positive use of what we learn.

It will take money. Wide consultation took place prior to the preparation of the document. The statutory organisations are funded, but I know that some people from non-statutory organisations who participated in the consultation exercise did so at their own expense. That is something that must be addressed. Proper consultation is an expensive business and must be funded properly.



Something that I liked in the document was the way that it tied together consultation and communication. It is often easy to forget that both are needed. They are inextricably linked and must go forward as two complementary strands, alongside each other and in succession—

**Kay Ullrich (West of Scotland) (SNP):** Will Nora Radcliffe give way?

**Nora Radcliffe:** Does the member have to interrupt me in the middle of a sentence? I give way.

**Kay Ullrich:** Does Nora Radcliffe agree that the SNP is not alone in its demands for us to have more powers? Her colleague Robert Brown stated in a debate last December:

"I share the regret that is expressed in the SNP amendment that equal opportunities have been left substantially as reserved matters . . . Liberal Democrat MPs recognised those difficulties and pointed them out to the Government and to the Westminster Parliament during the passage of the Scotland Act 1998."—[*Official Report*, 2 December 1999; Vol 3, c 1224.]

Does she agree with that statement?

**Nora Radcliffe:** I agree, but I shall deal with that point later in my speech. I have plenty to be getting on with, believe me.

I was talking about the importance of communication and consultation going together. They must go along in a complementary fashion as policies begin, grow and develop. We must never forget the third inescapable strand—resources to do the job.

Consultation has meant that there has been equality input into business that we have already dealt with, such as the Standards in Scotland's Schools etc Bill, the Adults with Incapacity (Scotland) Bill and the Census (Amendment) (Scotland) Bill. It was not always easy to do that, but it happened. That should get easier as people become more aware of the equality implications of what they are doing, so that things should not need to be altered as they go along. Legislation will be inclusive—explicitly so—from the start.

The strategy deals with how staff and MSPs can be trained in greater awareness of the tools of the equality trade. The concept of mainstreaming is well explained in the strategy, rather than simply being tossed into the conversation, and those parts of the strategy are essential.

Excellent opportunities are coming along for us to demonstrate how we will put the strategy into practice. The housing bill and the family law bill are examples. This week, the Equal Opportunities Committee took evidence from the Disabled Persons Housing Service. The witnesses left us in no doubt about the importance of involving an extremely important group of people in decision

making on housing policy—people whose housing needs are not being met. It is easy to involve the housing professionals and the existing tenants, but now we must involve the less easy, but more important, people, who have hitherto been excluded from housing and from discussions about housing provision. They are the people we really need to hear from about unmet need.

When we consider measures to prevent domestic violence or to protect people from domestic violence, we have a lot to learn from organisations such as Enough is Enough!—a group of young women in Aberdeen who have been the victims of domestic violence and who have decided that enough is indeed enough. They had the courage and initiative to get together to campaign for the changes in the law that would afford them and their children the protection they need and deserve.

We can look for equality to break out in other, perhaps less immediately obvious, fields. We now talk about a patient-centred national health service. The doctor is the expert in medical treatment; the patient is the expert on himself or herself. Each needs to recognise and respect the expertise of the other, and each needs to accept their own area of responsibility. It is exciting and empowering stuff, this equality notion.

What I liked about the strategy was its air of getting the sleeves rolled up and getting down to work. The fine sentiments are there, but they are backed up by plans for practical action, such as collecting information on the existence and extent of inequity, which will not only indicate the size of the problem but will lay down a baseline against which to measure progress, and developing national guidance on interpreting and translation services. I come back again to money; those actions will have to include the provision of resources to underpin them, if we are serious about doing the job properly.

I would like some things to happen quickly and for there to be a bit more action to enable us to lead by example. Where are the creche and child care facilities for our own staff, for visitors and for witnesses to our committees? Have we conducted a pay audit of our own staff? There is plenty we can do, and do quickly, to set our own house in order.

We want things to happen quickly, but we have to recognise that changing attitudes, perceptions, and unconscious assumptions that are fostered by gender and other stereotyping will take a concerted effort. Look at the dates of the legislation on equal opportunities. Thirty years after the Equal Pay Act 1970, we still have the last 30 per cent differential to eradicate. The Race Relations Act was passed in 1976, yet racial intolerance, harassment and discrimination are still

ugly realities in today's Scotland. We do not need to worry just now about whether we have legislative power or not; the legislative framework is there. What we need is this: the will to implement the law; the structures to deliver that implementation; and the ability to bring people with us. Knowledge leads to understanding, which leads to tolerance, acceptance, respect and the ability to rejoice in diversity and see it as a bonus, not a barrier.

Political parties campaign on slogans. A Liberal one that I especially liked was "People count". People count as individuals—each one an important, precious human being. We can also take the slogan to mean that people count on us to do our best for them and count on us to do the right thing. They can also count the things that we do.

We are not starting from square one, and I would like to share some evidence of that. I was looking for an old newspaper to wrap up coffee grounds—I will make a quick disclaimer in case I am accused of gender stereotyping, because it was a man who made the coffee and I was just making the next pot—and I found the paper that I have brought with me today. Members may not be able to see it, but there is a picture of a black man under which are the words "First Executive". Twenty years ago, those two things could never have been in juxtaposition. We have come a long way, but we have a long way to go. I welcome this strategy; I rejoice in it. I am eager for the work to go forward, and to watch as it makes a difference.

**The Deputy Presiding Officer:** We have 56 minutes left and 12 members who wish to speak. Speeches should therefore be no longer than four minutes plus interventions.

15:35

**Elaine Smith (Coatbridge and Chryston) (Lab):** I, too, congratulate Jackie Baillie on her elevation to a cabinet post and Margaret Curran on her appointment as a deputy minister. I am pleased that the first debate they have secured is on equalities and the launch of the first strategy for equalities in Scotland.

There is no doubt that a great many of our citizens are subjected to discrimination, and that many experience poverty, abuse and violence. An equality strategy is not some peripheral issue that is expounded by extremists. Inequality contributes to social exclusion and has a direct affect on women, disabled people, minority ethnic groups, children and others in our society. It is unacceptable and must be addressed as a mainstream issue by any Government with social justice at the heart of its agenda.

As a member of the Equal Opportunities

Committee, I have an interest in all aspects of equality. Today, however, I will concentrate primarily on women's issues.

Women make up 52 per cent of the population but are under-represented in public life. I am pleased to note from the strategy that proposals on public appointments will be published by the end of this year, and that statistics comparing the position of men and women will be available by spring next year. That will demonstrate the differentials factually and objectively.

In 1918, the suffragettes won votes for women. Eighty years later, 82 per cent of MPs were men. That picture is reflected across society. For the whole of the past century, women have battled for equality. We achieved good representation in this chamber only through positive initiatives such as the Labour party's twinning exercise.

I will address some important issues that are primarily, although not exclusively, women's issues: violence against women and rape. The figures on violence against women do not appear to be decreasing. It is estimated that one in four Scottish women will suffer abuse at some point in their life; it is also likely that that is an underestimate. Domestic violence is an on-going and widespread problem that crosses age, class and race. I commend the Executive's commitment to tackling the issue.

**Mr Rumbles:** Does Elaine Smith accept that the problem of domestic violence also crosses gender lines and that domestic violence is suffered by men, too?

**Elaine Smith:** Absolutely. I said that the issues that I wanted to talk about were primarily, not exclusively, women's issues.

Particularly alarming are the statistics produced by Zero Tolerance that show that, of the 14 to 21-year-olds surveyed, half of the boys and a third of the girls thought that there were some circumstances in which it was acceptable to hit a woman or force her to have sex. Forced sex was more acceptable than hitting. We need to ask where those attitudes are coming from. Unless we can address them, what hope do we have of tackling violence against women in the next generation?

Recent reports have indicated that the number of rapes reported to the police in Edinburgh has almost doubled in the past six months. One explanation for that could be that women are beginning to feel more confident about reporting rape. However, the likelihood of conviction does not appear to have increased—only about 7 per cent of reported cases end in convictions. It seems that our legal system is failing the victims of rape. The forthcoming legislation to prevent the accused from cross-examining the alleged victim in rape

cases is a step in the right direction.

I want to raise a final and extremely controversial issue: the pervasiveness of pornography in our society. Last week, I took evidence on that issue from Linda Watson-Brown, a lecturer and journalist. I had hoped to hear from Scottish Women Against Pornography, but short notice and limited resources meant that the group could not send a representative. The issue is not a comfortable subject for most of us. Anyone who raises concerns runs the risk of being branded a Mary Whitehouse, a right-wing anti-libertarian or worse. The argument usually comes down to a debate on censorship, but I believe that pornography is a sex discrimination and equality issue. It is also a vast income-making industry that exploits women's sexual and economic inequality for huge profits. Some evidence exists to suggest that pornography helps to create attitudes and behaviour of contempt and aggression towards women.

I contend that women have a right not to be targeted by a medium that could cause them harm. However, lack of research means that it would be difficult to ascertain the facts. We must ask what pornography does to women's status in society, how it influences society's image of women, and the kind of barriers it poses to women's equality rights. I would like the minister to consider funding research into this taboo subject—let us open up the issue to real debate. We cannot continue to tackle the symptoms of discrimination and the abuse of power against women without at least beginning to scratch below the surface and examine areas that just might have a causal effect on inequalities.

I welcome the historic equalities strategy, which will be welcome across Scotland, and fully support the motion.

15:40

**Irene McGugan (North-East Scotland) (SNP):** Like other SNP members, I am disappointed that, although the strategy is aspirational, it is not practical. As the minister said, there are opportunities for the Parliament to promote equality meaningfully every time we initiate new legislation. The problem is that I do not think we are doing that.

For example, "Better Homes for Scotland's Communities", which outlines the Executive's housing bill proposals, makes no mention of how the bill will impact on children and young people, or of any specific measures that are targeted at their needs. That omission exists despite the fact that the Scottish Executive has issued a child strategy statement which requires that there be consideration of the impact of policies on children.

**Johann Lamont:** Does the member agree that the fact that often our legislation does not appear to be equality proofed has nothing to do with our legislative powers under the Scotland Act 1998, but a lot to do with getting the organisation on the ground right to make mainstreaming effective? Does she agree that it is possible, within the current structure, for the Equal Opportunities Committee and the other committees to scrutinise legislation and ensure that mainstreaming is effective?

**Irene McGugan:** That is exactly the point that I will make. We need to link up current legislation and amend it so that we better meet the needs of children. I will give examples of measures that could meet children's needs in that way, but are not included in the proposed housing bill. The proposed bill will compel young people who are leaving care to present themselves as homeless to access accommodation. It will perpetuate the situation whereby parents of children with chronic illnesses have to pay for the removal of physical adaptations should their child die. It will introduce no measures to ensure that accommodation is sited in an area that has open spaces. Those would be practical legislative opportunities to promote equality for children and young people, but they will be missed unless we introduce amendments.

The disabled, too, are dissatisfied with the proposals for the bill, as we have heard to a certain extent. They are not an insubstantial group; it is estimated that a third of all households have one or more members with a long-term illness or disability. There is real concern that the new housing bill will not deliver equality of housing opportunity. Yesterday, the Equal Opportunities Committee heard the Disabled Persons Housing Service's opinion that the exclusion of disabled people from housing that is suited to their needs represents a crisis of equal proportion to that of homelessness and rough sleeping. Inequalities in housing opportunity exist in Scotland and the needs of disabled people will not be sufficiently addressed by the bill. In its current format, I suspect that the bill is not radical enough to create a housing market that is truly accessible to all.

The needs of the disabled are likewise sidelined in the Transport (Scotland) Bill, which is at stage 2. Early in the process, the Equal Opportunities Committee drew the lead committee's attention to the central research unit's report, "Transport Provision for Disabled People in Scotland", which outlined excellent comprehensive strategies that would make a real difference to disabled people. There is no evidence that those recommendations were heeded to any great extent by the Scottish Executive. As we have heard, amendments have had to be lodged to allow discussion of even the most basic equalities for disabled people.

On employment practices, disabled people are often placed with companies to improve their skills and employability. They are supported through that process and eventually into open employment. In principle, disabled people should enjoy the same conditions and terms of employment as those that are enjoyed by non-disabled employees. However, I understand that the civil service, of which the Scottish administration is a part, has been unable to offer those employment rights to its supported employees. Civil service current practice is that people who have been placed with the service on the supported employment scheme are not offered open employment opportunities, which means that disabled people who have successfully completed a supported employment placement with the civil service are denied the opportunity of a real job.

The low targets that are set on page 24 of the document for the recruitment of disabled people appear to indicate that the situation will not change radically in the foreseeable future. The minister must address that shameful situation.

I have no doubt that individuals and groups in Scotland would much prefer that such practical steps were taken to address inequality across the board.

15:45

**Kate MacLean (Dundee West) (Lab):** I, too, congratulate Jackie Baillie and Margaret Curran on their new appointments. I look forward to working with them.

Fiona Hyslop said that she thought it would be better if we heard from the Equal Opportunities Committee's reporters. During the past year or so, both the committee and its reporters have heard oral evidence and seen written evidence that leaves us in no doubt that the massive discrimination and massive inequality that exists in every aspect of Scottish life must be tackled.

We realise that, because of intolerance, prejudice and—probably more often—ignorance, people are discriminated against. They are not allowed to reach their full potential and do not have access to the goods and services that we take for granted. In the worst cases, people are discriminated against, bullied and subjected to verbal and physical abuse. That situation is intolerable and I am sure that all members in the chamber agree that it must be dealt with, although we may come to different conclusions about how that should be done.

The equality strategy does not claim to be a solution to those problems, nor is it particularly self-congratulatory, as it identifies problems that have not been tackled in the past. The strategy must be mechanistic, as it must examine

structures and processes.

I have been involved in equal opportunities since I was first elected to local government and over the years I have seen equal opportunities policies that, frankly, were not worth the paper they were written on. The structures and monitoring were not in place to ensure that those policies were effective.

Some organisations that were consulted when the strategy was being drawn up were critical because the consultation document was vague. However, they are quite happy with the strategy, because their input has been taken on board and included. Many equality organisations have welcomed the strategy and I am quite happy to listen to their comments on it.

I am particularly interested in section 3 of strategy, which deals with the Executive's commitment to mainstreaming. I am sure the minister is aware that the Equal Opportunities Committee has discussed mainstreaming on a number of occasions. On Tuesday, we agreed a research bid to examine that issue in more depth.

As an interim measure, we have agreed a draft checklist, which is based on one produced by the Equal Opportunities Commission and the Commission for Racial Equality. We will consult other equality organisations on our checklist. After that, I intend to write to all the Parliament's committee conveners to ask them to build in the checklist to the work of scrutinising legislation. That temporary measure will be in place until more concrete proposals are made. Perhaps when the minister sums up, she will indicate how she thinks the committee's work on mainstreaming will fit in with the Executive's proposals.

I have a couple of questions on issues that concern me. Appendix 1 of the document, on the legislative framework, does not appear to mention the most recent European Union equal treatment directive—perhaps it is mentioned but, if so, I have not noticed it. That directive deals with significant changes to the law. The UK Government will have to ban discrimination in employment on the grounds of sexual orientation and religious belief within three years and on the grounds of age within six years. Once implemented, that directive will be a significant tool.

Various organisations have raised a second point with me. Jackie Baillie placed great emphasis on inclusive policy making when she opened the debate, but there is a concern that some smaller organisations and community groups do not have adequate resources to become involved in consultations. During the past year and a half, responding to consultations has put a considerable burden on organisations, although they are happy to be consulted. Are there

any plans to ensure that they have adequate resources, given that private individuals are able to put massive amounts of money into campaigns against equality? It would be only fair if we were to redress that balance in some way, to ensure that organisations that are committed to pursuing our strategy are also adequately resourced.

I realise that the equality strategy is for the long term. In the meantime, the Executive must make an assumption for equality in all its proposals. Fiona McLeod made a good point about the Transport (Scotland) Bill. Although we managed to include equality provisions in the Census (Amendment) (Scotland) Act 2000, the Adults with Incapacity (Scotland) Act 2000 and the Standards in Scotland's Schools etc Act 2000, we had to fight for them. Such provisions have been included because of the work of the committee and individual members of the Parliament—they have not just appeared. In future, when bills are introduced, I hope that there will be an assumption for equality.

I feel very positive about the equality strategy. I look forward to working with the Executive to achieve the objectives that are contained in the strategy. I have been critical in the past, but I am happy to support the Executive's motion.

15:51

**Mr Keith Harding (Mid Scotland and Fife)**  
**(Con):** I congratulate the minister and her deputy on their new appointments. I look forward to the coming debates.

I welcome the opportunity to debate the Scottish Executive's equality strategy. I was particularly interested to read this description of mainstreaming in the strategy:

"Mainstreaming equality is the systematic integration of an equality perspective into the everyday work of government, involving policy makers across all government departments, as well as equality specialists and external partners."

I welcome that approach and the Executive's late conversion. In the early 1990s, I was leader of what was then Stirling District Council when we abolished the equal opportunities and women's committee, which we had inherited from the previous Labour administration led by Jack McConnell—now the Minister for Education, Europe and External Affairs. The Conservatives believed that equal opportunities should pervade the culture of the council and should be part and parcel of every political and policy decision. We retained a senior officer in the equal opportunities role and every paper—at committee or full council—included a report on the impact of our decisions in relation to equal opportunities. That proposal was implemented despite vociferous opposition from Mr McConnell and the other

Labour councillors.

Is mainstreaming yet another Conservative policy that has been hijacked by the Scottish Executive, like housing stock transfers and private finance initiatives to name only two more? The document that we are debating contains so much politically correct wordiness and platitude that it is almost meaningless. We have more working groups and indeterminate targets, but no obvious recognition of the reality of the situation. Is the Executive devoid of initiative and ideas unless such ideas are stolen or plagiarised from the Scottish Conservatives?

**Jackie Baillie:** I am not surprised to see that Mr Harding is blushing—I would be embarrassed to say what he has just said. Does he think that it is politically correct that the Executive wants to tackle the fact that 2,242 racist incidents were recorded in Scotland last year? Does he think that that 76 per cent increase is politically correct?

**Mr Harding:** I will answer that question further into the debate.

**Mike Watson:** Answer the question.

**Mr Harding:** The rise in crime has given rise to the rise in that figure. The Executive's policies are not working. That is the point. Given Jackie Baillie's total commitment to equal opportunities, she should perhaps be more tolerant towards me, as a member of a minority.

We believe in opportunity for all, not simply for those who fit the Executive's politically correct agenda. The only equal opportunities that the Executive has been championing recently are those of the central belt. We would like everyone to benefit: ethnic minorities, the disabled, the socially deprived and any disadvantaged member of society, including pensioners, students and rural populations. Clearly, the Scottish Executive misunderstands reality. In reality, as Bill Aitken said, the Executive ploughs millions of taxpayers' money into pursuing a politically correct agenda and makes sure that it is seen to be doing so.

What the Executive fails to realise is that while it offers benefits to one area of society, it ignores and disadvantages another. We want a truly inclusive approach. The Executive takes care not to use the term "positive discrimination"—the term "positive action" was used earlier—but that is what the strategy amounts to. We want people to be appointed on the basis of merit, not because of their race or gender.

We are consistently charged with being heartless and uncaring, and no doubt we will be lambasted again today for being out of touch, bigoted and old-fashioned. We care. I care about minorities.

**The Deputy Minister for Social Justice (Ms Margaret Curran):** Will the member give way?

**Mr Harding:** No.

Our cultural unit addresses the many and diverse issues that are involved. The Conservatives are actively encouraging people from different ethnic backgrounds to participate in our party. We stand for equality of opportunity. Everyone who represents us goes through the same procedures. There is no special treatment and there are no quotas, which is as it should be. Ability is the only credential required.

**Cathie Craigie (Cumbernauld and Kilsyth (Lab):** Will the member give way?

**Mr Harding:** In a moment.

Despite its equal opportunities stance, the Labour party in this Parliament does not judge on the basis of merit. Rather, it makes judgments on the basis of how many women it needs to fill its quotas. Surely that must discriminate against men of equal, if not greater, ability.

Regardless of Labour's promotion of women, there is still an enormous gap between women's and men's wages. On average, women earn only 72 per cent of what their male counterparts earn. There are many reasons for that, but the Executive's policies are not delivering.

On average, women are earning less now than they were a year ago. No doubt we will get the usual complaint that that is the previous Conservative Government's fault. That will no longer wash. Labour has had four years of, "Things can only get better". We are still waiting.

The Conservatives have a long tradition of advancing the place of women in society. We are waiting for new Labour to deliver on the ground, not just with rhetoric and a plethora of expensive, glossy brochures, the money for which could have been used to address real issues.

I appreciate that I have dwelt mainly on women. In my opinion, equality is a utopian dream, but a desirable one. The issue can be addressed by policies that do not disadvantage one section of society for the disproportionate gain of another. That is the meaning of equal opportunities.

I will finish with a quote from Eugene Edwards that has always remained in my mind. He said:

"If by saying that all men are born free and equal, you mean that they are equally born, it is true, but true in no other sense; birth, talent, labour, virtue and providence are for ever making differences."

I support the Conservative amendment.

15:57

**Christine Grahame (South of Scotland) (SNP):** I am not in the mood for a group hug. I have been trying to decide what this document is. It may be mince, it may be blancmange, but it is not of substance and it is certainly not in plain English. As soon as the Executive starts resorting to glossaries, it loses me and everyone else.

Page 9 of the document states:

"The Scottish Executive wants an open, just and inclusive Scotland."

I have no quarrel with that, but what is the point of saying it? Only if the Executive said the opposite would there be an argument. However, from the perspective of Scotland's almost a million older people, Scotland is not very just and inclusive—and that is after three and a half years of a Labour Government at Westminster.

In the debate almost a year ago on equality, the minister referred to

"the problems of fuel poverty, inadequate incomes and isolation—all of which were highlighted in . . . eloquent contributions".—[*Official Report*, 2 December 1999; Vol 3, c 1210.]

Things have not changed over the past year.

**Jackie Baillie:** I hope that the member recalls the central heating initiative that was announced to this Parliament and will take 144,000 Scots out of fuel poverty, 70,000 of whom will be pensioners.

**Christine Grahame:** We need to see how that develops. It is only a consultation and we do not yet know what the system will be. For the time being, I reserve my position on the initiative.

In the glossy document, the Executive says that it is taking steps

"to make real improvements to the lives of older people . . . to improve take-up of income and benefits"

and that it is

"Investing in health and social care services."

We all agree that poverty is unjust, so let us have a reality check on what is happening instead of all this puff.

I have an equality communication for the Executive. At £67.50, the basic state pension is now worth only 15 per cent of average weekly income. In the 1970s, when it was linked to average earnings, it represented 25 per cent of average weekly income. In Belgium, it represents 60 per cent, in Denmark 40 per cent and in Luxembourg a whopping 83 per cent of average weekly income. In Scotland, 165,000 pensioners rely on income support and 225,000 claim housing benefit. Forty-four per cent of pensioners have savings of less than £1,500. Let us hope that they do not need their roofs fixed.

The minimum income guarantee has failed to protect Scotland's pensioners from poverty and there is 33 per cent non-take-up of benefit. Some 70,000 of Scotland's pensioners live in severe poverty, one in three in fuel poverty. We know that if people are poor they are not equal. One third of Scotland's pensioners live in poverty. The figure is the same as it was three and half years ago, when new Labour came to power at Westminster. I know because Robert MacLennan, the Liberal Democrat MP for Caithness, Sutherland and Easter Ross, got that information in a written answer earlier this year.

Another reality check concerns health provision and is on the minister's theme of investing in health and social care services. Is someone charged for personal care? The answer is yes if they are an old person. That is age discrimination. Where is the equality there? I and many others in this Parliament and outside it call for implementation of the principal recommendation of Sutherland in full—no payment for personal care, wherever it is delivered.

There is another equality communication on investing in health and social care services, minister. There has been a 21 per cent decrease in home helps in the Borders. That was revealed in a recent answer to Kenny Gibson. As well as that, it was revealed in a parliamentary answer to Donald Gorrie that the number of health visitors and district nurses has remained static since 1995, yet the Borders has the highest proportion of older people in Scotland.

According to replies that I am receiving from local authorities on delayed discharge, hundreds of older people who should be in residential or nursing homes are trapped in hospital beds. They are trapped for want of funding. I received an example today from Perth and Kinross: 86 older people are in hospital and 11 are at home. That is the wrong place for the wrong reason—there is no money. How is this strategy going to sort that out for them? So much for investing in health and social services.

In the recent debate on Sutherland, Susan Deacon delivered the required soundbite:

"We want to add life to years, not just years to life."—  
[*Official Report*, 5 October 2000; Vol 8, c 1014]

Reading yet another of these glossy brochures is not half putting years on me. The reality is a million miles from this management-speak, this puff, which Miss Campbell would not have let anyone get away with in primary 7. Equality and justice for Scotland's pensioners start with a decent basic state pension linked to earnings. That will do for a start. Just ask them.

16:02

**Donald Gorrie (Central Scotland) (LD):** I am happy to support the motion and the document that the Executive has produced. Like all of these documents, holes can be picked in it, but it is a step in the right direction. The problem is to turn good words into good actions; that is what government is about and it is what we must try to achieve.

I will not cover ground that has been ably covered by my colleague Nora Radcliffe and in other excellent speeches; I will draw attention to some groups that get less coverage than they should and suggest what can be done about them.

In respect of older people who are still able to do things and do not need personal care, the Executive could do more to ensure a climate in which older people are properly valued and given a fair chance when competing for jobs. They are not currently given that. The Executive could set an example through its own employment.

If we put more effort, money and support into voluntary activities, a great many older people could make a huge contribution to the community. Thousands already do; they benefit, as they get huge satisfaction, and the community benefits. Better targeting of money and professional support would enhance the excellent voluntary work that is already done.

Men are discriminated against in some spheres. In housing, for example, single males are at the bottom of the heap and get a raw deal. People who come out of the services have a great problem with housing. A depressing number of them end up in jail. We must address those issues.

Men also have a raw deal in access to children after their marriage has broken up. A significant minority of the sufferers of domestic violence are men. That is ridiculed; it must be taken seriously.

Perhaps a much larger group is young people in disadvantaged families. They do not have equal opportunities. We must do more to find community support for them. We must fund and support activities in the community, whether it be sport, youth club activities or social activities.

We also need to support organisations that provide one-to-one support for single parents and their families who are finding life very tough. Again, volunteers have a role. Many families are blighted by alcohol misuse—they do not enjoy equal opportunities. We must intervene earlier with detoxification and treatment where needed. There is to be a debate on alcohol tomorrow; the issue impinges strongly on equal opportunities, and we must recognise that.

Other young people, perhaps because they

have misused their opportunities or have had a bad upbringing and have poor prospects, end up in jail or in the legal system in some way. We know that alternatives to custody work well, but far too little money is put into that area. Putting more money into trying to rescue young people at an early stage from getting entangled in the jail system would save money.

Many rural communities and people in housing estates have no equal opportunities in many spheres because they cannot get to where the opportunities are. Transport must be examined.

Mainstreaming is all very well, but a certain amount of political correctness enters into it and creates prejudice against specialist schools, for example, and residential places for treating people with alcoholism. Not everyone can be rescued in the main community.

I have made a few suggestions. I am sure that we can co-operate to achieve things for young people—and not just talk about it.

16:07

**Mr Michael McMahon (Hamilton North and Bellshill) (Lab):** As a member of the Equal Opportunities Committee and the fourth of the four committee reporters to speak this afternoon, I gladly receive the signals and measures to address the problem of inequality in Scotland that are set out in the equality strategy. I particularly appreciate the focus on partnership and mainstreaming.

We must have partnership. There must be an alliance among the statutory equality agencies, the Convention of Scottish Local Authorities, trade unions and other organisations. If policies are to attain optimum effectiveness, there must be consultation with ethnic minorities and organisations such as the racial equality advisory forum, the women in Scotland consultative forum and the new deal racial equality group, to name only a few.

We must have mainstreaming—we must put equality at the heart of the legislative programme so that it is an inherent part of social policy development across the departmental spectrum. The Executive states that mainstreaming should be

“built-in from the start to development of policy, the design of services and the monitoring of evaluation frameworks”

so that the equality strategy is integrated into the daily mechanisms of government. That is absolutely right.

The strategy can build on the good foundations that have so far been laid by the Executive. The equality unit should ensure that the Executive remains committed to being a leading employer

and an example of best practice and raises awareness of the fight to end discrimination, promotes equality and incorporates social inclusion.

**Linda Fabiani (Central Scotland) (SNP):** How does that commitment square with the number of people from ethnic minorities on the Executive's staff? They make up only 0.3 per cent of employees in the core departments.

**Mr McMahon:** That difficulty is faced across all agencies. The difference is that the Executive is taking a lead in identifying where the problems are and addressing them.

Many visitors to the Equal Opportunities Committee have insisted that there must be better data collection, collaboration and research, so that we can understand equality issues better and improve our response to them. We have to find better methods to include equality in the formulation of policy, legislation, service design and financial planning.

Although the equality strategy is very welcome, we must not be complacent. The strategy is a huge step forward, but its implementation will undoubtedly encounter problems. People are often unable to access services and resources due to obstacles of language or prejudice, or because of physical barriers. It is unfortunate that, even when effective policies have been designed, people are still being denied financial support, social services and treatment because of communication difficulties and other problems. That must be addressed.

We must recognise that the problems created by institutional racism cannot be put right overnight. Police statistics show an increase in their efforts to tackle racial crime, but there is also evidence that they may not be addressing the problems effectively. Rather than just move the problem from one area to another, we must aim to tackle the heart of the problem. The training and education of public servants must therefore be improved. Public awareness campaigns on institutional racism might help to put the message across.

Information about services has to be produced in appropriate formats. That may require adjustments to financial resources. I welcome the minister's announcement of additional moneys. The nationalists bleat that equal opportunities legislation is a reserved matter; I am happy that the Scottish Executive values the importance of working positively with our Westminster colleagues and with the Scottish arms of our national anti-discriminatory bodies to promote equality.

Rather than allow the problem to go unchecked while we debate the constitutional details of the



Scotland Act 1998, we must act to fight discrimination. We must work together to ensure that equality is an integral part of society, tackling structural inequalities and ensuring that an equality strategy is intrinsic to every institution in Scotland. It is better for implementation to be properly carried out than to have a quick, but ineffective, fix.

In implementing our equality strategy and providing sufficient resources to produce effective implementation, we will be more responsive to the diversity that is Scottish society. Communities will be changed and a new, more consultative, partnership-based society will be created, with equality at the heart of a modern, fairer Scotland.

16:12

**Mr Lloyd Quinan (West of Scotland) (SNP):** I would like to talk about children with learning difficulties and the problems we have gaining equality not only for them, but for their parents and carers.

There is no question but that there is a lack of services and support for people, particularly children, with learning disabilities and learning difficulties. No country has a perfect system; we have some great centres of excellence, but we do not have sufficient services to support all the children in this country who suffer from learning difficulties.

I will refer specifically to children with autistic spectrum disorder. There is a problem with diagnosis as well as with the provision of services. I know that the Executive is aware of that and that its departments are addressing the matter, but I must use my time in the chamber today to highlight the issue again. It is being examined, but major concerns are expressed to me daily in the letters of concerned parents. Those concerns directly affect areas of what we would term equality.

We have failed to recognise the parents of autistic children as carers and to assess them in those terms. We should enable such parents—not just the children—to enjoy equality in life chances. We tend to forget that such disorders continue into adulthood. Parents and carers have a lifetime job that—because of a lack of services—precludes their achieving their own lifetime ambitions. We desperately need to consider that very soon.

We must take away the lifetime fears that mothers, in particular, experience as their children grow older—as they reach their 30s and 40s. Parents become aware that their time on this earth is short, that there is little or no understanding in our society and that autism does not go away when a child reaches their majority.

Autism causes even greater problems for adults than for children. It is estimated that 6 per cent of the recidivist prison population are, in one way or another, autistic. They have never been diagnosed or provided with a record of needs—on entry to prison or at school—and their inability to communicate and our inability to understand them leads to their ending up behind bars. That, too, is an inequality that we must address.

To seek true equality for such people, we must recognise what we can learn from them and what they bring to society. I was astounded to meet a man who, aged 52, and having spent 20-odd years in prison, was diagnosed as autistic. He was able to find training and is now working as a computer programmer. It is his first job—at the age of 52—but he has the abilities and skills to do it.

If we recognise the problems that are experienced by parents and children, we can enrich and enhance society, but we will be able to do that only if we provide all the required support services. We must also—this is a plea to the Minister for Justice, who is not here—address the problem in the Scottish Prison Service. As part of the equality strategy, we should seek to extend equality to our prisons. Each person, when taken into prison, should undergo psychological, medical and educational assessments to allow us to identify who is suffering from the many disorders on the autism spectrum.

I asked during the minister's opening statement whether we could have a full financial memorandum to accompany the strategy, which identifies the finances in the budget of each department that will apply the equality strategy, so that we can track how that finance is spent.

It has been said that there is not a lot in the document. I think that there is a lot in it but, unfortunately, it will take us some time to recognise whether the good intentions are turned into policy and action.

16:17

**Mike Watson (Glasgow Cathcart) (Lab):** I welcome the publication of "Equality Strategy: Working together for equality". I pay tribute to the work that Jackie Baillie did in her junior post, which I know she will continue in her new post, ably supported by Margaret Curran.

The strategy is evidence that we are moving forward. I find it incredible that members of other parties can quibble about the cover of the document rather than its content. There are plenty of good ideas in it that can be taken forward, which is surely the purpose of the debate. I hope that we will not hear any more pathetic ginning, such as we got from Christine Grahame, about all

sorts of extraneous matters. The strategy gives us something to build on. Let us use it as a tool. I can understand her dissatisfaction with—

**Christine Grahame:** Will the member take an intervention?

**Mike Watson:** No, I cannot stand any more doom and gloom.

There are points in the strategy on which we can build. We must take that opportunity. There is much that the Parliament can do if we do it together. Lloyd Quinan made a useful contribution; I accept that. We are looking for positive suggestions. That is what these debates are supposed to be about.

There are a lot of positive suggestions in the document—and a lot of questions about responsibility for tackling inequality that should be at the centre of all our work. Surely, on this issue above all others, we should work together. There is no sign from certain people in the SNP that they are prepared to do that. How do we tackle social exclusion and poverty, which contribute fundamentally to the inequality in society with which the Parliament is here to deal, if we do not move forward together?

Every party and every individual knows what they want to do to tackle inequalities. A strategy has been outlined which gives us the way forward. It also emphasises the need to measure where we are, to measure where we want to be and outlines what we will do when we get there. Every section of the strategy has a box with those three headings, which enable us to follow the work through.

It is important to recognise that the work has already begun. The committees are already applying the strategy. Mainstreaming is meant to apply throughout the committees' work. One example is the gender impact assessment of departmental budgets, in which I am closely involved. All the committees are now involved in applying the assessment criteria to the way departmental budgets are set, but we need to have a lot more information. All of us, on the various committees on which we serve, have asked for that information.

In response to a specific point that she made on housing, I tell Irene McGugan, who understandably may not know, that Jackie Baillie last week made a specific commitment at the Social Inclusion, Housing and Voluntary Sector Committee to include mainstreaming practice and proposals in the new housing legislation. Housing and schools are mentioned specifically on page 15 of the equality strategy as pilot areas of work. Those areas have been targeted and the intention to build on the work that the committees have been doing exists.

I do not think that it is too much to ask for some credit for the document. Discussing the colour or texture of the document's cover, or the fact that it does not contain everything the Opposition parties might want to be included, does not take us forward. We must set the targets, put monitoring in place and start evaluating that monitoring. Once that begins, we will be able to spread the indicators across the work of the departments. The issues involve not only gender, but disability and race information, which also have a gender perspective. All elements must be included, and I think that we are moving towards that position. I welcome the document for that reason.

I understand the points that Fiona Hyslop made. The SNP has never made any secret of its view that the Parliament does not have enough power. However, the Parliament has some powers and the ability to use them to tackle inequality. The strategy sets a framework for doing that. It is incumbent on all the parties in the Parliament to work within that strategy to try to take matters forward. I hope that we will do that as a result of this afternoon's debate.

16:21

**Linda Fabiani (Central Scotland) (SNP):** I will open by quoting from last year's debate on equalities. My colleague Fiona Hyslop said:

"Parliament must be getting used to its regular fix of motherhood and apple pie from the Executive".—[*Official Report*, 2 December 1999; Vol 3, c 1213.]

It seems that the menu has not changed.

**Christine Grahame:** It is mince.

**Linda Fabiani:** Fiona Hyslop was speaking about the habit that Labour ministers have developed of talking a good game and filling pages with froth. Mike Watson will be glad to know that I do not have a problem with the cover of the document.

The aims of the equality strategy are well intentioned. That is laudable, but not enough. The words must be translated into plausible action. A strategy should deliver. Irene McGugan showed us how the child strategy has not delivered, and I am not sure whether we can ensure that the equality strategy will deliver without enhancing the Parliament's powers to embrace legislative competence for equal opportunities.

Meanwhile, is the Government of Scotland prepared to use the additional powers under section L2 of schedule 5 to the Scotland Act 1998 again and again, as Fiona Hyslop said, to impose duties that would ensure compliance with the strategy? I hope so, but even such action would not go far enough.

There has been much talk today about

institutional racism in relation to crime. At about this time last year, I submitted a written question about the percentage of female officers at each rank in each Scottish police force and in the Scottish Crime Squad. The answer showed how far we must still go in Scotland to ensure equality of opportunity between men and women. At that time, Strathclyde police was the only force in Scotland to have women officers above the rank of superintendent. The figures for the Scottish Crime Squad were even more damning. Of its constables, 16.6 per cent were female, and no officers above that rank were female. I suspect that even though targets have been published and established, there has not been much movement in the past year.

In public office, women are under-represented. Fewer than 25 per cent of councillors are female and there are just over 36 per cent of us in the Scottish Parliament.

We know that women earn only 72 per cent of men's average weekly wage and are more vulnerable to poverty than men. We know—Elaine Smith mentioned it—the horrendous figures associated with domestic violence towards women.

Another disadvantaged group are the people whose sexual orientation does not match the norm, as dictated by our society. In Scotland, approximately 150,000 people are gay or lesbian. I was horrified at the findings—noted by Fiona Hyslop—that nearly a third of gay men and lesbians believe that their educational achievements were negatively affected by attitudes to their sexuality.

I heartily applaud the repeal of section 2A as an equality measure, but it is not enough to eradicate, for example, homophobic bullying in our schools. Schools in England and Wales were surveyed on that question: 82 per cent of schools surveyed were aware of homophobic bullying but only 6 per cent referred to the unacceptability of such attacks in their anti-bullying policies. I have no reason to believe that the situation in Scottish schools would be any different were such a survey to be conducted here.

I can accept that awareness raising, as mentioned by the minister, is important. I can accept that awareness raising and promotion of good policy in society is necessary, across the board, for all disadvantaged groups. What I cannot accept is that that is enough. Firm action is required. The minister's answer to Fiona McLeod's question about the inadequacies of the Transport (Scotland) Bill in relation to the disabled proved that in Scotland we are to be allowed only good intentions, rather than laws.

If this Parliament is serious about equal

opportunities as a cornerstone of social justice, it must recognise that we cannot properly build social justice in this country without equal opportunities legislation, or while such legislation is reserved to Westminster. Please support the SNP amendment.

16:25

**John Young (West of Scotland) (Con):** Equal opportunities is a laudable aim and it has been around for a long time, because one finds that equal comes from Latin and opportunity comes not only from Latin, but from French. In the first three pages of the equality strategy document, the words "equal opportunities" appear 17 times. In the next two pages, 11 different groups are mentioned. No doubt many more are not listed. In all fairness, on page 11 it is admitted that

"Equality is a complex idea."

That is true. It is almost like searching for the holy grail. Who better than Jackie Baillie, a gentle type of agony aunt figure—and I do not say that in a derogatory sense; indeed, Joan Burnie had better watch out—to present this strategy on behalf of the Executive? Someone of her type is needed. She is effective and persuasive, but we must look further than that.

As I mentioned, the document uses the phrase "equal opportunities" 17 times, but nowhere have I been able to detect words such as human nature, reality, culture or tradition, and only once, on page 4, are the words "religious beliefs" mentioned. In many cases, discrimination is practised using those areas. Care has also to be taken that, in trying to improve the lot of a section of the community, we do not make matters worse.

When I served on Glasgow District Council as leader of the opposition, I was entitled to be an ex officio member of every committee which, believe it or not, included the women's committee. Bashir Mann was the only other man on the committee. There were approximately 30 women, made up of women councillors, women officials and women trade union representatives. In some ways it was often an isolated position for Bashir and me. We felt quite lonely.

One day, the committee was invited to listen to an Australian woman academic who specialised in the field of prostitution. We went along. Police officers and social work officials were there, as was virtually the entire committee. The talk was very interesting. Rightly, the lady considered that the unfortunate souls who were prostitutes were being ruthlessly used, downtrodden, driven to drugs and much more. Indeed, they were far from equal in the eyes of many and, as a result, the Victoria State Government decided to legalise prostitution. Companies were set up for that

purpose, and it is astonishing to think that those companies were eventually quoted on the Melbourne stock exchange.

The lady went on to allege that the local Mafia got in on the act. It was found that many women, and even children, were being flown in from south-east Asia and Russia to add to the problem. In the end, that gesture to try to improve the lot of those women prostitutes made the situation worse. It is a difficult balance to strike.

I asked what the women's committee intended to do about dowry brides. Members may remember that Mohammed Sarwar became involved in a not dissimilar case. Rightly or wrongly, I detected diffidence to comment, let alone act.

As far as I am aware, I am the second oldest member of this Parliament. The first coloured people I ever saw were Lascar seamen, who used to walk along Argyle Street. I saw them as a small boy. I was thinking back, and the first black person I saw was when I was 13 years of age, at a schoolboys camp during the war. Members must remember that the teaching of history at that time dwelt on our colonial wars, during which the enemy was always African or Asiatic. There are still a sizeable number of former soldiers alive who served in those wars.

I want Jackie Baillie—or Henry McLeish, for that matter—to answer to the following question. Given that the Scottish Parliament promotes equality, why do not list MSPs have equality with constituency MSPs on allowances and other such matters? Why do such inequalities exist? The Executive is in breach of the Scotland Act 1998 and it contradicts Donald Dewar, who said that all MSPs are equal. What does the minister intend to do about such discrimination? I see that the Presiding Officer wants me to wind up—I will do so in a minute.

There is discrimination in that women can retire at 60 years of age but men must soldier on until they are 65. It could also be claimed that women of 62 could feel discriminated against. Women still suffer discrimination in many areas. I will return to politics for a moment. I have sat on many selection committees for candidates and members should take it from me that the main opponents of women who aspire to be councillors or MSPs are often of their own sex. I have found that to be the case time and again.

**The Deputy Presiding Officer:** Wind up.

**John Young:** Finally, I will suggest a good route for the Executive to follow. Bashir Mann and I founded the Scottish Pakistani Association—I became vice-chairman and he became chairman. That was an excellent forum for exchanging views and ideas and we found that we were all Jock

Tamson's bairns.

On that, Presiding Officer, you will be pleased to hear that I will sit down.

**The Deputy Presiding Officer:** I ask Kay Ullrich to keep tightly to her time.

16:31

**Kay Ullrich (West of Scotland) (SNP):** I will try to do that.

I have spent most of my working life in the public sector and it did not take me long to realise that when one works for a local authority, being a woman is not a good career move. I must also say, however, that being a known member of the SNP was not seen as a good career move, at least not in the local authorities in which I worked.

If one examines the teaching and social work professions, one will see that both are predominantly female at basic grade level. In the promoted posts, however, men predominate and hold the majority of senior posts. We should also examine the situation of women in politics. Our Parliament does better than most—36 per cent of the members are women. We must, however, look behind the figures and targets. We must ask why, after all these years, we must still look for mechanisms to get more women to stand as candidates for elected office. The truth is that many women who are political activists exclude themselves from candidature until, for example, their children are of an age at which they can be seen to be able to fend for themselves. For that reason, I was a party activist for 20 years before I put myself forward as a candidate.

I am absolutely delighted to see that young women who have young families are members of the Scottish Parliament. We must, however, face the reality that women such as Fiona Hyslop, Elaine Thomson and Karen Gillon can pursue their careers only because of the assistance of willing grandmothers and other family members. No thanks are due to government action. I take this opportunity to remind members that women's caring role does not stop when their children leave home. At that point, many women find themselves becoming the carer for their own elderly parents and relatives.

In conclusion, we must acknowledge that, as a family-friendly Parliament, we have a long way to go. The road towards equal opportunities is even longer for women outside Parliament. To be frank, as long as Westminster retains power over the relevant legislation, Scottish ministers' ability to make the Executive's equality strategy effective will be very limited. As far as the Executive's motion is concerned, all I will say is, "It tastes quite nice, but where's the beef?"

**The Deputy Presiding Officer:** An absolute maximum of five minutes will be allowed for closing speeches.

16:34

**Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** Equality is one of the founding principles of the Scottish Parliament and that is not so-called political correctness. Although legislation on equal opportunities is clearly a reserved matter, it is absolutely right that equal opportunities is at the heart of the Scotland Act 1998, the Parliament's standing orders, the members' code of conduct, the work of the Equal Opportunities Committee and the Executive's equality unit. Jackie Baillie is right: equality issues cannot be an add-on, but must be at the very centre of what we do.

Although Fiona Hyslop criticised the Executive, her real target was Westminster. The Liberal Democrats would like the Parliament's powers to develop to include the ability to make equal opportunities legislation. However, that is for the future. Fiona said that we were in danger of having a group hug; I am afraid that, after her speech, that hug will not happen.

At this point, I also want to comment on Bill Aitken's speech, which was indeed very entertaining. However, it was also full of nonsense. I will give one example from that speech. He said that he opposed the "insulting and patronising" equal opportunities legislation that we have. I intervened to ask him the particular legislation that he was referring to, and he replied that he was coming to that point. Well, we are still waiting for an answer. Which particular insulting and patronising legislation was he objecting to? I am willing to give way to him.

**Bill Aitken:** I can hardly refuse such an invitation. In order to allow Mike Rumbles to get in, I actually said—and we can check this tomorrow—that it was the way in which the legislation had been applied that had been patronising and insulting. I could go on for hours about the way in which the legislation has been applied—

**The Deputy Presiding Officer:** No, please.

**Mr Rumbles:** I think that we will have to check the wording of the *Official Report* very carefully indeed.

Although Elaine Smith gave a very good speech that concentrated on discrimination against women, we must be careful about the language that we use. There is no doubt that most domestic violence is against women—we even have a cross-party group on the issue. However, it would be much better if we used inclusive and non-discriminatory language that helped us to combat

all domestic violence.

I was pleased that Donald Gorrie identified the problems of our single ex-servicemen, many of whom end up in the streets or, worse, in prison because they cannot be housed properly. I am sure that the new minister will address this real issue of social justice. Furthermore, Lloyd Quinan quite movingly—and quite rightly—raised the issue of what he called the inequality in the treatment of individuals with autism.

Although we have had a largely good debate today, I am disappointed that Opposition parties could not find it possible, even on this occasion, to support the Executive's motion. All members would agree that there is not much to object to in the motion. We are all trying to achieve the same objectives.

I have to say that I am also in favour of a rather radical idea for our Parliament that has been floated by Donald Gorrie. If we debated the subject rather than the motion on such topics as this one, we could avoid the silly, old-style confrontational politics that we sometimes still have to put up with in this chamber. I hope that the Procedures Committee will consider that suggestion.

As I am short of time, I will simply say in conclusion that the Liberal Democrats welcome and support the motion, and thank the Executive for lodging it.

16:39

**Mr Jamie McGrigor (Highlands and Islands) (Con):** I welcome the first part of Jackie Baillie's motion, which states that the Scottish Executive is committed to

"ensuring that people are treated as equal individuals regardless of, for example, their background, gender, ethnicity, sexuality, any disability, age or religious belief".

Unfortunately, the very next line goes on to commend the strategy set out in "Working together for equality", which promotes what we used to call positive discrimination. Jackie Baillie is right to say that positive discrimination has been deemed unlawful by UK anti-discrimination law, which pleased our party, as we have always argued against it. The Executive has simply changed the name to positive action. European Union law still allows positive discrimination on gender and I am sure that some members of this Parliament are quite relieved about that. I am not referring to members of my own party.

The Conservative group is disappointed that at the heart and soul of the Executive strategy there are simply statistics that are used to show that it is filling the quotas that it has set itself. The Executive admits:

"The main immediate focus of the strategy is to increase the numbers of employees from previously under-represented groups".

However, with the exception of disabled people, if the Executive was truly committed to treating people as equal individuals, it would allow employment and positions to be gained on merit alone, rather than because of the applicants' gender or ethnicity.

The Executive has set percentage targets for key under-represented groups in the senior civil service. Although I and my party colleagues would like to see more disadvantaged groups gain representation in high-level government and professional positions, we cannot fool ourselves or the nation into believing that the artificial filling of percentage targets will help to facilitate the equality of opportunity that we should all be concerned with. The whole idea of quotas and percentage targets is in direct contradiction to the pledge of treating people equally.

As a Parliament, we should concern ourselves with and strive for equality of opportunity. I quote from the Executive's publication when I define equality of opportunity as the removal of

"prejudice, bias, or irrelevant criteria that treat some groups of people less favourably than others."

Although that is most often taken to mean under-represented groups, we cannot overlook the plain language of the statement. Anyone, even the so-called status quo or white male, can be the victim of inequality of opportunity. When employment targets are the primary concern, as with the Executive's strategy, people may be selected for jobs based not on their merit but on factors over which they have no control.

For far too long, Labour Governments have promoted and practised patronising legislation and procedures, presumably because they felt that minorities cannot necessarily make it on their own. However, people are proud of their talents and want to use them. They want to succeed because of their talents, not because of their culture, gender or background.

The Executive claims that positive action levels the playing field by enabling disadvantaged groups, but that is not the case. Except with disability, positive action can create an unbalanced playing field where some from under-represented groups in society may gain a less-than-fair advantage over others. I therefore have the gravest doubts that that qualifies as equality of opportunity.

We should be focusing on the equal treatment of people irrespective of their background. We cannot pretend that treating everyone equally will raise everyone to the same level. The simple fact remains that all people are not created equal.

Some are taller, some run faster and some have skills that other simply do not possess. To my certain knowledge, and sometimes to my fury, brains have always been rationed, and it disappoints me that I do not possess the same intellect as Adam Smith or David Hume, or the same IQ as Albert Einstein.

There are inequalities, even among people from the same race or gender. Rather than living in an idealised dream, we must live in reality, recognising differences and embracing them. Works as early as the Bible tell of the dangers of stifling people's talents. Talent, wherever spotted, should be nurtured and encouraged so that individuals may reach the stars. With the information technologies revolution, groups that were previously limited in the professional world, such as the disabled, can now compete with the most brilliant personnel. That is very welcome.

What equal treatment of people ensures is what we are working for: equality of opportunity. By giving people the same access to resources, we ensure that people will excel in their strengths. I fully stand by what I said in this chamber last year:

"Let us have a society that treats people on the basis of merit, not background. Let us have a society where access is universal and there are no special rules or status for any group."—[*Official Report*, 2 December 1999; Vol 3, c 1208.]

That is what we should be striving for in this Parliament.

Oscar Wilde once said:

"We are all in the gutter, but some of us are looking at the stars."

He saw the value of personal initiative and individual ambition. We should adhere to his words, and encourage people to cultivate their talents so that they may reach the stars and take many others with them.

16:45

**Michael Matheson (Central Scotland) (SNP):**

There has been commonality among the parties today in seeking to ensure that we have a more equal and fair Scotland. However, I have to say to Jamie McGrigor, who ended by talking of people looking at the stars, that many people who come from an ethnic minority or who have a disability have looked to the stars; unfortunately, however, people have put hurdles in their way because of their ethnic background or their disability. Some people do not get to the stars because of their difference.

**Mr McGrigor:** Will the member give way?

**Michael Matheson:** I have very limited time. I am sorry.

**Mr McGrigor:** I did say—

**The Deputy Presiding Officer:** Order. The member is not giving way.

**Michael Matheson:** Normally I would give way, but I am limited for time.

Bill Aitken referred to the Conservative party's view on dealing with equality. I thought that the Tories were going through a commonsense revolution, but where has Bill been hiding? When it comes to equality issues, that revolution has certainly passed him by. His comments on the edition of the BBC's "Frontline Scotland" on asylum seekers in Glasgow—at a time when some people were quite happy to exploit the racism behind that issue—did not help. We should take no lessons from him or his party on dealing with equality matters.

I turn now to Keith Aitken—yes, it is the Tories' turn today.

**Bill Aitken:** Where is he?

**Michael Matheson:** I am sorry—I meant Keith Harding, who referred to his party's being a minority party and said that he should be treated fairly as a result. When I came into the chamber today, I was all for mainstreaming. However, if mainstreaming means that there will be more Tories, I am dead against it.

Much has been said in this debate about the kind of Scotland that we would like to see. The document "Working together for equality" opens with this statement from the minister:

"Our vision is for a just and inclusive Scotland."

I am sure that the minister will recognise, without surprise, that that vision is shared by SNP members. A number of people have picked up on the language that the minister used in her speech. I worked in social work for eight years, and at times Jackie Baillie lost even me in the jargon. I once went to a lecture on equitemperature metamorphism; I came out of that lecture with a better understanding of equitemperature metamorphism than today I have of Jackie Baillie's equality strategy.

There remains a question over whether, because of our limited legislative competence in this area, this Parliament can tackle inequality in Scotland to the extent that we would wish. One of the founding principles of the Parliament is enshrined on the head of the mace—the issue of equality. That means equality irrespective of gender, ethnicity, disability, sexual orientation, age, religion, or whether a person has come from another country and sought asylum here. Inequality within any society is corrosive and results in the marginalisation of a minority within our community.

The SNP believes that equality should be at the

heart of government. We have heard a number of members talk about the extent of discrimination in our society. This strategy may be a step in the right direction, but the document states that

"the power to legislate on equal opportunities is reserved to the UK Parliament."

Legislation is one of the key levers that can be used to tackle discrimination. The effectiveness of this Parliament in tackling discrimination is undermined by the fact that we do not have control over all the levers. The limit of this Parliament's powers is a matter of concern not only to the SNP. As Fiona Hyslop said, the Liberal Democrats were unhappy that the power was reserved to Westminster. Mike Rumbles may acknowledge that the power is reserved, but there is no reason why this Parliament cannot make its views known and speak loudly when we see discrimination in Scotland.

A number of important points have been made about areas of discrimination and the lack of the necessary legislative powers. I do not believe that this matter should be left to Westminster. For 10 years, the Commission for Racial Equality has been calling for the Race Relations Act 1976 to be amended in ways that would have made it stronger and wider ranging in its job of tackling racism. Even though that has been called for for a decade, it is only in the past couple of months that Westminster has considered changing the act. That is nothing short of an abdication of responsibility by Westminster. I am sure that the Scottish Parliament would not have tolerated such a delay. If Michael McMahon considers my raising such a matter to be bleating over the Scotland Act 1998, I tell him that I will continue to bleat until we have the right legislation to deal with any form of discrimination in Scotland, including racism. Even the Disability Discrimination Act 1995 has a number of major weaknesses. The Executive's strategy highlights a number of weaknesses in relation to the disability rights task force, including the fact that education is exempt from its remit. Educating disabled people will give them the opportunity to be equal to others.

Disabled people continue to be disadvantaged in a number of ways. The disability rights task force raised an issue in relation to transport. Fiona McLeod's point on that has yet to be answered.

**The Deputy Presiding Officer:** Please come to a close, Mr Matheson.

**Michael Matheson:** The Disability Rights Commission has asked for its powers to be extended under the Human Rights Act 1998 to deal with the gaps in the Disability Discrimination Act 1995. It needs resources and permission and it has made representations in Westminster. Will the minister make a commitment to give the

resources to the commission and to encourage it to make challenges under the Human Rights Act 1998?

Until we have full control over the necessary legislation in dealing with discrimination, we will not deliver real social justice—it will be nothing more than a mantra. That is why we need control of all the legislative levers to deliver it.

**The Deputy Presiding Officer:** I must point out that that speech was almost two minutes over the time limit.

16:52

**The Deputy Minister for Social Justice (Ms Margaret Curran):** I am pleased to speak here this afternoon. The debate is on the Scottish Parliament's first equality strategy and this is my first ministerial reply. I hope that there will be more.

This has been a key debate for the Parliament and has focused on some important points of convergence. Many speakers have raised significant points. Elaine Smith made an important speech about pornography, which is an issue that we must consider seriously in the long term. At the risk of harming his career, I compliment Lloyd Quinan on his speech. He raised substantial and profound issues to which we should pay serious attention.

Kate MacLean, from the Equal Opportunities Committee, highlighted significant issues about structures and processes and the consultation on the proposed housing bill. She also talked about the policy of mainstreaming, which I will go on to talk about. In my new role as Deputy Minister for Social Justice, I look forward to working with the committee. The Executive will listen to the substance of its evidence and move, where appropriate, to take on board what it says.

We have heard from the usual forces of resistance today—we hear from them whenever attempts are made to make progress on the equality agenda. I will deal with the Opposition parties in turn once I have made a few preliminary remarks.

We heard much about the form of the document. I am not sure what is expected of a Government in this respect. Are we expected to put out our policies on a bit of rolled-up A4 paper? Documents should be presented in an appropriate form.

The equality strategy represents a decisive and significant commitment on the part of the Executive and there will be no shirking of the responsibility. We have rejected the approaches of the past—of which we have had graphic illustration today—and the belief that inequality is embedded in the natural order and is not a matter

for intervention by the Government. That time, thankfully, is at an end. We will deliver a framework that will find the means to combat intolerance, tackle prejudice and overcome discrimination.

Despite all the facile comments that have been made about consultation, it is vital that we listen to the evidence and that it be understood that experiences of discrimination and inequality are profound, varied and complex. We genuinely understand the fact that, as many members have highlighted, there is much work to be done. We have been honest about the fact that we are at the beginning of the debate and that there is much to do. We have now, quite properly, laid out a framework that will take us forward. The strategy is about structures and processes.

We have been told that this is all politically correct nonsense. Is it wrong for the Parliament and the Executive to begin to recognise the full force of racism and to understand that Scotland has been complacent for too long? Is it wrong for the Executive to begin to find ways of meeting the proper demands of disabled people so that they can take control of their own lives? We know that for too long they have been banished to the margins and excluded from the mainstream. Surely it is wise to recognise the gender impact of a raft of policies and to ensure that women's needs and aspirations form an equal part of the agenda. I have news for the Tory party: the pollsters understand that, which perhaps explains why the Tories cannot describe themselves as having their finger on the pulse of the Scottish nation.

The Executive has produced a strategy that moves away from previous attempts at cosmetic change, which keep one or two groups satisfied but never deliver on the substance. We recognise that we are moving forward on the equality agenda and that that agenda is challenging, with no easy answers.

**John Young:** What about inequality between list MSPs and constituency MSPs?

**Ms Curran:** That is a matter for the Parliament, not the Executive.

Anyone who has commitments in this field will recognise that the push has been made to move equality from the margins to the centre.

**Fiona McLeod:** Will the member agree that to move equality from the margins takes more than just strategies? Does she agree with this quote from *Hansard*?

"There is nothing that will focus the Government's attention more continuously and more fully on the need to help the disabled than an obligation written into the Statute Book".—[*Official Report, House of Commons*, 5 December 1969; Vol 792, c 1919.]



Does she agree that that would move equality from the margins?

**Ms Curran:** I am more than happy to have responsibility for housing. We will look in depth at the evidence that is presented to us, and I will report back to Parliament on that.

This drive is about ensuring that we do not let anyone off the hook in equality. It is vital to understand that in the context of mainstreaming. Jackie Baillie made it absolutely clear that equality drives will be across all areas of responsibility. In response to Lloyd Quinan, I can say that all budgets will be equality proofed.

Members should not underestimate the impact of this work. Those who have criticised the report pay scant regard to the key organisations that have been involved in this process. Morag Alexander of the Equal Opportunities Commission said that the report is a

"tremendous step forward . . . at last a strategic report. Consultation was very thorough and attempts to meet grass roots successfully."

Fiona Hyslop's figures were quite wrong. At grass-roots meetings—for which money was given—more than 250 people were consulted.

Let me take on the Tories.

**Bill Aitken:** I am looking forward to this.

**Ms Curran:** I am looking forward to it myself. The phrase "politically correct" has abounded in the debate. Let us be clear about the source and intention of that approach. We will never get from the Tories any attempt to target any resources or any acknowledgement of the profound inequalities that exist. They talk about having a level playing field as if inequalities did not exist. They must recognise that, if one says that there are inequalities, one must begin to tackle them. We will take no lessons from a party that has made an ideology out of inequality.

Keith Harding was proud to say that he abolished the equal opportunities committee at Stirling Council. I suspect that he did so because he did not give two hoots about equal opportunities. Perhaps that is why he needs a glossary to explain the report—I suggest that the Tories read it.

Mainstreaming is about ensuring that equality is taken into all Government departments.

**Fiona Hyslop:** Will the member give way?

**Ms Curran:** No—I do not have time.

Those who use the term "politically correct" should be very careful. Doing so undermines the efforts of all those who have been engaged in campaigns to resist abusive language, unacceptable stereotypes and deep-seated

prejudice. The use of the term is intended to mock and denigrate and is not appropriate.

Once again we have been treated to the single transferable speech from the nationalists. On every issue and policy and in every speech the approach is the same. It used to be "Blame the English"; now it is "Blame London". An independent Scotland would presumably solve all our problems. Not only would independence be against Scotland's interests in terms of equality, but the analysis behind the policy is dangerously inept. The SNP amendment is another amendment that has been deliberately constructed to address the constitutional settlement rather than the merits of the case. The SNP's position today is deeply confusing.

**Mr Quinan:** What about Northern Ireland?

**Ms Curran:** During my time in the women's movement, I learned many things, one of which was never to be shouted down by a man at the margins.

If the Parliament is ever to deliver—*[Interruption.]* If SNP members do not believe that the Scottish Parliament can deliver on the equality agenda, why did they campaign for a Parliament? They would face a real dilemma if they were to accept that the Scottish people want to maximise the potential of the Parliament by working in partnership with the UK because—

**Fiona Hyslop:** Will the minister give way?

**Ms Curran:** No. I am short of time.

They would face a dilemma because they would be driven to support the Executive's agenda. They must recognise that the Executive is leading the field in the development of a framework for equality that will deliver sustained, long-term change.

To all those who are engaged in this debate—*[Interruption.]* I will not be shouted down, although Lloyd Quinan can try all he likes.

I say to all those who are engaged in the debate in wider Scotland that we recognise that there are criticisms and a long way to go. However, they would concede that equality is now at the centre of our agenda. The Opposition cannot concede that and it is to the SNP's shame that it is unable to recognise that for purely party political reasons.

I have a personal message from the Chancellor of the Exchequer to Christine Grahame, in recognition of her speech, which highlighted the needs of pensioners. The chancellor announced today an increase of £5 a week for single pensioners and £8 a week for married pensioners. He also announced an increase in the Christmas bonus to £200 and an increase of £14 in the minimum income guarantee. I could not have

asked for a better answer to Christine Grahame's speech.

In delivering the equality strategy, the Executive wishes to make a contribution to the creation of a more equal and tolerant Scotland. It cannot be too ambitious an aspiration to hope for a Scotland where we respect different cultural traditions and religious observances, where we tackle fundamentally the appalling levels of violence against women and where we ensure that we do not judge a person's value on the extent of their mobility or the colour of their skin. At the heart of our programme, we will ensure that we give all Scots a realistic chance to exercise meaningful choices, to have quality of life and to fulfil their potential. That is our message and that is what we will deliver.

**The Deputy Presiding Officer:** Before we move on to other business, I wish to add a word of self-correction. My brief indicated that Michael Matheson should speak for five minutes, and I pulled him up for making a speech of more than that. In fact, he was entitled to seven minutes and I apologise to him.

As there are no Parliamentary Bureau motions, we move straight to decision time.

## Decision Time

17:03

**The Deputy Presiding Officer (Mr George Reid):** There are three questions to put as a result of today's business.

The first question is, that amendment S1M-1320.2, in the name of Fiona Hyslop, which seeks to amend motion S1M-1320, in the name of Jackie Baillie, on the equality strategy, be agreed to. Are we agreed?

**Members:** No.

**The Deputy Presiding Officer:** There will be a division.

### For

Adam, Brian (North-East Scotland) (SNP)  
 Canavan, Dennis (Falkirk West)  
 Elder, Dorothy-Grace (Glasgow) (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)  
 Matheson, Michael (Central Scotland) (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)  
 Quinan, Mr Lloyd (West of Scotland) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Ullrich, Kay (West of Scotland) (SNP)  
 Welsh, Mr Andrew (Angus) (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)  
 Brown, Robert (Glasgow) (LD)  
 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)  
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)  
 Gallie, Phil (South of Scotland) (Con)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Harding, Mr Keith (Mid Scotland and Fife) (Con)  
 Harper, Robin (Lothians) (Green)

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)  
 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)  
 McLetchie, David (Lothians) (Con)  
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Mundell, David (South of Scotland) (Con)  
 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)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Mrs Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 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 27, Against 72, Abstentions 0.

*Amendment disagreed to.*

**The Deputy Presiding Officer:** The second question is, that amendment S1M-1320.1, in the name of Bill Aitken, which seeks to amend motion S1M-1320, in the name of Jackie Baillie, on the equality 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)  
 Gallie, Phil (South 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)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Young, John (West of Scotland) (Con)

## AGAINST

Adam, Brian (North-East Scotland) (SNP)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Canavan, Dennis (Falkirk West)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Elder, Dorothy-Grace (Glasgow) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 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)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Harper, Robin (Lothians) (Green)  
 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)  
 MacLean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 McAllion, Mr John (Dundee East) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McGugan, Irene (North-East Scotland) (SNP)

McLeod, Fiona (West of Scotland) (SNP)  
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Neil, Alex (Central Scotland) (SNP)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 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)  
 Scott, Tavish (Shetland) (LD)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Mrs Margaret (Edinburgh West) (Lab)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Ullrich, Kay (West of Scotland) (SNP)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Welsh, Mr Andrew (Angus) (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 17, Against 82, Abstentions 0.

*Amendment disagreed to.*

**The Deputy Presiding Officer:** The third question is, that motion S1M-1320, in the name of Jackie Baillie, on the equality strategy, be agreed to. Are we agreed?

**Members:** No.

**The Deputy Presiding Officer:** There will be a division.

**For**

Adam, Brian (North-East Scotland) (SNP)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Canavan, Dennis (Falkirk West)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Elder, Dorothy-Grace (Glasgow) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)  
 Gallie, Phil (South of Scotland) (Con)  
 Gibson, Mr Kenneth (Glasgow) (SNP)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grahame, Christine (South of Scotland) (SNP)  
 Gray, Iain (Edinburgh Pentlands) (Lab)

Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Harper, Robin (Lothians) (Green)  
 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)  
 MacLean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 McAllion, Mr John (Dundee East) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McLeod, Fiona (West of Scotland) (SNP)  
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Neil, Alex (Central Scotland) (SNP)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 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)  
 Scott, Tavish (Shetland) (LD)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Mrs Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Ullrich, Kay (West of Scotland) (SNP)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Welsh, Mr Andrew (Angus) (SNP)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)  
 Wilson, Andrew (Central Scotland) (SNP)

**AGAINST**

Aitken, Bill (Glasgow) (Con)  
 Davidson, Mr David (North-East Scotland) (Con)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fergusson, Alex (South 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)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Young, John (West of Scotland) (Con)

**The Deputy Presiding Officer:** The result of the division is: For 83, Against 16, Abstentions 0.

*Motion agreed to.*

That the Parliament welcomes the Scottish Executive's commitment to ensuring that people are treated as equal individuals regardless of, for example, their background, gender, ethnicity, sexuality, any disability, age or religious belief; commends the strategy set out in *Working Together for Equality* and the Scottish Executive's commitment to address inequality, prejudice and discrimination through an inclusive, participative and mainstreaming approach, and calls upon other organisations to do likewise in working to attain equality of opportunity for all.

## Nuclear Test Programme Veterans

**The Deputy Presiding Officer (Mr George Reid):** The next item of business is a members' business debate on motion S1M-1229, in the name of Andrew Welsh, on nuclear testing-related illnesses. The debate will be concluded, without any question being put, after 30 minutes.

*Motion debated,*

That the Parliament recognises the possible correlation between participation in the UK's Nuclear Test Programme in the 1950s and the development of subsequent illnesses; congratulates Dundee University on its progress toward the development of a new diagnostic procedure and management clinic for individuals exposed to injurious amounts of ionising radiation, and supports the University's attempts to develop a centre of excellence to deal with the health hazards of long term and accidental radiation exposure.

17:07

**Mr Andrew Welsh (Angus) (SNP):** The tale of the United Kingdom's nuclear test veterans is one with which most members should be familiar. The image of men lined up on the beach with no protection other than their bare hands is the image that springs most readily to mind. More than 40,000 servicemen took part in 12 British atomic tests in Australia and the Pacific ocean between 1952 and 1962. Few could have suspected that they would be the subject of a debate almost 50 years later. However, the sorry conclusion to the UK's nuclear testing programme is that of the veterans' fight for compensation.

Many veterans believe that health problems that they have developed subsequently are attributable to their exposure to ionising radiation from the tests. Although successive British Governments have refused to recognise such a link, it is the veterans' determination to seek justice that has brought the issue to the Scottish Parliament today. My interest in the topic came as a result of a visit from my constituent Mr Tom Duggan who, I am delighted to say, has joined us in the gallery today.

A former Royal Air Force catering assistant, Tom Duggan witnessed four nuclear blasts while stationed on Christmas island during 1958 and 1959. In 1991, he developed non-Hodgkin's lymphoma, which was followed by a prolonged period of illness. Following his fight back to health, Tom Duggan applied for a war pension, believing that his illness was attributable to his participation in the nuclear tests. Although ionising radiation is a textbook cause of non-Hodgkin's lymphoma and one of the 15 conditions recognised in the United States Radiation Exposure Compensation Act 1990 as being associated with exposure and thus

eligible for compensation, the War Pensions Agency refused his application.

When Tom Duggan challenged the decision, the pensions appeals tribunal stated that although there was considerable doubt about the evidence submitted by the Ministry of Defence, Mr Duggan had not himself produced enough evidence to raise a reasonable proof that his condition was attributable to service. Tom has never accepted that ruling and has continually challenged the tribunal's decision. As he says:

"They keep on denying, denying, denying until you're dead. They're mad at me because I'm still alive. I hate the anger inside of me from all their denials because they know we are telling the truth."

Although Tom Duggan's case is tragic, it is by no means unique. In fact, it is symptomatic of the treatment that test veterans have experienced at the hands of successive UK Governments. Their justification for denying the link between the tests and the subsequent development of illnesses comes from two reports by the National Radiological Protection Board, the most recent of which was published in 1993 and concluded that there was no disproportionate death rate amongst nuclear participants.

However, research by Sue Rabbit Roff of Dundee University has challenged those findings. Her research has uncovered new evidence of very high rates among test veterans of one form of blood cancer, multiple myeloma. As a result, last year the Ministry of Defence announced a further study into the incidence of multiple myeloma among British test veterans, which has subsequently been extended to cover all cancers and causes of death.

Further to that research, Sue Rabbit Roff has put together a world-class team of experts who could take the research beyond the statistical. Along with her colleagues at Dundee University, she has commenced pilot studies of the blood and saliva of surviving nuclear test veterans to establish the amount of damage that their systems sustained as a result of radiation exposure 40 or more years ago.

Although the research has focused on veterans of the UK's nuclear tests, the development of a new diagnostic procedure could have a wider application. It could be used in the nuclear industry in all its forms to establish occupational health hazards. With its nuclear industry and military facilities, Scotland could benefit greatly from a centre of excellence to deal with the health hazards of long-term and accidental radiation exposure. The internationally recognised, state-of-the-art team at Dundee provides Scotland with an opportunity to develop this resource and, potentially, to market it throughout the world as an occupational health measure and as a rapid

response to nuclear accidents.

To date, funding for the research has totalled £100,000, of which £40,000 has come from the New Zealand Government, as an expression of its duty of care to the New Zealand naval contingent that was seconded to the UK tests.

Sue Rabbit Roff and her team are currently in dialogue with Scottish Enterprise in an effort to secure the £250,000 that is necessary to carry out this project. As Remembrance Day approaches and we remember the dead of world wars, we should also remember the living. The Scottish Parliament may not have jurisdiction over compensation and pensions, but today we can take a crucial step towards helping our nuclear test veterans. Not only can we send a strong message to our Westminster colleagues, but by supporting Sue Rabbit Roff in developing her research, we can use the power of the Parliament in Scotland to help her cause. More important, we can send a message to all our nuclear test veterans—the Tom Duggans of this world—that this is a listening Parliament and that we care. I ask Parliament to support the motion.

17:14

**Mary Scanlon (Highlands and Islands) (Con):**

I welcome Andrew Welsh's motion. I note that he has raised this issue in the House of Commons, which is appropriate given Westminster's responsibility for pensions.

If we have learned anything from issues such as BSE, it is that we should always listen to the patient. When we lose sight of that, we become divorced from reality. I am delighted that Mr Duggan is here today. We are listening to him and congratulate him on the progress that is being made on this issue as a result of one man's anger.

My colleague Ben Wallace was scheduled to speak in this debate. He is more familiar with this matter than I am, but he regrets that he is unable to speak in the debate because he is not well today. The chamber will have to forgive my lack of knowledge on the issue.

There have been two NRPB reports. It was stated in a written answer to Andrew Welsh in the House of Commons that the report in 1988 confirmed that

"participation in the UK tests has not had a detectable effect on the participants' expectation of life, nor on their risk of developing cancer in general. It did, however, raise a reasonable doubt that leukaemia (other than chronic lymphatic leukaemia) and multiple myeloma might be due to participation. Whilst the NRPB Report did not causally relate leukaemia and multiple myeloma specifically to participation in the nuclear weapons tests, its evidence was nevertheless accepted as raising a reasonable doubt that leukaemia (other than chronic lymphatic leukaemia) and multiple myeloma may have resulted from such

participation.”—[*Official Report, House of Commons*, 12 May 2000; Vol 349, c 497W.]

I am pleased to reiterate the point that Andrew Welsh made about the 1993 report, although its conclusions may not have been to his satisfaction.

The 1993 report suggested that the small hazard of myeloma, which was suggested in 1988, was not supported by the additional data. However, the possibility of a risk of developing leukaemia in the first 25 years after participation could not be ruled out. There is no change in the policy, which was effective from 11 December 1993, if the participant developed a condition within 25 years of participation in the tests.

I am pleased that the research did not begin and end in 1988 or 1993. From that point of view, I welcome the contribution that Dundee University—and Sue Roff in particular—is making to moving the research forward. I know that politicians are easy targets for criticism, but how many members—apart from Richard Simpson—are scientific academics with a great knowledge of the research on these complex matters? I will put in a word for politicians here—we can rule only on the best evidence available to us.

I am delighted to hear that the clinical assessment programme studies will help to clarify the situation and that the work in Dundee will help to develop a diagnostic system for use in the nuclear industry, in all its forms, to establish occupational health hazards. I am delighted that that will help in the understanding of variations in radiosensitivity among individuals. Although I appreciate that the funding relates specifically to war veterans, there is no doubt that the research will enable us to gain a greater understanding of these issues for the benefit of everyone who works in the nuclear industry. At this point, I note the billions of pounds that have been allocated to decommissioning the Dounreay plant.

I am the reporter for the Health and Community Care Committee on the alleged link between the measles, mumps and rubella vaccine and autism. If I have learned one thing from that, it is that it is very difficult to consider contradictory evidence and make a reasoned, considered, fair and just judgment.

I thank Andrew Welsh for raising this issue today.

17:19

**Michael Matheson (Central Scotland) (SNP):** I begin by congratulating Andrew Welsh on securing this debate. He succeeded where I failed, as I lodged a similar motion earlier in the year. I thank all the members who signed that motion. It is an example of teamwork that Andrew took the opportunity to lodge another motion.

Earlier this year, Andrew Welsh and I organised a small reception with the nuclear test veterans here at the Parliament in Edinburgh. They provided considerable insight into their experiences when they participated in nuclear tests in a variety of places around the world.

I pay tribute to the work that Sue Roff has undertaken at Dundee University. Andrew Welsh detailed the research that has been carried out there. She has put in a tremendous amount of work to try to establish the link between nuclear test veterans and the cancer that many of them have suffered.

I, too, welcome Mr Duggan, who I met earlier this year in Edinburgh. I remember well his recollections of his experiences when he was working during nuclear tests. Unfortunately, my constituent, Ken Sutton from Bonnybridge, who is also a nuclear test veteran, is unable to be with us for the debate. Ken is a former RAF electrician who witnessed the hydrogen bomb tests on Christmas island. He also tested the warheads at Maralinga in the Australian desert. When he was sent to Australia he was given no warning of what he was going to do there; he was told that he would be working on wiring up the airfield. When he arrived, he found that his job was to fly through the mushroom cloud caused by testing the bombs to assist in measuring the density of the radiation.

He was told to look away when the bomb exploded. The only protection he had was a cotton cloth to cover his mouth and nose. Decontamination consisted of having a shower. In the 1940s and 1950s, health and safety was not a priority for the Government or the services. Ken now suffers from a form of skin cancer that he believes is attributable to flying through radioactive clouds.

Ken and his colleagues in the British Nuclear Test Veterans Association have fought a dignified campaign for recognition of what they experienced for many years. All they are asking for is that the Government recognises that mistakes were made while they were on active service for their country. They do not blame this Government; they argue that a mistake was made by a Government in the past. It is time to recognise that. Some form of compensation or pension would mean the Government giving the elderly gentlemen concerned a better quality of life.

It would be appropriate, in this week of remembrance, when we remember all those who sacrificed their life for their country, that we recognise the sacrifice of such men. We should also remember that they were not informed about the potential risk they were put under. I hope that the Minister for Health and Community Care will take the matter up and make it clear to ministers at Westminster that action must be taken sooner

rather than later because the gentlemen concerned are getting older by the day—and there are fewer of them every year.

17:23

**Dr Richard Simpson (Ochil) (Lab):** I had intended only to listen today but having heard the passionate advocacy of the nuclear veterans' case by Andrew Welsh and Michael Matheson, and the considered speech by Mary Scanlon, I felt that I should make a contribution.

One of the greatest dangers for politicians is that, when we are faced with cases that are of such deep concern and where lives have been seriously affected, we are moved to a compassionate judgment that may not be a considered one. The analogy that Mary Scanlon made is a good one—

**Mrs Margaret Ewing (Moray) (SNP):** I am surprised that Dr Simpson refers to the judgment as compassionate rather than rational, given that New Zealand and the United States of America have already recognised such cases.

**Dr Simpson:** I was going to go on to say that the problem is that the analysis must be based on the evidence available. The NRPB reports up to 1993 were fairly clear that the numbers of cancer cases at that point were not statistically significant. We are faced with the question of how valid that judgment is now. One thing that we must do, just as we must with the link between the measles, mumps and rubella vaccine and autism, is to say that at this point in time—1993 in the case that we are discussing and this year in the case of MMR—the evidence does not show that there is a link. However, the negative is also difficult to prove. The matter is severely difficult.

**Mr Welsh:** It is all about proof. That is why it is important to carry through the research of Sue Roff. Is Dr Simpson aware that, among her sample, which is made up of 12 per cent of all British nuclear veterans, 30 per cent of the men had already died—mostly in their 50s—and that, as the men grow older, the rate of deaths is accelerating? That is the sort of evidence—as opposed to the previous evidence—that we should be considering much more carefully.

**Dr Simpson:** I support what Andrew Welsh is saying. We must constantly keep this under review. If there is new evidence, or if the previous evidence was inadequate and did not cover the field well enough, we should definitely review it. However, this issue is not like the case that has recently been discussed in another place—mesothelioma in relation to asbestosis. In that case, the link is absolutely clear; there is no question but that exposure to asbestosis causes that form of cancer. Many people have Hodgkin's

disease, for example, which may or may not be caused by the exposure that they have had.

In every generation to come, we will be faced with risks that we will be unable to quantify. This Parliament will do its best to ensure that the health and safety elements are dealt with at the level and standard that we regard as appropriate at that time—although we may find that level inappropriate later. We must deal with the situation as we find it now. In other words, we should be compassionate and support the individuals affected. We should perhaps not even require the level of proof that is normally required. We should perhaps say to people such as those whose situation has been described by Andrew Welsh that, even if the proof is not available, we should do something to support their quality of life, remembering that they served us well and that we must do something for them.

17:27

**The Minister for Health and Community Care (Susan Deacon):** I congratulate Andrew Welsh on obtaining this debate. Several effective contributions have been made and I am aware that Andrew has taken a sincere interest in this subject—indeed, he has raised it through questions at Westminster. I recognise the real concerns that have been raised by test veterans over a long period and I have listened carefully to the points that have been made.

In responding, I wish to address two strands. The first is the substance of the debate; the second is the constitutional point and where responsibility lies. As Andrew Welsh rightly said, this Parliament and Executive have no jurisdiction over compensation or pensions issues with respect to this matter, nor do they have any responsibility for the United Kingdom nuclear test programme, which is a matter for the Ministry of Defence. Therefore, I hope that it will be appreciated that, as a member of the Scottish Executive, I do not believe that it would be appropriate for me to express a view on matters that are the responsibility of the Westminster Parliament.

**Mrs Margaret Ewing** *rose—*

**Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP)** *rose—*

**The Deputy Presiding Officer:** Which of the Ewings would you like, minister?

**Susan Deacon:** I will let them choose.

**Fergus Ewing:** I am grateful to both the minister and my wife for giving way. The minister has just said that it is not appropriate for the Scottish Executive to take a view on this matter, but it might be a helpful precedent were this Parliament



to express a view in public on such a matter. Does she agree with the views of Tony Blair, Donald Dewar, Alistair Darling and Jim Wallace, among others, in 1990, when the Labour party supported an amendment that would have given war pensions to nuclear test veterans with cancer?

**Susan Deacon:** There are a number of sensitive, important issues in this debate that I would like to comment on. It would be unfortunate to treat this issue as a constitutional football. I simply note the factual position on jurisdiction and the respective responsibilities: I would certainly object if the Westminster Parliament told this Parliament what decisions to take and I respect the respective roles of the two Parliaments in terms of our constitutional settlement.

**Mrs Margaret Ewing:** Will the minister give way on a different point?

**Susan Deacon:** I want to move on to some of the substantive points that have been raised, and to comment on some of the delicate issues that Richard Simpson has highlighted.

In my job as Minister for Health and Community Care, I regularly meet people suffering from debilitating conditions who are searching, with their families, for the root cause of their condition. Research continues all the time into a range of different areas. All the time, we get better at answering questions about what caused an individual's disease or ill health, but sometimes we cannot answer such questions. As Mary Scanlon rightly said, all we can do is to rule on the best evidence available to us. That often results in the fact that we, as the Government, have to reach judgments that do not always satisfy.

Independent advice is in place on these issues and I want to put some facts on the record. The Scottish Executive obtains advice from and part funds the National Radiological Protection Board, to which members have referred. The NRPB is an independent statutory body, established in 1970 to provide advice on how to protect the public, workers and people undergoing medical treatment from radiation health hazards. The NRPB gives advice on ionising and non-ionising radiation. As has been mentioned, two epidemiological studies into the health of nuclear test veterans have been carried out by the NRPB in conjunction with the Imperial Cancer Research Fund, which is an independent charity. On the basis of the results of those studies, published in 1988 and 1993, the authors concluded that participation in the test programme had not had a detectable effect on the participants' expectation of life or on their risk of developing cancer or other fatal diseases, although the possibility that test participation may have caused a small risk of leukaemia in the early years after the test cannot be completely ruled out.

**Mr Welsh:** The minister does not want to comment on UK policy, but she and the Executive are in a position to assist research. If the New Zealand Government is willing to give money to research, why cannot the Scottish Executive?

**Susan Deacon:** I will come to that issue in a moment. I want to comment further on the work that is under way.

I stress that the situation is kept under review. I understand that the NRPB, with funding from the Ministry of Defence, is conducting further studies into all causes of death and incidences of cancer among nuclear test veterans, with special attention given to multiple myeloma. I welcome the fact that that work is under way.

**Mrs Margaret Ewing:** Does the minister ensure that, when individuals ask for their medical records to be released from the Ministry of Defence, those records are released? Many of my constituents have experienced difficulty.

**Susan Deacon:** I am aware that that issue has been raised before. If Margaret Ewing is aware of specific cases into which she wants me to look, I am happy to do that.

As I said, further work is under way through the NRPB, funded through the Ministry of Defence. The period of follow-up and cross-checking of data has been extended and that phase of the research is approaching completion. When completed, the study will be evaluated by peer review and will be published in open literature. Subject to the time that that process takes, it is hoped that the results of the study will be available early next year.

As a number of members have said, research is also being undertaken at the University of Dundee. I am aware of the work and I understand that veterans of UK nuclear weapons tests in the 1950s and 1960s approached Sue Roff in 1996 in relation to the research into the issues that concerned them. The Ministry of Defence has been aware of the studies being undertaken by Sue Roff for some time. The MOD has advised us that it and experts in the field of analytical studies have some reservations about the methodologies used. A particular concern is whether the sample population will be truly random or composed of volunteers and therefore self-selecting. I am sure that that is a matter that the MOD and Sue Roff will pursue further.

Andrew Welsh asked whether the work that is being undertaken at the University of Dundee should be pursued to establish a centre of excellence. It is worth noting what would constitute a centre of excellence. We often face requests for centres of excellence to be formally recognised. Such a centre is best described as a body or location that is recognised by industry as a centre of expertise that involves close co-operation

between private industry and higher and further education and delivers skills support of international standard. I advise members that the enterprise and lifelong learning department is considering how to progress that concept in Scotland. Such an idea would apply across a range of areas.

As I said, members will appreciate—even if they do not agree with the position—that much of the subject of the motion is a matter for the MOD. There are aspects on which the Scottish Executive cannot take decisions and on which it is not my role as a Scottish minister to comment.

However, I hope that anyone following the debate recognises that that is not because the Executive is not interested in the subject. I have listened carefully to the points that have been made and I will be pleased to take forward matters that can be progressed in our jurisdiction.

*Meeting closed at 17:36.*

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