

# **MEETING OF THE PARLIAMENT**

Thursday 14 December 2000

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# CONTENTS

Thursday 14 December 2000

## Debates

|  | <b>Col.</b> |
|--|-------------|
| <b>RAILWAYS</b> .....  | 973         |
| <i>Motion moved—[Bruce Crawford].</i>                                      |             |
| <i>Amendment moved—[Sarah Boyack].</i>                                     |             |
| Bruce Crawford (Mid Scotland and Fife) (SNP) .....                         | 973         |
| The Minister for Transport (Sarah Boyack) .....                            | 976         |
| Mr Murray Tosh (South of Scotland) (Con) .....                             | 980         |
| Mr John Munro (Ross, Skye and Inverness West) (LD).....                    | 982         |
| Mr Gil Paterson (Central Scotland) (SNP).....                              | 984         |
| Tommy Sheridan (Glasgow) (SSP) .....                                       | 986         |
| Robert Brown (Glasgow) (LD) .....  | 987         |
| Mr Andy Kerr (East Kilbride) (Lab) .....                                   | 989         |
| Iain Smith (North-East Fife) (LD).....                                     | 991         |
| John Scott (Ayr) (Con).....  | 992         |
| Sarah Boyack .....   | 994         |
| Fiona McLeod (West of Scotland) (SNP) .....                                | 996         |
| <b>HEALTH CARE</b> .....   | 999         |
| <i>Motion moved—[Nicola Sturgeon].</i>                                     |             |
| <i>Amendment moved—[Malcolm Chisholm].</i>                                 |             |
| <i>Amendment moved—[Mary Scanlon].</i>                                     |             |
| Nicola Sturgeon (Glasgow) (SNP).....                                       | 999         |
| The Deputy Minister for Health and Community Care (Malcolm Chisholm) ..... | 1004        |
| Mary Scanlon (Highlands and Islands) (Con).....                            | 1008        |
| Mr Keith Raffan (Mid Scotland and Fife) (LD) .....                         | 1011        |
| Dorothy-Grace Elder (Glasgow) (SNP) .....                                  | 1014        |
| Dr Richard Simpson (Ochil) (Lab) .....                                     | 1017        |
| Brian Adam (North-East Scotland) (SNP) .....                               | 1019        |
| Mr David Davidson (North-East Scotland) (Con) .....                        | 1021        |
| Mr Frank McAveety (Glasgow Shettleston) (Lab) .....                        | 1022        |
| Mrs Margaret Smith (Edinburgh West) (LD).....                              | 1024        |
| Ben Wallace (North-East Scotland) (Con).....                               | 1026        |
| Malcolm Chisholm .....   | 1028        |
| Shona Robison (North-East Scotland) (SNP) .....                            | 1031        |
| <b>HEALTH PLAN</b> .....   | 1035        |
| <i>Statement—[Susan Deacon].</i>   |             |
| The Minister for Health and Community Care (Susan Deacon).....             | 1035        |
| <b>BUSINESS MOTION</b> .....   | 1052        |
| <i>Motion moved—[Tavish Scott]—and agreed to.</i>                          |             |
| The Deputy Minister for Parliament (Tavish Scott).....                     | 1052        |
| <b>QUESTION TIME</b> .....   | 1054        |
| <b>FIRST MINISTER'S QUESTION TIME</b> .....                                | 1071        |
| <b>COMMITTEE RESTRUCTURING</b> .....                                       | 1079        |
| <i>Motion moved—[Mr McCabe].</i>   |             |
| The Minister for Parliament (Mr Tom McCabe) .....                          | 1079        |
| Tricia Marwick (Mid Scotland and Fife) (SNP) .....                         | 1084        |
| Lord James Douglas-Hamilton (Lothians) (Con) .....                         | 1086        |
| Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD) .....             | 1088        |
| Johann Lamont (Glasgow Pollok) (Lab) .....                                 | 1090        |
| Mr Lloyd Quinan (West of Scotland) (SNP).....                              | 1091        |
| Bill Aitken (Glasgow) (Con) .....  | 1092        |
| Mike Watson (Glasgow Cathcart) (Lab) .....                                 | 1093        |
| Donald Gorrie (Central Scotland) (LD) .....                                | 1095        |
| Mr Kenny MacAskill (Lothians) (SNP).....                                   | 1095        |
| The Deputy Minister for Parliament (Tavish Scott).....                     | 1097        |

|   |      |
|---|------|
| <b>FERRY SERVICES (NORTHERN ISLES)</b> .....                              | 1100 |
| <i>Motion moved—[Sarah Boyack].</i>                                       |      |
| The Minister for Transport (Sarah Boyack) .....                           | 1100 |
| Bruce Crawford (Mid Scotland and Fife) (SNP) .....                        | 1102 |
| Mr Murray Tosh (South of Scotland) (Con) .....                            | 1104 |
| Tavish Scott (Shetland) (LD) .....  | 1105 |
| Mr Andy Kerr (East Kilbride) (Lab) .....                                  | 1106 |
| Colin Campbell (West of Scotland) (SNP).....                              | 1106 |
| Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD).....          | 1108 |
| Rhoda Grant (Highlands and Islands) (Lab).....                            | 1108 |
| Mr Kenny MacAskill (Lothians) (SNP) .....                                 | 1109 |
| Sarah Boyack .....  | 1110 |
| <b>PARLIAMENTARY BUREAU MOTIONS</b> .....                                 | 1113 |
| <i>Motions moved—[Tavish Scott].</i>                                      |      |
| Phil Gallie (South of Scotland) (Con) .....                               | 1113 |
| The Deputy First Minister and Minister for Justice (Mr Jim Wallace) ..... | 1114 |
| <b>DECISION TIME</b> .....  | 1115 |
| <b>SHINTY</b> .....   | 1131 |
| <i>Motion debated—[Fergus Ewing].</i>                                     |      |
| Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP).....              | 1131 |
| Mr John Munro (Ross, Skye and Inverness West) (LD).....                   | 1135 |
| Mr Brian Monteith (Mid Scotland and Fife) (Con).....                      | 1138 |
| Maureen Macmillan (Highlands and Islands) (Lab).....                      | 1139 |
| George Lyon (Argyll and Bute) (LD) .....                                  | 1140 |
| Mr Duncan Hamilton (Highlands and Islands) (SNP) .....                    | 1140 |
| Mr Jamie McGrigor (Highlands and Islands) (Con) .....                     | 1141 |
| Irene McGugan (North-East Scotland) (SNP) .....                           | 1142 |
| The Deputy Minister for Sport and Culture (Allan Wilson) .....            | 1143 |

## Oral Answers

|  | <b>Col.</b> |
|--|-------------|
| <b>QUESTION TIME</b>                                     |             |
| <b>SCOTTISH EXECUTIVE</b> .....                          | 1054        |
| Argyll and Bute Council (Meetings) .....                 | 1054        |
| Children's Rights .....                                  | 1056        |
| Convention of Scottish Local Authorities (Meetings)..... | 1063        |
| Drug-related Deaths .....                                | 1066        |
| Environment.....   | 1066        |
| Ethnic Minorities .....                                  | 1061        |
| Health Service .....                                     | 1067        |
| New Deal .....   | 1065        |
| North Lanarkshire Council (Meetings).....                | 1059        |
| Renewable Energy .....                                   | 1060        |
| Rural Deprivation.....                                   | 1055        |
| Scottish Transport Group Pension Schemes .....           | 1070        |
| Secretary of State for Health (Meetings) .....           | 1058        |
| Teachers (Stress).....                                   | 1068        |
| <b>FIRST MINISTER'S QUESTION TIME</b>                    |             |
| <b>SCOTTISH EXECUTIVE</b> .....                          | 1071        |
| Scottish Prison Service.....                             | 1077        |
| Cabinet (Meetings) .....                                 | 1071        |
| Drink Driving .....                                      | 1076        |
| Higher Education .....                                   | 1075        |
| Secretary of State for Scotland (Meetings) .....         | 1072        |

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## Scottish Parliament

Thursday 14 December 2000

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

### Railways

**The Presiding Officer (Sir David Steel):** The first item of business this morning is a debate on motion S1M-1461, in the name of Bruce Crawford, on transport, and an amendment to that motion.

**Tommy Sheridan (Glasgow) (SSP):** On a point of order, Presiding Officer. I would like you to reflect on the several occasions when you have refused to accept amendments. I ask you to reflect on this morning's decision as one of your poorest.

**The Presiding Officer:** A member must not comment on the quality of decisions of the chair, which are always first class, regardless of who is in the chair. Otherwise, he will be in trouble. I always reflect on the member's amendments. Sometimes I select them, but today I have not done so. I call Bruce Crawford.

09:31

**Bruce Crawford (Mid Scotland and Fife) (SNP):** I take members back to the Ladbroke Grove rail crash on 5 October 1999, which tragically claimed so many lives. Within a week of the accident, John Prescott said in relation to safety on the railways that

"it has not been decided whether Railtrack's role would pass to a new organisation set up for the task or be assimilated into the HSE."

Ladbroke Grove should have provided a wake-up call to both the UK Government and the rail companies about the future security of the industry. Instead, what do we find? John Prescott made the right noises but did not have the slightest intention of turning his rhetoric into action.

On Tuesday 17 October, a year and 12 days after Ladbroke Grove, the Government sleepwalked into the biggest ever crisis on the railways in this country. Within two days of the Hatfield tragedy, the industry was in meltdown. Speed restrictions were imposed on more than 1,000 miles of track and speeds were cut by a third at 81 locations. Within a week, the Rail Freight Group was forced to cancel 400 trains.

On 24 October, seven days after Hatfield, Prescott finally woke up and ordered an urgent review into the standard of Railtrack's repair works. He said in the House of Commons:

"in the future as in the past, there must be no priority higher than safety." [*Official Report, House of Commons*, 24 October 2000; Vol 355, c 138.]

However, the situation worsened markedly that evening. Railtrack Scotland announced that the Scottish west coast line would be closed between Glasgow and Carlisle. Later that same evening, the Minister for Transport's duvet was heard to rustle on the ministerial floor in parliamentary headquarters as she was wakened to be given the news of the worsening situation in Scotland. Realising that she was waking into a nightmare, the minister got out of her goonie long enough to tell the press that she would meet the Railtrack executives in Scotland on Monday 30 October. Thirteen days after Hatfield, the Scottish minister wiped the sleep from her eyes and met the company that has contributed to the worst rail crisis in living memory.

Is it any wonder that the SNP motion calls on the Parliament to express its anger and concern over the crisis in the rail network in Scotland? Is it any wonder that we ask the Parliament to

"regret the lack of authority, influence or action demonstrated by the Scottish Executive"?

**Bristow Muldoon (Livingston) (Lab):** Will Bruce Crawford say why he believes that further fragmentation of responsibility for safety in the railway industry will be beneficial? Does anyone in the railway industry agree with him?

**Bruce Crawford:** I will come to that.

The Parliament should be strengthened in its views because of what is said in the consultation paper "Strategic Priorities for Scotland's Passenger Railway", which the minister launched on 28 November. On page 13 of the document, we find the remarkably complacent statement:

"Great strides have been made by the industry to improve safety on trains and the infrastructure."

On page 2, a paragraph on the devolution settlement contains much rhetoric on powers being passed to the Scottish ministers through the UK Transport Bill for the operation of railways in Scotland, under the so-called McLeish settlement. Those powers do not add up to a row of beans. The minister is to get powers to give directions and guidance to the strategic rail authority on services that either start and/or finish in Scotland. What changed between July 1998, when the Scottish Office document "Travel Choices for Scotland" was produced, and the introduction of the UK Transport Bill?

"Travel Choices for Scotland" contains the key commitment. On page 63, it states:

"In addition, the Scottish Executive will have executive responsibility for . . . issuing of objectives, instructions and guidance in relation to passenger rail services that both start and end in Scotland".

Who in the ministerial team was responsible for selling out Scotland by removing the power to give ministerial instructions? Which minister was responsible for downgrading the authority of the Minister for Transport's office, or was it a partnership decision involving the Liberal Democrats, of whom there are only two in the chamber today? Who was responsible for ensuring that the Minister for Transport would have the same powers for action as Sam Galbraith had over the Scottish Qualifications Authority? According to the Executive, those powers were not great and Sam Galbraith could not be seen to interfere.

Whoever it was has given Scotland an Executive that can talk, consult and give directions until it is blue in the face but that, when push comes to shove, has no powers, no controls—

**The Minister for Transport (Sarah Boyack):** Will Mr Crawford tell the chamber the exact details of the powers that John Prescott has in negotiating franchises for the rest of the UK?

**Bruce Crawford:** I am not really interested in the powers that John Prescott has—

**Sarah Boyack:** It is a material point.

**Bruce Crawford:** I have taken Sarah Boyack's intervention. I am not interested in the powers that Prescott has; I am interested in the powers that Sarah Boyack should have.

As I said, when push comes to shove, the minister has no powers, no controls, no capacity to introduce instructions and no direct hold on the crucial legislative and investment levers to make the changes that are needed to turn round Scotland's ailing rail industry. She has less control to make the changes than the Strathclyde Passenger Transport Authority has over its underground.

The Executive has inherited a mess from the privatisation of 1994, but it has no powers to do anything about it. It has inherited an industry that is fragmented, unreliable and uncompetitive. Ironically, the situation was described most succinctly by the former chief executive of Railtrack, who recently said:

"The railway was ripped apart at privatisation and the structure that was put in place was a structure designed, if we are honest, to maximise the proceeds to the Treasury. It was not a structure designed to optimise safety, optimise investment or, indeed, cope with the huge increase in the number of passengers the railway has seen."

The industry is fragmented, with confused and vague lines of responsibility. That can be no surprise, given that we have Railtrack with a plethora of subcontractors, 25 train operators, five freight movers, a rail regulator, a strategic rail authority and the Health and Safety Executive.

It is time to stop using the Conservative's legacy of privatisation as a scapegoat or an excuse for inaction. Consecutive UK Governments have failed the Scottish rail industry because they are not as close to our problems or opportunities as the Scottish Parliament is now. As important, UK ministers cannot be held accountable to this Parliament for decades of failure.

**Bristow Muldoon** rose—

**Bruce Crawford:** I am concluding.

It is time for powers over the rail industry to be transferred to this Parliament and for the Scottish Executive to be given Scotland's share of the new funds for investment in transport infrastructure. In May, Prescott announced expenditure plans of £180 billion on the transport infrastructure over the next 10 years; £60 billion of that was allocated to rail, with £29 billion coming from the public sector. It is time for Scotland to get its hands on its share to invest in Scotland's priorities. It is time for this Parliament to be given the powers to undo decades of complacency and to transform the railways of Scotland into the modern, comfortable, safe and reliable industry that this country deserves and of which it can be proud.

I move,

That the Parliament notes with concern and anger the crisis in the rail network in Scotland; regrets the lack of authority, influence or action demonstrated by the Scottish Executive and that the control and legislative powers over the rail industry in Scotland remain primarily reserved matters for Her Majesty's Government, and calls for all the powers over the rail industry in Scotland to be transferred to the Parliament, for the Scottish Executive to be given Scotland's share of new investment in transport infrastructure and for a mechanism to be established so that Scotland's interests are directly represented on cross-border rail matters.

09:40

**The Minister for Transport (Sarah Boyack):** I welcome this opportunity to respond to the SNP's motion and to set out the Executive's progress in building a system of integrated transport in Scotland, including the development of a 21<sup>st</sup> century railway that is fit for our needs. My suspicions that the motion has far less to do with the railways and much more to do with the SNP's agenda have not been dispelled by Bruce Crawford's remarks.

It is not possible to discuss the current state of our railways without reflecting on why we are experiencing what Sir Alastair Morton, the chair of the shadow strategic rail authority, described a couple of months ago as "a nervous breakdown". The current crisis has been caused by decades of underinvestment in rolling stock and track development and maintenance, and by a fragmented rail industry resulting from the

privatisation of the railways, which even the Tories—the policy's architects—acknowledge was a botch job.

That legacy led to Paddington, and more recently to Hatfield and Mossend, and to two months of rail chaos, passenger delays, overcrowding and uncertainty on railways across the UK. That is the legacy that the Labour Government in Westminster in connection with the partnership in Scotland has inherited and is now working hard to sort out.

Although that poses a massive challenge, I absolutely refute the suggestions in the SNP motion that we have been inactive and complacent and are not interested in sorting out the situation. The solutions do not start and end at the border and they will be of no use whatever if we in Scotland pretend that we can separate ourselves from the rest of the UK network and from the investment and standards of safety that are needed throughout Scotland.

**Bruce Crawford:** Will the minister give way?

**Sarah Boyack:** No—the member has had his time.

What about the thousands of passengers who travel from Scotland to the south every day? Although Scotland needs its fair share of investment, we should not pretend that massive investment is not needed throughout the UK and that such investment on the east or west coast main line will not deliver for passengers in Scotland as well.

I do not underestimate the challenge for a minute. However, the Scottish Executive is playing its full part in the recovery of the rail network. Although John Prescott has made it absolutely clear that the recommendations in Lord Cullen's report will be implemented, he is not simply waiting for that report and has already started to sort out the network.

Bruce Crawford made much play of the current crisis. However, he has failed to take account of what has been happening not just in the past 18 months of the Scottish Parliament but since the Labour Government was elected in 1997. The rail recovery action group has been formed with the objective of returning the railway to normal, safe operations as soon as possible, and we are in regular contact with UK ministers and officials from the Department of the Environment, Transport and the Regions on the group's progress.

The SNP did not mention the fact that, on 22 November, the National Rail Operators announced a £50 million compensation package for passengers, which has been funded jointly by the SSRA, Railtrack and the rail operators. Many ScotRail passengers have already secured

significant payments from that package.

**Fiona McLeod (West of Scotland) (SNP)**  
*rose—*

**Tricia Marwick (Mid Scotland and Fife) (SNP):**  
Will the minister give way?

**Sarah Boyack:** No.

The chair of the SSRA, Sir Alastair Morton, is working with the rail industry to remove the obstacles within the current arrangements in order to provide a safe, punctual and better service. We are being kept fully informed of the SSRA's work.

Bruce Crawford did not even mention that new railway safety regulations come into force on 31 December. Furthermore, the transfer of responsibility for the approval of train operator safety cases will move from Railtrack to the Health and Safety Executive. A new rail safety company called Railway Safety is expected to be set up with the primary objective of promoting rail safety throughout the GB rail network. It is vital that we have the same standards in Scotland as across the UK. In his recent review, the rail regulator, Tom Winsor—

**Tricia Marwick:** Will the minister give way?

**Sarah Boyack:** No.

In his recent review, the rail regulator, Tom Winsor, is ensuring that Railtrack delivers on its investment plans—

**Tricia Marwick:** On a point of order, Presiding Officer.

**The Presiding Officer:** I hope that this point of order is not about the minister not giving way. That is up to her.

**Tricia Marwick:** Will you remind the minister that this is a debate? In any debate, there is usually some engagement.

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

**Bristow Muldoon:** On a point of order, Presiding Officer.

**The Presiding Officer:** Is this a genuine point of order?

**Bristow Muldoon:** Bruce Crawford said that he would respond to the points that I made, but he dismally failed to do so.

**The Presiding Officer:** The chair is not responsible for the contents of speeches.

**Sarah Boyack:** In his opening remarks, Bruce Crawford did not refer to anything that I have said is being done or has been proposed. It is important that we take into account what is being done. The changes that I have mentioned are

being introduced before the outcome of the Cullen inquiry—

**Bruce Crawford:** What changes?

**Sarah Boyack:** I am sorry, but Bruce Crawford should be aware that things have moved on. He needs to take account of the current situation.

In advance of the outcome of the Cullen inquiry, the UK Government is introducing some key mechanisms to deliver higher safety standards on our railways, all of which must apply to Scotland as well as to the rest of the UK. Those are the benefits of being an integral part of a GB rail system. I doubt that we would have any of those benefits if Bruce Crawford had his way.

**Mrs Margaret Ewing (Moray) (SNP):** Will the minister give way?

**Sarah Boyack:** No.

The SNP has not told us what it would do differently. All we have heard is that it wants Scotland to have certain powers; we have heard nothing about how it would exercise them. That is the critical difference. There has been no acknowledgement of the massive effort of railway workers throughout the country to ensure that rerailing is implemented.

**Tommy Sheridan:** Will the minister take an intervention on the railway workers?

**Sarah Boyack:** Yes.

**Members:** Oh!

**Tommy Sheridan:** Does the minister agree with the railway workers in the National Union of Rail, Maritime and Transport Workers and the Associated Society of Locomotive Engineers and Firemen, who have demanded the return of the railway network to public ownership?

**Sarah Boyack:** The railway unions also want action on the recommendations of the Cullen report. Although everyone accepts that safety is the top priority, we need the mechanisms to deliver it; the trade unions must be part of that process.

There has been massive investment in the railways. All the changes demonstrate that the £60 billion investment programme for Britain's railways will be critical in putting our railways back on a secure footing.

Bruce Crawford talked extensively about our powers in Scotland. I asked him to tell me the differences between Scotland and the rest of the UK in relation to directions and guidance on franchises to the SRA. He could not do so. The answer is that the wording is exactly the same; exactly the same wording in the Transport Act 2000 applies to negotiations on franchises. Bruce

Crawford did not even know that.

**Andrew Wilson (Central Scotland) (SNP):** Will the minister give way?

**The Presiding Officer:** No. The minister is into her last minute.

**Sarah Boyack:** It is vital that we decide on franchises within a UK context. That is John Prescott's overarching power. Scotland has devolved powers within that UK framework, under what is otherwise known as the McLeish settlement. It is important that we have such powers. We have the ability to influence and set the key terms for the rail network in Scotland and we have new investment from our public transport fund and freight facilities grants. Although we have the opportunity to define the shape of Scotland's railways through the passenger franchise system, it must be done within an overall UK framework. We need to exercise our devolved powers to get the best possible deal for Scotland. However, we intend to exercise those powers within the context of a GB rail network that delivers for every passenger and freight company throughout the UK. We are working towards that objective.

Although rail passengers have had an appalling time of late, I have outlined what the UK Government is doing—and what the Scottish Executive is doing in partnership with Westminster—to ensure that, over the next generation, the railways in Scotland are transformed into the kind of railways that people want. That is the purpose of our consultation exercise.

I move amendment S1M-1461.2, to leave out from "with concern" to end and insert:

"the progress being made by the Scottish Executive to build a sustainable, effective and integrated transport system which provides genuine choice and delivers a safe, accessible and expanding Scottish rail system as an integral part of the GB rail network."

09:48

**Mr Murray Tosh (South of Scotland) (Con):** Not for the first time, the SNP has lodged a motion that its spokesperson barely addressed in the opening speech, as a variety of alternative issues were introduced. Bruce Crawford's opening pitch related to safety matters and the Health and Safety Executive. We might have had an interesting debate on that issue had the SNP lodged such a motion. Instead, Mr Crawford spent most of his speech simply outlining a catalogue of woe about the railway industry in Britain. He had plenty to say about that because, of course, there is plenty to say about it.

Surely the value of having a debate on a specific motion is to analyse the problems and then prescribe some remedies relating to that analysis.

We had a moment of analysis towards the end of Bruce Crawford's speech when he said that the situation that we face is the result of the fragmentation of the rail system. However, the nearest that he came to suggesting a remedy for that was to propose the further fragmentation of the railway system by divorcing the Scottish rail network from the UK network and, by doing so, separating out the Government's management and organisation of the industry on an Anglo-Scottish basis.

**Tommy Sheridan:** Will the member give way?

**Mr Tosh:** No.

The remedy that Bruce Crawford suggested was additional powers for ministers. Additional powers to do what? In all the cases that Bruce Crawford outlined, what analysis did he give and what subsequent explanation did he offer of how transferring any area of policy or management from the UK Government to the Scottish Executive would address those problems?

**Bruce Crawford:** When Mr Prescott announced the £180 billion in May, he said that the Government would fund a substantial increase in the role of light rail in our larger cities. He talked, in the long term, about 25 cities having new light rail systems to address the problem of congestion. However, a letter from the DETR, dated 1 December, says:

"The funding for light rail schemes mentioned in the 10 Year Plan is therefore for England only."

It is therefore important for members of this Parliament to get their hands on the levers of power.

**Mr Tosh:** As the Executive promotes its policies, we might find that the issue of light rail could reasonably be addressed in Scotland. I am not aware that there is any definitive Government policy that says that in no way will taxpayers' money ever be used to support light rail initiatives in this country. However, there are currently no light rail schemes to be supported in Scotland.

Bruce Crawford has not addressed the fact that the strategic rail authority is not yet in place or the fact that the infrastructure investment funds have not yet been set up. The only fund that has been set up has advanced a substantial sum of money to help to promote the crossrail scheme in Edinburgh. He makes an important point, nevertheless, and I am interested in the extent to which Scotland will receive a share of the public sector money and the related pump-primed private sector investment. I am not convinced that the Executive has cleared up how it will tap into that money—that is an aspect of the problem.

However, what did Bruce Crawford say about managing the railways and about the franchises?

What deficiency did he identify in the Executive's ability to shape the next ScotRail franchise? Members will agree that there were too many franchise companies, but that applied to the UK as a whole, not to Scotland. No one is suggesting that there is anything wrong with having a Scottish franchise. The problem that has been identified with the Scottish franchise is that, like the others, it is too short and has not stimulated enough investment.

Another principal difficulty concerns the role of Railtrack. By and large, the problems in Scotland are not caused by the train-operating companies, which have invested substantially—they may not have received sufficient quality from their manufacturers, but they have invested. The difficulties have been with the management and maintenance of Railtrack, and I am critical of the role of the UK Government in that. There has been overregulation. The Government has had a role in deterring Railtrack from carrying out essential maintenance because the company has been concerned about the penalties, although belatedly it has put safety before consideration of the penalties.

That issue should be addressed on a UK basis, because the principal difficulties have arisen on the main lines that run across the border, not on those that run inside Scotland. No Scottish approach has been taken, nor a Scottish solution found, to UK problems of the Government's relationship with Railtrack and its investment in, and support for, that company.

If, on another day, Bruce Crawford chooses to lodge a specific motion that identifies specific powers to address specific issues and to achieve specific ends, he might win some support. However, today's debate is about none of those things; it is about associating politicians in this Parliament with disasters in the rail industry and trying to suggest that, if the SNP had control of matters and Scotland were divorced from England, life would somehow be better. That is a perfectly respectable case to argue. However, the Parliament is entitled to expect that, next time Bruce Crawford lodges such a motion, he will produce some analysis, evidence and argument to support a claim that, in the absence of such support, appears ridiculous and opportunistic to the rest of us.

09:54

**Mr John Munro (Ross, Skye and Inverness West) (LD):** I do not need to tell members that the economy of any area is largely dependent on the existence of an efficient and affordable transport infrastructure. That can be demonstrated clearly in much of rural Scotland, especially in the Highlands and Islands, where the transport infrastructure is

limited and, in many cases, non-existent.

We hear a great deal about the development in and around the capital of the Highlands, Inverness, much of which would not have taken place without the massive improvements to the A9 trunk road from Perth to Inverness. Those improvements have allowed developments to proceed at quite a pace, but much more needs to be done and we must consider what further improvements are required to the north, west and east of Inverness.

Like everywhere else, the Highlands region is dependent on the rail infrastructure. Transport policies that are drawn up in London and Edinburgh must reflect that to a greater extent than, unfortunately, they have so far. The most obvious example of that is the problem with fuel pricing throughout Scotland, which we have tried to address in this Parliament. That problem has continued for some time, but nothing much seems to be being done to address it. It has a serious effect on the economy of the Highlands, as the distances are greater, the fuel is more expensive and public transport is inadequate because of the costs and the logistics.

Recent statistics suggest that 20 per cent of overseas tourism in the Highlands has been lost because British Airways decided to cut its Heathrow air link. There are further plans to cut the long-haul air links from Gatwick and the fear is that the number of overseas visitors will drop further, affecting our tourism even more seriously.

The recent rail disruptions and flooding in England have highlighted our dependence on the rail infrastructure. Companies that use the overnight service to London for the transportation of fresh produce—a number of them have approached me lately—have incurred considerable and on-going costs because their goods can no longer reach the capital in time for the markets. That is having a serious effect on small businesses throughout the Highlands.

In the past year, the Scottish Executive has encouraged the use of rail transportation north of Perth through its freight facilities grant. Many companies have been supported through that initiative. Applications for that support would increase if the process was made easier; currently, they take up to six months to process, which is absurd. I am sure that the system could be streamlined.

That initiative was a step in the right direction. However, I travel regularly up and down the A9 and see many articulated vehicles on that road. Companies are not being sufficiently encouraged to use the railways for transportation; I would like the Executive to do more about that.

The Scottish Executive and the shadow strategic

rail authority must liaise to find a competitive pricing regime that would allow rail operators to compete with the road hauliers and help small businesses to transport their cargoes by rail. I have received many complaints that the application process for the freight facilities grant is too complicated and that it is difficult to gain approval for a grant. The process takes six months, but it should take around six weeks. In the months ahead, the Scottish Executive must address that problem if it expects the grant scheme to work.

The current problems with the railways will not encourage people to use them. We must establish an efficient and dependable rail system. Railtrack has failed to do its job and passengers and freight users have been made to suffer for the shareholders' benefit. Today's problems are testimony to the lack of investment in the rail infrastructure by successive Governments. I hope that the Scottish Parliament and the Scottish Executive will ensure that much more support is given to the rail industry, so that we can have an efficient, affordable and appropriate rail infrastructure.

**The Presiding Officer:** We now come to the open debate. I should point out that we are running a little bit behind time.

10:00

**Mr Gil Paterson (Central Scotland) (SNP):** What is Murray Tosh on? Whatever it is, I want some.

I want to address the human element of the crisis on our railways. I travel almost every day on the Glasgow-Edinburgh railway line, as do many members of this Parliament. In fact, 3 million passengers travel on that route every year, with many of them getting on at interim stations such as Falkirk, Croy and Linlithgow. The situation on the railways has highlighted the failure of the industry to cope with emergencies and has brought to light the lack of protection for passengers on trains. The frequency of the trains between Edinburgh and Glasgow has decreased from one every 15 minutes to one every half hour. That has resulted in even more overcrowded and cramped trains on that line, with passengers not being able to board trains because they are full, and has raised serious safety issues. The situation is much the same across the country, but I have specific knowledge of that route.

**Mr Tosh:** I appreciate what Gil Paterson is saying. However, could he explain what there is in the motion or in the argument that has been advanced today that would have led to anything different happening in relation to the washed-away track in Polmont or the difficulties that ScotRail is

having with its rolling stock? The motion is irrelevant to those issues.

**Mr Paterson:** I got a fright—I thought that Mr Tosh was going to tell me what he was on. I will come on to the points that he raises later in my speech.

I have worked in the motor industry for most of my life and I know that the regulations governing the number of people who are allowed on road vehicles are strict, as are the requirements for safety measures such as belts and air bags. There are maximum passenger capacities for buses, cars and planes, but I am bewildered and amazed that no such regulations exist for trains. In fact, there are practically no health and safety regulations at all.

The perception is that, because the trains are built to such a high specification and provide a walk-on service, there is no danger to passengers and no need to regulate numbers. However, in recent weeks, the dangers to passengers as a result of the rail crisis have highlighted the need for health and safety regulations and an increase in the carrying capacity to cope with passenger numbers. A colleague of mine told of a pregnant woman who was forced to crouch on the floor because she was feeling ill and was unable to stand. The train was overcrowded and packed to the doors, which meant that there was no room to get her to a seat. Many members will be aware that, recently, at Linlithgow station, the police had to be called because of the number of people who were trying to get on to the train. The scary fact is that if all the people had physically been able to get on the train, there would have been no health and safety rules to stop them. A few weeks ago, a train's doors flew open as it passed through a tunnel. Luckily, no one fell out—that time.

Frequent commuters are fed up. How passengers from Falkirk, Polmont and Linlithgow put up with standing all the way to Edinburgh day after day is beyond me. Over the crisis period, timetables have been cut, there are longer journey times and there are less frequent trains. The ones that are running are dangerously overcrowded and uncomfortable for passengers. Passengers should be able to expect a level of service in keeping with the ticket price, but they are not receiving that.

Rail users have lost confidence in the rail industry. The privatised and fragmented system is inadequate and does not serve the people of Scotland. The Scottish Parliament needs to have the power to take action to ensure that rail safety and passenger safety are not compromised for financial gain. People should get what they pay for—a seat on the train.

10:04

**Tommy Sheridan (Glasgow) (SSP):** Listening to Murray Tosh, I was reminded of the wee boy who wet the bed and blamed it on the blankets. It is interesting that he talks about analysis and the fragmentation of the railway and says that this debate is only about associating politicians with disaster. It is no wonder that he did not want to have today's debate. He should be associated with this disaster as it was his party that privatised the railways in the first place and that is what has led to the disaster: the fragmentation and the pursuit of profit over the pursuit of public safety. He should be willing to take—

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

**Tommy Sheridan:** I am only seven seconds into my speech. I will allow the member to intervene shortly, even though he did not let me intervene during his speech.

Today's debate is artificial. It is artificial because the one demand that has massive public support, which has been raised by the National Union of Rail, Maritime and Transport Workers and the Associated Society of Locomotive Engineers and Firemen and which has even been raised by normally conservative and cautious commentators such as Mr Kerevan in *The Scotsman* and Mr Macwhirter in *The Herald*, has not been allowed into the debate. The demand is that the Scottish Parliament should call on the Westminster Government to renationalise the railways. That demand is clearly overwhelmingly supported by the public.

**Mr Tosh:** Surely it is the responsibility of political leadership not to fan such economic nonsense and to lead people to believe that answers can be found by diverting billions away from investment and towards the purchase of Railtrack?

**Tommy Sheridan:** That is a fine point. In 1996, when rail privatisation was completed, the rail infrastructure had been sold off by the Tories for £1.9 billion. Two years later, it was valued on the stock exchange at £8 billion. The Government has announced a public subsidy for next year of £4.9 billion and a 10-year subsidy of £26 billion. We are investing in the privatised rail network 13 times as much as it was sold off for; we are investing more than was invested in the publicly owned rail network.

The problem for Murray Tosh's party is that it tried to make a private concern out of the public railway and failed miserably in the attempt. It failed because the pursuit of public safety is incompatible with the pursuit of private profit. We have 100 operating companies and Railtrack as the structural company. All of them are serving shareholders to the extent that, despite the loss of innocent lives at Hatfield, Ladbroke Grove and

Paddington, Railtrack's shareholders had pay-outs of £50 million last year and £53 million this year. While people are killed on the railways, the private shareholders get an increase in profit. That is the problem with our railway network. That is why we should bring into today's debate an analysis that concludes that we need to restructure our railway network under public control and public management.

It is a pity that the Conservatives sold the rail network off and it is a grave pity that Labour is no longer willing to support its renationalisation. It would have been interesting if my amendment had been accepted as I know that many members of the SNP support the renationalisation of the rail network. I know that the party supported it in 1992, but I feel that it might not support it now. I would have liked to see how many SNP members still support the idea. We have demands for more control and more influence when what we need is public control and public ownership.

I will finish with a wee story from Rory Bremner, one of the finest comics and impersonators in Scotland. Two friends are sitting in the pub, one of them looking very glum. The other one says, "What's wrong with you?" His friend says, "I had my car stolen the other night." "Oh, that's terrible," says his friend. "It's worse than that," says the first guy. "Why is it worse than that?" "Because the guy who stole it chapped on my door and offered to sell it back to me." "But that's theft!" exclaims the friend. "No," says the first guy, "That's privatisation." That is the problem.

10:09

**Robert Brown (Glasgow) (LD):** We have had a number of debates on railway matters in recent weeks, including two useful ones on some of the rail issues in the city of Glasgow. Today's debate, however, is not a transport debate, but an independence debate masquerading as a transport debate, as Murray Tosh correctly indicated earlier. It comes from what used to be called the Alex-in-wonderland school of politics, which maintains that a cascade of gold will descend on Scotland and that all our problems will be solved if only Scotland obtains its independence and gets rid of the wicked United Kingdom.

In view of the change in the Scottish National Party leadership, we should perhaps rename it "The Johnny and the Magic Roundabout Story". "Boing!" said Zebedee, "We've solved the roads problem—a billion pounds. Boing, boing! Great railway system we've got now." That is the SNP approach. Nothing in what was said in Bruce Crawford's introductory remarks detracted from that analysis, such as it is, of what the SNP is proposing.

The problems on the railways are primarily caused by a lack of investment. On the roads, despite the eventual U-turn by the Conservative Government on its big roads policy, the Tories fathered a whole generation of potholes with resource cuts to local government. It is on the railways, however, that their 20 years of neglect and their dismissal of the public interest bore most heavily. We are paying in spades for that with the present disruption in the rail system. Countries that fail to learn from history are condemned to relive it, and there are sinister parallels between the Tories' botched, failed rail privatisation and new Labour's privatisation of air traffic control, with its disregard for the crucial issue of public safety.

**Mr Tosh:** Could Mr Brown clarify that? I am aware of the remarks made by Don Foster MP, among others. Is it the policy of the Liberal party in the UK that the railways should be taken back into public ownership? Is that the policy of the Liberal party in this Parliament?

**Robert Brown:** The issue is not one of privatisation or nationalisation. Things have moved on in that regard. The issue is about the botched way in which the privatisation was carried out and the fragmentation of the system. That is the legacy that we are living with; that is the main problem caused by the manner in which the Tories brought about the break-up of the railway system.

The SNP solution offers a further break-up of a network that is already dominated by fragmentation. It is irrelevant and unworkable; it is dogmatic nonsense. The proper way forward is for the investment and strategy of the basic intercity network to be directed at a UK level, through the SRA, on which the Scottish Executive has a nominee and into which it has an input. As Sarah Boyack made clear, the way forward is partnership between the Scottish Executive and the various other interests. Matters concerning the railways do not stop at the border. Scottish passengers and freight and the Scottish economy, despite the claims of the SNP, all have a clear, relevant interest in the effectiveness of the rail links on the east and west coasts down to the south.

I will finish on a point that is perhaps not totally germane to the motion. The cross-party group on strategic rail was briefed recently by Great North Eastern Railway on how it was tackling the problems on its section of the rail network. In that discussion, GNER confirmed that it is one train down as a result of the Hatfield accident. It also stated that securing the delivery of new railway engines took three years. That is quite an important background issue to the whole situation, particularly with regard to what we heard recently about the problems with the Turbostar trains.

There may be some potential for the Government and the Scottish Executive to look

more closely at the way in which we organise the delivery of railway trains and engines to the network. That is a significant problem, in addition to the problems with Railtrack that have been identified. I ask the minister to consider that issue when she winds up for the Executive.

10:14

**Mr Andy Kerr (East Kilbride) (Lab):** I wish to do something novel in this debate: I want to address the motion. I do not think that the SNP members have addressed many of the issues, particularly following other members' interventions.

When I stand on a platform or in a crowded train, I do not hear passengers saying that they want powers to be transferred to Scotland; they want solutions to problems. The Minister for Transport has underlined the fact that some of those solutions are now being legislated for. The SNP motion has singularly failed to address that.

I have no problem with matters being dealt with at a UK level when that is the best level, which is the case with health and safety, infrastructure and investment. [*Interruption.*] I will be happy to take interventions if members have something to say. The infrastructure has been separated, and there are problems with that, including the fact that the operating companies do not feel responsible for the maintenance of the lines, given Railtrack's role. The SRA is to deliver that necessary integration.

**Tommy Sheridan:** I thank Andy Kerr for agreeing to take interventions. I asked the minister this question, but I also ask it of Andy in his capacity as convener of the powerful Transport and the Environment Committee: does he accept that those who work in the rail industry are demanding the renationalisation of that industry? Does he personally support that?

**Mr Kerr:** I have met representatives of rail industry trade unions, and I have not heard them advocate the position outlined in the SNP's motion. I am happy to read in this morning's newspapers that John Prescott's office is giving a clear indication that he will be taking very strict measures on 1 February if the rail industry has not sorted out the problems. That is a reserved matter, however, and I respect my colleagues in Westminster enough to trust that they will make their decisions based on the advice and information that they are getting. I will express my views on the matter when they have done so. That is only fair.

I believe in the devolved settlement and in the respective roles of this Parliament and of the Westminster Parliament. I hope that the issues will be dealt with on 1 February. If the question on nationalisation that Tommy Sheridan raised is

brought up at that point, we can consider that.

**Bristow Muldoon:** Does Andy Kerr agree that the SNP completely failed to address its own motion, particularly with regard to the increased fragmentation that its provisions would bring to the industry, that that fragmentation would introduce a further lack of clarity on responsibility for safety issues and that the costs of running the network would possibly increase as a result?

**Dorothy-Grace Elder (Glasgow) (SNP):** Andy Kerr had to phone a friend.

**Mr Kerr:** I am happy to take interventions. Dorothy-Grace Elder attempts to intervene from a sedentary position—that is her problem, not mine.

I agree with Bristow Muldoon's position, and with the fact that the points in the motion have at no stage been addressed by the SNP in this debate. Its members talk about Railtrack and the difficulties with the lines. What do they want to do? They want to fragment further the systems and structures that currently exist. I do not understand it. In the UK and Scotland, we have a concordat, and there is discussion and channelling of information among ministers north and south of the border.

**Bruce Crawford:** Perhaps Andy Kerr can tell me what changed between the publication of "Travel Choices for Scotland", which made it plain that the Minister for Transport would have the power to give instruction, and the current situation, in which it is possible to give direction and guidance. If the Minister for Transport and the Executive had had that power to give instruction, action might have been taken a lot earlier. What has changed?

**Mr Kerr:** I took the time to attend the minister's press conference on the franchise agreement process. I am happy with the powers that she has under the system, and that she will be able to deliver what Scotland needs for its railways.

I will close on this point. I believe that there are a number of similarities between the SNP and Railtrack. First, the SNP would close all lines south of the border at any opportunity, at an hour's notice. Secondly, the SNP is constantly changing its timetable for independence. Thirdly, like Railtrack, the SNP is constantly demanding bigger handouts from the Treasury. Fourthly—

**Tricia Marwick rose—**

**Mr Kerr:** I have taken three interventions, and, as I said, I am closing, thank you very much.

Fourthly, the SNP promises bigger dividends, but, sure as fate, it becomes less popular in doing so. Lastly—I think that this one fits very well—the SNP, like Railtrack, has difficulty reaching London, and will now reintroduce some older rolling stock.

**The Presiding Officer:** We now come to the closing speeches, and we are running about seven minutes behind, which means cutting into the next debate. I therefore appeal for brief closing speeches.

10:18

**Iain Smith (North-East Fife) (LD):** I will be brief, as my closing comments have been stolen by the previous speaker. I am sad that this debate has not been about what it should have been about: the future of Scotland's railways. A strategic document has been published by the Scottish Executive, asking for views about how our railways should be developed. I am sad that the SNP instead chooses to have a debate on the sterile arguments that it always brings forward about future relationships and independence, rather than one on a current issue—on a document that has been published for comments on the future of our railways.

I use the railways daily. I know how important it is to invest in them, and I know that we can make changes through the Scottish Parliament. Through representation, I have succeeded in the past few weeks in getting a rail service restored in north-east Fife. It has been agreed to restore a cut service from next May, when the new timetable is published. That is an example of the positive things that the Scottish Parliament can do.

We have control over our railways. The Scottish Executive is able to direct ScotRail, Railtrack and the SRA on how the Scottish rail service is developed. We have strong powers to make changes to how Scotland's railways operate. It is sad that Murray Tosh should forget that the problems in our rail service result from lack of investment over many years. In their 18 years of control in Scotland, the Conservatives failed to invest in our rail service.

**Mr Tosh:** I make the point that I have made before in the chamber: the purpose of privatisation was to increase investment dramatically. Privatisation has done that, as was proved when Tommy Sheridan rattled off the valuations and when we talked about the problems with the new rolling stock. That rolling stock resulted from massive expenditure by the train-operating companies. In principle, privatisation is a considerable success.

**Iain Smith:** Privatisation has not been a considerable success. The Conservatives did it very badly. Even those who are involved in the rail network will say that privatisation failed to address the key issues of safety and service improvement because it put profit first. It is generally accepted that Railtrack is a shambles, and that that is the case because it was privatised badly by the

Conservatives. Nobody can deny that. I am sorry that Murray Tosh thinks that it was done well.

It would not be sensible to renationalise the rail network because that would be a waste of public money. We should concentrate on investing in the rail network.

**Tommy Sheridan:** The member says that it would be a waste of public money to renationalise the privatised rail network, yet, as I have said today, we are now investing 13 times more public money in the privatised network than the amount for which the network was sold off. Does that represent value for money?

**Iain Smith:** In discussing renationalisation people forget that what is important is how much is invested in the railways rather than who owns them. The problem is that the Conservatives' privatisation of the rail network failed to ensure proper investment after 18 years of underinvestment by the Conservative Government. We now need to ensure that, regardless of whether the rail network is publicly or privately owned, it receives investment to improve services.

I had intended to finish on the five similarities between Railtrack and the SNP, but, unfortunately, that comparison was stolen by the previous speaker. However, there is one similarity that he forgot. Sadly, like Railtrack, the SNP's bandwagon keeps coming off the rails. This bad motion is yet another example of that. The SNP should concentrate on investment in our public services and saying what it would do to improve Scotland's rail service. The motion fails to do that.

10:23

**John Scott (Ayr) (Con):** I can agree with only the opening part of the SNP motion, which is:

"That the Parliament notes with concern and anger the crisis in the rail network in Scotland".

Thereafter, there is the usual nationalist message, with which, members will not be surprised to hear, I cannot agree. I think that Murray Tosh has seen it off. As Andy Kerr said, even the SNP did not address its own motion.

Yesterday's report from the House of Commons Environment, Transport and Regional Affairs Committee, which accused Railtrack of losing sight of its "core responsibility" to run safe railways, is deeply worrying and cannot be ignored. Like my Westminster colleagues, I have doubts about the composition of a Railtrack board, only two of whose seven members are experts on railways. However, the SNP is calling for the Scottish Parliament to have more control over Scotland's railways. Although that will happen in due course in a devolved and integrated way,

extra control by this Parliament will not necessarily lead to a better or safer railway, if the Executive's accident-prone record is anything to go by.

Tommy Sheridan and Bruce Crawford will be pleased to hear that I think that there has been too much fragmentation of what was once British Rail. That matter needs to be addressed at a strategic level. Although I will probably not agree with the detail, John Prescott is doing that.

I believe that more fundamental work needs to be done on the design of the track. My limited engineering experience suggests to me that perhaps rails need to be redesigned to cope with the increased loadings that they now carry. Rail design has not changed in 100 years. Gauge corner cracking is not a new problem, but it is more common now due to increased stresses and strains.

**Tommy Sheridan:** Will the member agree that one of the major problems with the rails is the fact that 15,000 rail maintenance workers have been laid off since privatisation?

**John Scott:** Privatisation is about raising capital. The Conservative Government recognised that and privatised the rail network so that capital could be raised on the stock market and investment would be made by the company. The fact that the company did not do that is down to the fact that the regulators did not do their job. The Government should have ensured that the regulators did their job.

Gauge corner cracking is more common because of the extra stresses and strains that are caused by increased speeds and loadings. As a former engineer, I call for an expert review of rail and track design. That is fundamental.

A further problem, which must be addressed locally, is the timely introduction of new rolling stock. On the Ayr-Glasgow line, the introduction of the new Juniper class trains, which was due to occur this year, has slipped back until 2001. ScotRail now hopes that those trains will be introduced by May 2001. I, too, hope that they will be. As a passenger on that line, I declare an interest: passengers on that route have suffered too many delays and too much discomfort for far too long.

Both Tommy Sheridan and the minister spoke of the legacy that was left by the Tories. The fact is that privatisation worked. Privatisation is not an exact science. Where the process failed was in the underinvestment by Railtrack and the ineffectiveness of the regulator. I make that point as strongly as I can.

I welcome the minister's greater emphasis on safety and her adoption of the Cullen report.

**Dorothy-Grace Elder:** Will the member give

way?

**The Deputy Presiding Officer (Mr George Reid):** The member must finish as he is almost a minute over time.

**John Scott:** I welcome what John Farquhar Munro said about the need to look after railways in relation to tourism and freight.

It is a pity that Robert Brown and Iain Smith do not get together with their colleague Don Foster, who as recently as last month advocated the full nationalisation of the railways. What else can we expect from the Liberals? The left hand does not know what the right hand is doing.

10:27

**Sarah Boyack:** Many important points have been made in this debate to which it is worth replying.

It is rich of the SNP to criticise the powers that come to us through the McLeish settlement and the UK Transport Act 2000 without analysing the extent to which we are using them or saying how it would use the list of powers that are identified in the motion.

Bruce Crawford seems to be obsessed with the framework of directions and guidance to the strategic rail authority. I make it clear that Scottish ministers have sole responsibility for issuing directions and guidance to the strategic rail authority in relation to the franchise that operates rail services that start and end in Scotland, and for sleeper services that are run by that franchise within a national framework.

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

**Sarah Boyack:** No. The member will sum up in a few minutes.

The powers are the same as for franchises across the UK. Members—Bruce Crawford more than anyone—will know that when we discuss bills in committees, we change the wording. The critical point is how we use our powers and how they mesh into the wider UK framework.

Murray Tosh spoke about the importance of tapping into the SRA and about how it will identify the criteria for new investment. That is critical and that is why we are discussing with the shadow strategic rail authority freight strategy and the criteria for its investment programme. The Executive is prepared to invest huge amounts of public sector money in the rail industry.

**Mr Tosh** *rose*—

**Sarah Boyack:** It is right that we should get value for that investment. That is why we need a regulatory framework. One of the weaknesses that we have inherited is the fact that the lack of

investment in the railways has left us with a backlog of maintenance work. It is now being addressed. It is vital that there should be a regulatory framework.

The franchise process works. Lord Cullen's inquiry will give pointers to the future, which the UK Government can take on board. The Government is working through the railway recovery plan and, on the Scottish franchise, in discussion with us to provide future investment.

John Farquhar Munro made some critical points about the freight industry. Given the events of the past few weeks, it is absolutely right that most of our attention has been on passengers, but freight is also vital for the future not just of the north of Scotland, but of the whole of Scotland. That is why we are making £36 million of investment available to freight services over the next three years and why we have invested £19 million already.

**Mr Tosh:** Will the minister give way?

**Sarah Boyack:** No, thank you.

We are keen to work with the whole rail industry. We set up the rail industry forum in Scotland to enable the rail industry's passenger and freight interests and direct passenger interests to participate in discussions with the Scottish Executive. That will allow us to work together.

Robert Brown made an extremely important point about the ability of the train operating companies to obtain new rolling stock, the need for which is another legacy of underinvestment. Creating manufacturing capacity from a standing start is a tough job. Massive investment, through the various franchises, is being made in new rolling stock across Scotland and the UK.

No one from the SNP has been prepared to say what that party would do with the powers that it seeks. We are absolutely clear that we are using our powers to the full. Scotland's railways will benefit from being part of a dramatically reshaped rail safety regime across the UK. We are in a loop with the Department of the Environment, Transport and the Regions and UK ministers and are involved in the discussions on how that regime will be progressed. We will benefit from the £60 billion that will come through the GB spending plan for railways.

Light rail is an issue that we must deal with in Scotland. We have already held a debate on light rail in Scotland and I am sure that there will be others. In England, the proposals are much further ahead than they are in Scotland. I say to Bruce Crawford that that is the simple reality—it is the challenge that faces us in Scotland. Light rail is referred to in our rail franchise paper as one of the key issues that the new franchise must take on board.

The money will come from Scottish investment—from the Scottish block—but there are no proposals in front of us. Fiona McLeod might want to address that when she sums up the debate for the SNP. The direct investment that we will make in the Scottish franchise is worth £200 million in public support in the current financial year. We will look to the new franchise to increase the supply of rail services across Scotland.

Over the next three years, £150 million will be invested through the public transport fund.

**Tricia Marwick:** Will the minister give way?

**Sarah Boyack:** No, thank you.

In Scotland, we benefit from having the best train operating company in Great Britain after Island Line on the Isle of Wight. Broadly speaking, ScotRail has done a good job over the past few years. Even during the current crisis, nearly all ScotRail's services operated a normal timetable within a short period.

The points made by Gil Paterson about the Edinburgh to Glasgow line are relevant. That line was disrupted because of track speed restrictions but, as Gil Paterson knows, given that he is a regular user of the service, the journey time is getting back to just over an hour and the line should operate at full capacity in the new year.

Passengers in Scotland and across the UK have had a tough couple of months. However, the critical point that people should take from the debate is that we have new powers and new investment. We will use those powers to their full extent. Scotland's railways must be part of an integrated UK transport system. Rail can help to reduce congestion, peripherality and social exclusion. It can assist economic development and will generate environmental gains. However, Scotland's railways will achieve those broad objectives only if they are an integral part of a GB network. Therefore, we must have powers in Scotland, as well as liaising with the UK Government. That is precisely what we are doing and I call on the chamber to support the Executive's amendment.

10:33

**Fiona McLeod (West of Scotland) (SNP):** Today's debate has fallen into three main areas: safety, ministerial powers and money—money is always mentioned. I thought that members would talk mainly about safety. I am surprised that everyone picked up on the issue of ministerial powers.

We have heard that the SNP wants to fragment the railways even further—

**Bristow Muldoon:** Will the member give way?

**Fiona McLeod:** I would prefer to get started.

I take issue with the implication that the SNP wants to fragment the railways even further.

The minister said throughout the debate that she has powers and that the Transport Act 2000 will give her more. I draw her attention to the fact that the House of Commons made it clear that, under sections 208 and 209 of the act, the strategic rail authority will not have to comply with directions or guidance from Scottish ministers that are not consistent with guidance from the secretary of state. The SNP's point is that power over the strategic review of railways in Scotland must lie in Scotland and must not be at the mercy of the secretary of state in England and Wales.

The minister also talked about the £50 million compensation package that will be available to passengers. If the minister travelled on the Edinburgh to Glasgow rail line every day of the week, as Gil Paterson and I do, she would hear that passengers do not want compensation—they want the money to be invested to ensure that they have a safe and reliable railway.

We must also consider why the minister and the Tories' Murray Tosh are happy that someone else will decide what happens in Scotland. The power to direct the railways in Scotland on behalf of passengers must lie in Scotland. That power must not be exercised at the behest of a secretary of state in England.

We must achieve Scottish powers that are good for Scotland's railways. We would not be in the position that we are in today if we had been able to instruct ScotRail and Railtrack.

**Sarah Boyack:** Every member who has spoken in the debate has invited the SNP to say how it would use such powers. Fiona McLeod has yet to do so. Would she set up a separate health and safety executive in Scotland? Would she set out separate guidelines on safety specifications for Scotland? She has not answered those points.

**Fiona McLeod:** Come independence, there will be a separate and independent health and safety executive in Scotland. On that point—

**Bristow Muldoon:** Will the member give way?

**Fiona McLeod:** No. Bristow Muldoon should sit down. He has been up and down like a jack-in-the-box all morning.

Let us consider the money that is involved. Last year, Railtrack's profits were £421 million. The Health and Safety Executive's funding for its work throughout the UK was £182 million. The debate is about putting profit before safety. Perhaps we would be able to invest in safety first in an independent Scotland.

The minister also asked whether we would have

the same guidelines in Scotland as are in place in the rest of the UK. I draw to her attention the fact that, after the Hatfield incident, Bruce Crawford and I met Railtrack a week before she did. We were told that, in Scotland, Railtrack applied guidelines plus—the staff whom we met were proud of the fact that the guidelines for Railtrack in Scotland are better than the guidelines for the rest of the UK. However, while we were pleased to hear that we already have better guidelines, we were not pleased that guidelines plus has resulted in 250 miles of track needing to be replaced.

Independence and power in Scotland will ensure that Scotland's railways do not again get into the mess that they are in today.

**Sarah Boyack:** What about the detail?

**Fiona McLeod:** The detail is there—the problem is that the minister cannot come up with the money and does not have the power to do anything with it anyway.

**Iain Smith:** Will the member give way?

**Fiona McLeod:** I am sorry, but I am conscious that we are short of time—I have only four minutes.

I want to conclude by repeating the point that the SNP has made throughout the debate. The SNP wants power in Scotland so that there is parliamentary oversight of the railways in Scotland. That would ensure that the massive public subsidies that already go to Railtrack, to which Tommy Sheridan referred, deliver a public service in Scotland and reflect the desires and the demands of the people of this country.

## Health Care

**The Deputy Presiding Officer (Mr George Reid):** The next item of business is a Scottish National Party debate on motion S1M-1453, in the name of Nicola Sturgeon, on health and community care, and two amendments to that motion.

**Tricia Marwick (Mid Scotland and Fife) (SNP):** On a point of order, Presiding Officer. Later this morning, the Minister for Health and Community Care will make a statement to Parliament on the health plan. I understand that, following a briefing on Friday, details of that health plan were carried by the media. Only this morning, the Minister for Health and Community Care gave an interview on "Good Morning Scotland".

Presiding Officer, once again I urge you to intervene. As you are well aware, the Parliamentary Bureau agrees to give the Executive parliamentary time to make ministerial statements. In future, unless the SNP can be guaranteed that those statements will be made first to Parliament, we might be forced into an opposing position.

**Mike Watson (Glasgow Cathcart) (Lab):** On a point of order. We must draw a line between what is a statement and what is a non-specific comment. Anyone who heard the minister on "Good Morning Scotland" and then on Radio 5 this morning will agree that she gave away no details of the statement and spoke only in general terms. The statement will be made in the chamber.

**The Deputy Presiding Officer:** To Tricia Marwick I would say that Sir David Steel has repeatedly made it clear that Government proposals should be announced to Parliament before being unleashed on the airwaves or in newsprint. However, as Mike Watson says, there is a difference between general intention and specific policy. It is a fine line but, on this occasion, I feel that the minister came down on the right side of it.

10:41

**Nicola Sturgeon (Glasgow) (SNP):** I will begin by placing on record the fact that this is the second Opposition debate on health and community care within a few weeks that Susan Deacon has not bothered to attend. In more ways than one, the Minister for Health and Community Care is treating Parliament with contempt.

Later this morning, after two years in office, the minister will publish a plan for the future of the national health service in Scotland. If the newspapers are to be believed—and they certainly

appear to know more about the contents of that plan than the rest of us—I am sure that it will contain much that members will enthusiastically welcome and support. It is unfortunate that the Executive has chosen not to have a full parliamentary debate on a document that has been billed as the blueprint for the future of the NHS. Instead, the Executive has chosen to announce it in a 45-minute ministerial statement. That is inadequate and is the reason why the SNP has opted to have this debate.

If we are to judge and properly assess the impact of the health plan, it is essential that we first face the reality of the NHS in Scotland today. The reality is that after nearly four years of a Labour Government, the NHS remains in the perilous state it was in when the Conservatives left office. According to the Executive's own opinion survey, only 13 per cent of Scots believe that there have been any improvements in the health service under Labour. What an indictment.

In some key areas, things have actually got worse. Let us consider the facts. In its first year in office, Labour cut spending on the health service. Not even the Tories managed to do that in their 18 long years in office; yet it was one of the first things that Labour did when it returned to power in 1997. Today, there are nearly 900 fewer nurses in our hospitals than there were when Labour came to power. At the start of December, in her announcement on winter pressures, Susan Deacon promised additional nurses in every health board area; of course, she omitted to specify exactly how many. The reality is that it will take an additional 900 nurses just to get back to the position that we were in when the Tories left office. I do not remember anyone—least of all Labour members—asserting that that is satisfactory.

The fundamental question that the minister always fails to answer whenever she promises additional nurses is this: where will they come from? At present, more than 800 nursing posts are vacant in Scotland—and more than 200 of those have been vacant for more than three months. There is a shortage of nurses in Scotland that must be addressed if even the immediate targets of the NHS are to be met.

Let us consider one example. In a letter to me dated 5 December, Greater Glasgow Health Board said that, even at this late stage, it is likely that its winter plans will have to be revised if it is unable to employ sufficient additional staff. The Executive has said that trusts should use agency and bank nurses—notwithstanding the fact that that flies in the face of advice from the Accounts Commission that bank and agency staff should be used only in unforeseen circumstances. Not even Susan Deacon could describe winter pressures as unforeseen. However, even if we accept the use of

those nurses as a short-term fix to get us through the winter, it does not begin to address the longer-term problem. The truth is that Scotland is losing nurses hand over fist. According to the Royal College of Nursing, the drop-out rate for nursing students in Scotland is at its highest for four years. The Executive is doing next to nothing to reverse that trend.

Under Labour we are losing not only nurses. Scotland has 3,000 fewer beds now than it did when Labour came to power—another example of Labour's failure to preserve, let alone improve, our health service. A further 3,000 beds are blocked—one in 10 of the total number of beds in Scotland. They are occupied by people who do not need to be there but who cannot access the care that they need in other, more appropriate, settings. Two weeks ago, Susan Deacon promised 700 new beds—less than a quarter of those that have disappeared under Labour. Failure to deliver after failure to deliver—that is Labour's record on health.

On waiting times, it is the same story—failure to deliver. And while I am talking about failure to deliver, it is appropriate that I should give way to a Conservative.

**Mr David Davidson (North-East Scotland) (Con):** And one who is asking whether Ms Sturgeon has a solution to something. Do the nationalists have a plan to make better use of the private sector care homes that could help to unblock beds?

**Nicola Sturgeon:** If David Davidson cares to wait, all will be revealed. That is a promise on which I will deliver.

In 1999, the pledge was to bring down the time that patients wait to see a consultant; yet, nearly two years later, there has been virtually no reduction in those waiting times. We also have waiting lists, which no one on the Labour benches is keen to talk about these days. In 1997, we were promised that Labour would get waiting lists down and keep them down. In 1997, 84,600 people in Scotland were waiting for care; this year, 86,500 are waiting, a hike of nearly 2,000 since Labour came into office.

**Mr Keith Raffan (Mid Scotland and Fife) (LD):** Will the member give way?

**Nicola Sturgeon:** Not just now.

Of course, Ms Deacon will argue that that was not her pledge, but London Labour's pledge, and that it was all Tony Blair's fault. However, her pledge in 1999 was to cut waiting lists by 10,000. Despite that pledge, in the past year waiting lists in Scotland have gone up by 11,000—a 15 per cent increase in just 12 months. It does not matter which way we look at it, or whose pledge we

choose: either way, Labour has failed to deliver on the key pledge to run our health service on which it was elected.

**Mr Raffan:** Ms Sturgeon focuses once again on waiting lists, yet her predecessor, Mrs Ullrich, said that focusing on waiting lists was crude. Will the SNP make its mind up: is it focusing on waiting lists or waiting times?

**Nicola Sturgeon:** The SNP was not elected on a pledge to reduce waiting lists; that Labour lot was. As an Opposition party, we will hold Labour to account on that pledge.

Let me move on to the implementation of the Sutherland report and the paying of personal care costs for some of the most vulnerable people in our society. There was a broad consensus in support of that in Scotland, including support from the Parliament's Health and Community Care Committee. However, nearly two years after Sutherland reported, we still do not know where the Executive stands on paying for personal care. In October, Susan Deacon said no; a few weeks later, Henry McLeish said yes. Now we hear that that commitment is not in Labour's programme for government. Astonishingly, it is Susan Deacon, the Minister for Health and Community Care, whose job it is to fight the corner of people who would benefit from free personal care, who is arguing against it. Have we ever heard the like—a Health and Community Care Minister who is turning down the opportunity to help pensioners? If that is true, Susan Deacon will not be forgiven. If it is not true, let us hear from Mr Chisholm today a clear and unambiguous statement of the Executive's position. I ask the Deputy Minister for Health and Community Care: will the Executive pay for personal care or not? Yes or no?

Even by the standards that it has set, Labour's record to date is one of failure to deliver: failure to implement Sutherland, fewer beds and nurses, and longer waiting lists. Those are the issues that people want addressed. That is why the plan that Susan Deacon will outline later today is so important. Expectations are very high, and rightly so. Like most other members, I do not know with any certainty what the plan will contain, although I would like to put on record my thanks to Scottish newspapers for giving me some handy hints. I am sure that the plan will contain a great deal that the SNP will support in principle—structural changes to cut bureaucracy, better patient involvement, national standards, a service designed around lives as they are lived today, and initiatives to improve our nation's public health. Those are aspirations that the SNP will support without reservation. However, a document that consists of aspirations, targets and pledges alone will not do—especially from a Government that has already shown that its pledges are not worth the

paper that they are written on. Gone are the days when Labour made promises on health and the people of Scotland were expected to take a leap of faith.

**Mr Davidson** *rose*—

**Nicola Sturgeon:** Not just now. Scotland wants—and expects to see—a substantial and detailed blueprint for change, a set of proposals and initiatives that will tackle real problems. We are entitled to expect that of a plan that has taken the Government almost two years to produce—not simply a pledge to reduce waiting times by 2003 or some other date but a clear statement of how that will be done; not a vague promise of more doctors and nurses but a detailed strategy to address the shortfall of doctors and nurses. There must be clarity about how each of the initiatives in the plan will be funded.

On the question of resources, I turn to the Executive's amendment. It is the Executive's right to assert that it is spending record amounts on health, just as it is my right to argue that Scotland deserves more, that we should not have smaller increases than those south of the border and that our health budget should not be subject to a Barnett squeeze that will cost us over £300 million over the next three years.

That is an important argument and it will not go away. However, I put it to one side for the moment because there is a more fundamental issue to address, which I hope members can recognise and agree on. Whatever additional money is being invested in the NHS, it is not bearing fruit in substantial improvements in health or in the quality of the health service in Scotland. It is more money for fewer beds, fewer nurses and longer waiting lists and for a quality of care that too often depends on where a person lives rather than their needs. The problems in the NHS are not about just money, but about the management of resources at all levels of the service. There is a lack of transparency and accountability in the NHS that makes it absolutely impossible to track how money is spent, from when it is announced to when it is spent by boards or trusts. That is unacceptable. If democratisation and patient involvement are to mean anything, that must change and change quickly.

If Susan Deacon is determined to cut bureaucracy I will support her. However, after four years of a Labour Government and a reorganisation last year that clearly did not go far enough to solve the problems in the health service, we cannot wait a further five years for a structure that will deliver for patients in Scotland.

This morning the SNP seeks to set the context for Susan Deacon's publication of the health plan later today. That context is an NHS that is sound

in principle, served by dedicated doctors, nurses and other staff, but an NHS that, under Labour, is struggling to meet the demands that are made of it every day of every week of the year.

The SNP is also setting out clearly and exactly what is expected of a Government that has a serious credibility problem when it comes to delivering on health pledges. I expect to welcome many of the aspirations in the health plan when they are officially announced to Parliament later today. However, what counts is delivery. On behalf of the SNP, I give an assurance that we will be constructive in our approach. We will inevitably disagree with the Executive on many things, and as an Opposition party we will put forward our own policies and alternative proposals and approaches, but where we can agree we will. For example, if the Executive wants the SNP's support to speed up changes that will benefit patients in Scotland it will be given it. However, I also give notice to Susan Deacon—it is unfortunate that she is not here to hear it—that she will be held to account on the basis of the document that she is about to publish. Whether it is on waiting lists or waiting times, or on doctors and nurses, the days of Labour promising big but failing to deliver for the people of Scotland on its health pledges are over. Labour will be held to account—I give that guarantee.

I move,

That the Parliament is concerned that there are 3,000 fewer beds in the NHS than in 1997 and a further 3,000 beds occupied by patients ready for discharge; is further concerned that there are 900 fewer nurses than in 1996 and that hospital waiting lists have increased by 15% since September 1999; believes that the policies of the Scottish Executive to date have not adequately addressed these issues; notes the imminent publication of the *Scottish Health Plan*, and calls on the Scottish Executive to include in that plan practical and adequately funded proposals that will ease the pressure on hard pressed NHS staff and deliver real improvements to the quality of care provided to patients in Scotland.

**The Deputy Presiding Officer:** There is a discrepancy between the list of members who wish to speak that I have been given, and the information on my screen. I ask any member who wishes to speak and has not yet pressed his or her button to do so now, so that I can do my sums.

10:55

**The Deputy Minister for Health and Community Care (Malcolm Chisholm):** As I emphasised in the previous debate on health and community care, we recognise and are acting on the problem of delayed discharges. As Susan Deacon will also say in just over an hour's time, we are determined to make more progress on reducing waiting times. However, the SNP motion completely fails to understand the changing nature

of modern health care or to acknowledge the very real progress that has been made.

The health service is treating more patients than ever before. Last year, 43,000 more patients were treated than in 1997. There were 50,000 more day surgery cases in 2000 than in 1997. For example, in 1999, 57 per cent of cataract extractions were performed as day surgery compared to only 28 per cent three years previously. That trend has nothing whatever to do with cost considerations; it is championed by the leading clinicians in Scotland because the results show quicker, better outcomes for patients. That is the modern NHS: built around the patient to provide convenient services while maintaining high clinical standards. I could give many other examples, such as nurse-led clinics, which are particularly effective in the management of chronic conditions such as asthma, or one-stop clinics, of which there now 2,202. That is a pledge made by the Executive and delivered two years in advance of the target.

**Nicola Sturgeon:** Is the Deputy Minister for Health and Community Care denying that there are now fewer nurses, fewer beds and longer waiting lists in Scotland than there were when Labour came to power four years ago?

**Malcolm Chisholm:** I am dealing with exactly those issues: beds first, then nurses, then waiting.

A consequence of the trend that I have outlined is that fewer NHS beds are required. Moreover, the average length of time a patient stays in a hospital bed is also declining. In 1990, for example, the average length of stay in an acute Scottish hospital bed was 6.9 days and now it is 5.2 days. The average occupancy rate of acute hospital beds has risen from 72.3 per cent in 1990 to 76.5 per cent this year. That means hospitals are making better use of the beds.

That said, the reduction in acute beds accounts for a very small part of the overall figure referred to in the motion. As one would expect, almost the entire reduction in bed numbers is in long-stay specialties. That is where the policy of caring for patients in their homes, or in the community as close to home as possible, is having the biggest impact. There has been a substantial transfer of resources and staff from the NHS to social work authorities and that must be remembered when bed and staffing figures are thrown around in debate. For example, there has been a welcome reduction of nearly 900 beds in long-stay, learning disability hospitals. Is the SNP objecting to that? That means not less care, but better care in the right place, which is the community.

There is plenty of scope to increase bed numbers when that is necessary, as evidenced by the 700 extra beds being opened this winter and the 20 per cent increase in critical care beds when

required. I will end my comments on beds with a comparison with England, since the SNP likes that. We have 2.96 acute beds per 1,000 population, compared with 2.18 south of the border and we have 6.87 hospital beds per 1,000 population compared with 3.84 in England.

**Shona Robison (North-East Scotland) (SNP):**

The Deputy Minister for Health and Community Care says that there has been a transfer of resources from the NHS to social work, but is not it the case that many people in Scotland are complaining that services in the community are not in place? For example, there has been a reduction of around 29,000 home care hours over the past two years. Where is the transfer of resources? It is not being felt where people need the services.

**Malcolm Chisholm:** We are building up services in the community and that is precisely what I am about to address. I want to continue without interruption because there is a lot in the motion to which to respond.

The SNP has claimed that 3,000 hospital beds are occupied by patients who are ready for discharge. The SNP is, of course, taking a uniquely narrow definition of the issue. The extensive survey of patients waiting for discharge, which was published on 4 December, shows that just over 1,900 people were waiting for more than the standard planning period of six weeks following a clinical decision on discharge. Of course, that is still too high. That is why we are taking comprehensive and robust action with the NHS and social work departments to tackle delays in discharges. We have allocated £19 million in the current financial year to local authorities and the NHS, specifically to tackle delayed discharges. That money is in addition to the specific winter money for extra beds and nurses and so on.

**Brian Adam (North-East Scotland) (SNP):** Will the minister give way?

**Malcolm Chisholm:** I must press on as I have only five minutes.

The NHS and local authorities are using the extra resources to work together and develop joint, long-term solutions to tackle the problem of delayed discharges. The Executive will monitor the effectiveness of plans at all stages and we will ensure the spread of good practice in reducing delayed discharges. The problem has existed for 25 years and more, and will not be solved overnight, but solving it will be a key priority. We have already demonstrated that—not just in the delayed discharge money to which I referred, but in the £100 million package announced by Susan Deacon on 5 October. The home care packages, the rapid response teams and the £5 million for aids and adaptations this year will all help to build community capacity and deal with the problem of

delayed discharges. That was our top priority in responding to the Sutherland report on 5 October and is the background to our current review of personal care. Without going further into that matter at this point, I want to caution Nicola Sturgeon against believing everything that she reads in the newspaper.

I will move on to health service staff numbers.

**Shona Robison:** Will the minister give way?

**Malcolm Chisholm:** I am sorry but I do not have time to take interventions.

We have been taken to task this morning on nurse numbers. It is true that total nursing staff numbers are very slightly down on 1996 levels, by about 500 whole-time equivalents. However, at the same time, the number of qualified nurses within the NHS is rising: the whole-time equivalent figure is up by about 270 since 1996 and we have funded an additional 210 specialist nurses in priority areas this year. That is on top of local winter increases, such as 240 extra nurses simply in Lothian.

**Nicola Sturgeon:** Will the member give way?

**Malcolm Chisholm:** I am sorry, but I have only three minutes left.

The trends are even better in relation to nursing students. The number of nursing and midwifery students has increased steadily over the past four years by around 12 per cent, and the numbers will increase by a further 3 per cent this year. Over the next five years, 10,000 nurses and midwives will qualify in Scotland—that is 1,500 more than previously planned. We should remember that, on top of the numbers of NHS nurses to which Nicola Sturgeon referred, there are many nurses who work in nursing homes. There was an increase of 3,000 places in nursing homes between 1996 and 1999.

I turn to the fourth point in the motion, which is waiting lists. I find that rather odd, since it was not so long ago that the SNP health spokesperson, Kay Ullrich, told us that it was not waiting lists that mattered, but waiting times.

**Nicola Sturgeon:** Will the member give way?

**Malcolm Chisholm:** No. I would love to give way for the rest of the day, but I have less than two minutes.

From the point of view of the person on the waiting list, there is no doubt that it is the time of the wait that matters. Let us remember that 43 per cent of patients receive immediate treatment and do not join the waiting list. Let us remember that for those who have to wait, the median waiting time has declined steadily over the past three years to 31 days. The average wait on a waiting list in Scotland is 31 days compared to nearly 90

days in England. Let us remember that 83 per cent of patients who go on to a list are treated within three months. Of course I would like to see even better figures and a further reduction in the maximum waiting time, which is currently set at 12 months. However, we must wait to hear more on that later.

I have described some of the significant achievements of the NHS in Scotland over the past few years. I want to take the opportunity to record our recognition of the commitment and sheer hard work of health care workers throughout the health service. I want them to know that they have our support and appreciation for the effort that they make on our behalf.

Our support goes much further than words. The last figures that I want to quote are money numbers. The Executive is spending £481 million more in the NHS in Scotland this year than last. In September, we announced that health spending would go on increasing at record levels to nearly £7 billion a year by 2003-04; that means £1.2 billion extra over the next three years, on top of this year's record increase. That record investment will be combined with further reform and change to deliver more and more improvements for patients.

I move amendment S1M-1453.1, to leave out from "is concerned" to end and insert:

"notes the fact that the NHS in Scotland is treating more patients than ever before and welcomes the fact that funding for the NHS in Scotland is being increased by record amounts over the period 2000-04, and looks forward to further modernisation and change in the interests of patients."

11:05

**Mary Scanlon (Highlands and Islands) (Con):** Indeed, we have a grand Parliament—we are gathered together to discuss a Scottish health plan about which we know nothing. The plan was delivered about five minutes ago to my colleague, Ben Wallace.

In this Parliament—we who shall not be lobbied, who are so squeaky clean, who cannot accept a gift that that may influence our thinking, who have a Standards Committee and a Procedures Committee and who are so worried about lobbygate and sleaze—such is the way of things that I find that I have to phone up journalists to ask for information on the Scottish health plan in order to contribute to today's debate and respond to statements. If that practice continues, I will have to consider purchasing a few brown paper envelopes and arranging a few clandestine meetings, just to get some information for future debates. We could criticise the SNP for using its time to debate an unreleased health plan. But why not? After all, the health plan was not leaked to the press—it was briefed to the press.

**The Deputy Presiding Officer:** I would advise the member to speak to the motion.

**Mary Scanlon:** Why do we need a health plan? Precisely because, as the motion states, there are 3,000 blocked beds, waiting lists are rising by 15 per cent a year—in the past year in Tayside they have risen by 48 per cent because our hospital finances are in the red—there is a 10 to 20 per cent increase in emergency admissions, there are more hospital-acquired infections and there was a tragic winter crisis last year. Those are the reasons why we need a health plan. The minister's abolition of the internal market was not a great success. Even the Royal College of General Practitioners has said that clear benefits relating to the monitoring of the quality of hospital services, which were inherent in the internal market, have been lost, to the detriment of patient care. How right that is.

We need a health plan because Labour said that things could only get better. However, after Labour's four years in government, an extensive MORI poll showed that only 13 per cent of Scots—that is one in eight—thought that things had got better. It is time for drastic action. We also need a health plan after Tony Blair's television performance on Tuesday night. He is the man who follows drying paint and is told only the good news. To think that John Swinney and David McLetchie wrote to ITV to express their concerns.

A few weeks ago, the minister briefed us on the health plan. She talked about rewiring rather than restructuring the NHS. Well, the next time that I need an electrician, I know who not to call. The primary care trusts have had 18 months in which to make things work. Even managers in the Scottish Premier League get more time to build a winning team.

We read, courtesy of Tom Peterkin of *Scotland on Sunday* and Douglas Fraser of *The Herald*, that savings will be reinvested in patient care. Will that be on the same basis as the previous £44 million savings that were reinvested in the writing-off of Glasgow's housing debt?

We also read—my colleague, Ben Wallace, has just confirmed this—that councillors will be represented on the new health boards. Given the well-documented mess that councils have made of care in the community, the dissatisfaction with councils that was clearly shown by the MORI poll, the wait for assessments, the wait for treatment once assessed and the complete lack of openness and accountability, it is clear that the councils have created many of the problems that the Administration now faces. Unless care in the community is in place under a single budget with personal care being paid for, the NHS will continue to suffer from council-made problems. I do not remember ever seeing or hearing a councillor

accept responsibility for the failings of care in the community. The only thing that matters is that people get the care and treatment that they expect, when they expect it, and in the hospital that they want.

Given that people are waiting longer than ever, with 2,000 more on the waiting list in Scotland than when Labour came to power, will the Executive clearly state its policy on the complementary role of the private health sector? If Jim Norris of Dunfermline can be treated privately on the basis that the NHS wait would have put him out of business, and his employees out of work, and then be able to claim the full cost of treatment—£1,500—from Fife Health Board, does that rule apply to all? The Deputy Minister for Health and Community Care must answer that today.

Why is there no word of the use of private beds to treat NHS patients when the service cannot cope, despite that being at the heart of Tony Blair's plan in England? Will the Scottish health plan address many of the points in the motion by agreeing with some of the points in the English health plan? I quote Alan Milburn:

"The time has now come for the NHS to engage more constructively with the private sector."

Again, Alan Milburn said:

"Ideological boundaries . . . should not stand in the way of . . . care for NHS patients."

Finally, Alan Milburn said:

"NHS care will remain free at the point of delivery, whether care is provided by an NHS hospital, a local GP, a private sector hospital or by a voluntary organisation."

Will we have equality of treatment in Scotland, or does no leak mean no commitment?

The thousands of frail and elderly people in Scotland are not interested in grandiose national plans. They want to know simply that they will be cared for with dignity and respect. We need to know whether the elderly will be given Henry McLeish care, Susan Deacon care, or Peter McMahon spin. That is not in the programme for government, so is that an admission that the issue is not at the heart of government? The elderly need to know.

I move amendment S1M-1453.2, to insert at end:

"and further notes the Royal Commission on Long Term Care's recommendation on free personal care and calls upon the Scottish Executive to unequivocally commit itself to this recommendation and come forward with a firm date for its implementation."

**Alex Neil (Central Scotland) (SNP):** On a point of order. Everybody seems to have a copy of the ministerial statement except the MSPs who are debating the subject. Can you instruct the clerks to

circulate a copy of the statement to all members in the chamber?

**The Deputy Presiding Officer:** Yes, we shall do what we can to assist that request. That is a different matter from the point of order raised by Tricia Marwick earlier. The sufficiency and advance notice of information are matters for the parties, but they are much to be encouraged.

11:13

**Mr Keith Raffan (Mid Scotland and Fife) (LD):** It is a bit rich for the Tories to talk about “grandiose national plans” after they messed up the situation in the first place, with the ideologically driven introduction of the internal market, which I opposed. The trouble is that the Tories are now so far to the right that they cannot be seen over the horizon after the next. I see that Frank McAveety is gesturing. That is his interpretation; how could I possibly comment?

I wish to make two important points. I am glad that there is close co-operation between the Executive and the Conservative party—I agree with the Deputy Minister for Health and Community Care that they need all the help they can get—but I do not see why the Conservatives should have advance notice of the national plan before the party in partnership with Labour.

**Mary Scanlon** *rose*—

**Alex Neil** *rose*—

**Mr Raffan:** No, I have hardly started. Sit down and be quiet, Mr Neil, and do not be so excitable.

My second point is that I concur with comments that have been made about advance leaking to the press, whether it is briefing or

“sources close to the minister”

as some of the press refer to it. It is contempt of Parliament and the Executive has to stop it. It is also not in the Executive’s interest because, as the Deputy Minister for Health and Community Care knows—it has been pointed out to me—some of the briefings are open to misinterpretation by the press. He will know that we in this chamber are much more reliable than are the media in the gallery. Their shorthand may be rusty, but I would rather that we gave a first-hand comment on the Executive’s plan than that there was a second-hand interpretation through our colleagues in the press, nice though they are. I say that in the spirit of Christmas.

**The Deputy Presiding Officer:** All right Mr Raffan.

**Mr Raffan:** The press are nice, but inaccurate.

**The Deputy Presiding Officer:** Order. Mr Raffan, speak to the motion. I dealt with this

matter earlier. I made it clear that given what happened this morning, the Presiding Officers will continually review whether members are speaking to the motion. Get on with the subject, please.

**Mr Raffan:** I am happy to get on with the subject, but—and I do not challenge your ruling—it is important that members in all parties have a right to make that point, particularly when we are in partnership with the Labour party.

**Ben Wallace (North-East Scotland) (Con):** On a point of order. I wish to clear up a misunderstanding. I do not have a copy of the ministerial statement; I have a copy of the NHS plan, which was forwarded to all members of the Health and Community Care Committee this morning. It will be sitting in their e-mail inboxes and those of certain members in all parties. Agreement for that was reached through the Parliamentary Bureau and the Health and Community Care Committee. If some members cannot be bothered to look at their e-mails, we should not be blamed.

**The Deputy Presiding Officer:** That matter is being given attention by the health department staff in the chamber.

**Mr Raffan:** Perhaps as finance spokesman I am just used to a department that has been more co-operative and given us more advance notice of documents. I hope that that will spread to the health department. I am sure that the Deputy Minister for Health and Community Care will take that in the spirit in which it is intended.

I say to the SNP that two of the three dates in the motion are prior to the inception of this Parliament. The spokesman for the SNP made several points about the Labour Government since 1997; we have had a Labour-Liberal Democrat partnership Government in Scotland since 1999.

**Nicola Sturgeon:** Will the member give way?

**Mr Raffan:** No. I make that clear because our party has made clear its criticism of the UK Chancellor of the Exchequer, that while he is committed to long-term planning in public spending he has, according to *The Economist* last week, engaged in “bust and boom spending”. It is no good having a commitment to long-term public spending and not practising it. That has led to a lot of the problems that the NHS has faced. We have continuously made that point as a Westminster party.

**Nicola Sturgeon:** Will the member give way?

**Mr Raffan:** No, I must get on. I have made a crucial point about resources. We are happy to take our share of responsibility for the current position and for putting right things that are wrong, but we are not prepared to take any share of responsibility for the period before 1999. The SNP

wants independence for Scotland, but it perpetually confuses Westminster and Holyrood and the different positions in those Parliaments.

I wish to address delayed discharge, lengthening waiting times and nurse recruitment. One of the key priorities of my party has been a department of health and community care to co-ordinate resource allocation and to co-ordinate the work of health and social services in local government. I know from the three health boards in my area that such co-ordination has not filtered down sufficiently into effective working co-operation between health boards, health trusts and local authorities. We had Executive packages on 4 July and 5 October to help with home care, but more needs to be done.

The issue of waiting times reveals the confusion within the SNP and the difference between the current spokesman and her predecessor, namely the muddled thinking over whether waiting lists or waiting times are the SNP's priority. It was in our manifesto, Labour's manifesto and the partnership agreement that waiting times were the priority. The First Minister was right to say on 23 November:

"It is vital that we have a consistent set of measures that everyone can use as a benchmark."—[*Official Report*, 23 November 2000; Vol 9, c 401.]

**Shona Robison:** I am happy to take on Mr Raffan on waiting times. Perhaps he can comment on the fact that the number of patients who have been waiting for more than a year has increased by more than 43 per cent since 1997. Does he think that that is a good record?

**Mr Raffan:** I made it clear that we take responsibility from 1999.

The SNP chooses whatever date suits it. That is its trouble. SNP members are long on diagnosis and short on treatment. In the last part of Miss Sturgeon's speech, she referred to alternative policies, but gave no details whatever about them. She indicates that the policies will be produced in due time, but we will never see their policies.

**Shona Robison** *rose*—

**Mr Raffan:** I have already given way to Miss Robison.

It is a favourite trick in debates to say that a party will produce policies nearer the time of the election. Which one? When will we see details of the SNP's policies? Until the SNP provides alternative detailed policies, any attack on the Executive will be blunted. It is as simple as that.

I am nearing the end of my allotted time, but I hope that I will have some injury time. I am concerned about waiting times. The emphasis on them is important—they should be the consistent benchmark.

The recent Royal College of Nursing research paints a stark picture on nurse recruitment. There is difficulty in attracting younger nurses and the imminent departure on retirement of a large number of nurses who are over 50 will aggravate the situation. I am concerned about the increasing dependence on agency nurses. I met one of the chairmen of my local acute trusts, who talked about the high expense of the Christmas shifts for agency nurses, yet he has no option but increasingly to rely on them. He said that for the cost of employing 33 agency nurses, he could have 45 full-time, permanent nurses. It is also undesirable for patients continually to see different faces and in some cases to have nurses asking what is wrong with them. There is a problem with agency nurses that the Executive must address.

I will quickly make three proposals on pay, careers and conditions. It is clear that improved pay for nurses must be considered on a UK-wide basis. The recruitment position will not improve dramatically until we do that. A much clearer career structure is needed. The appointment of 12 nurse consultants in Scotland is simply not enough to develop a career structure.

As for conditions, Liberal Democrats have long advocated more flexible hours to help staff to meet family commitments. That issue was taken up in the most recent edition of the *Nursing Times*. I commend that to members, because it made the point succinctly.

**The Deputy Presiding Officer:** Right, that is it, Mr Raffan.

**Mr Raffan:** Okay. Thank you.

**Ms Sandra White (Glasgow) (SNP):** On a point of order. Will the Presiding Officer give a ruling on the release of statements and information, as was requested? Although the press statement has been requested, no member in the chamber has received it. No copies are available. I think that the Executive is holding Parliament in contempt.

**The Deputy Presiding Officer:** I have made it clear that investigations are being conducted about which documents will be available, and when. Members will be informed about that as soon as information comes to hand. We will push on now with the debate. Members have a maximum of four minutes.

11:23

**Dorothy-Grace Elder (Glasgow) (SNP):** The motion refers to policies that have not adequately addressed issues. Surely the greatest health issue of all for ministers is telling the public and Parliament the truth and listening to criticism. Today, all members can see that Malcolm Chisholm has been dumped with the debate. I

have the greatest respect for Malcolm, whom I have known for years, but he is only newly in his job as Deputy Minister for Health and Community Care. He did not conceive the policies. Miss Susan Deacon did that, but the jammy dodger is not with us. She has dumped Malcolm right in it. Where is she? Has she now reached radio Rockall in her desperation for publicity? Is she on daytime TV in Arizona, drowning in the electronic lens of the Executive's narcissism?

**The Deputy Presiding Officer:** That is enough of that. Please move on to the motion.

**Dorothy-Grace Elder:** What members face, and what the Executive's behaviour today exemplifies, is the virus of secrecy and the old ways that have spread from Westminster to this shiny, almost new Parliament, such as the old way of not facing the truth. The most appalling example of that lies in the great duvet of waffle that the Minister for Health and Community Care has cast over the Parliament for the past 18 months. She has almost suffocated us with Labour newspeak.

Failure to tell people clearly and precisely what is happening with health issues can be deadly. The worst case of that is the terrible treatment of Scottish haemophilia sufferers, which is a searing scandal. The missing minister has even dodged their representatives.

One third—some say up to a half—of people with haemophilia in Scotland are estimated to have been infected with hepatitis C through contaminated blood products in the 1980s. Despite that, the minister cleared the so-called experts of the time, skipped over the heinous responsibility of the contemporary politicians and offered not one penny of compensation to people whose lives have been wrecked.

As parliamentarians heard during the transport debate, Railtrack will have to pay £240 million in compensation to train companies because trains have run late. What about the lives that will end early because the wrong political decisions were taken in the 1980s? We now know that, at that time, it was known that something existed that was called non-A, non-B hepatitis. The minister told our Health and Community Care Committee that hepatitis C was not identified until about 1991. That was truthful and correct. It was not identified as hepatitis C but, thanks to *The Scotsman*, it has been revealed that, in the 1980s—

**Dr Richard Simpson (Ochil) (Lab):** On a point of order. Keith Raffan was—rightly—interrupted by the Presiding Officer for failing to address the motion. With due respect, Presiding Officer, I request that Dorothy-Grace Elder be asked to return to the terms of the SNP motion.

**Dorothy-Grace Elder:** I am addressing the motion. I started by making it clear—

**The Deputy Presiding Officer (Patricia Ferguson):** Order.

**Dorothy-Grace Elder:** I made it very, very clear that the motion referred to policies that were not—

**The Deputy Presiding Officer:** Order. I have still to respond to Dr Simpson's point of order.

**Dorothy-Grace Elder:** Pardon me for interrupting, Presiding Officer.

**The Deputy Presiding Officer:** Dr Simpson is absolutely right. Ms Elder has already been advised that she should stick to the terms of the motion. I would be grateful if she did that now.

**Dorothy-Grace Elder:** I refer to the part of the motion that says that the Executive's policies have not adequately addressed issues. Surely the greatest issue of all in health is telling the truth, and that is the overall policy issue that I am trying to address.

It has now been revealed that, in the 1980s—and, it is suspected, back into the 1970s—non-A, non-B hepatitis existed.

**Dr Simpson:** On a point of order.

**Dorothy-Grace Elder:** Oh, come on.

**Dr Simpson:** Dorothy-Grace Elder is continuing to address haemophilia.

**Dorothy-Grace Elder:** Yes, why not?

**Dr Simpson:** If we are to have a debate on haemophilia, all members must be allowed to participate. We should not have to listen to Dorothy-Grace Elder's lies. Will she be stopped?

**Dorothy-Grace Elder:** I beg your pardon?

On a point of order. Dr Simpson should be censured.

**The Deputy Presiding Officer:** Please may I deal with one point of order before the next? Thank you.

Dr Simpson's substantive point is correct. I would be grateful if Ms Elder stuck to the motion, as she has twice been asked to do. However, I ask Dr Simpson to withdraw his previous remark.

**Dr Simpson:** They were gross distortions, rather than lies.

**Dorothy-Grace Elder:** I think that Dr Simpson should withdraw his remark more accurately.

**Alex Neil (Central Scotland) (SNP):** On a point of order, Presiding Officer. The motion asks that the Parliament

"notes the imminent publication of the Scottish Health Plan, and calls on the Scottish Executive to include in that plan practical and adequately funded proposals".

Haemophilia is a legitimate issue in the terms of

the motion.

**The Deputy Presiding Officer:** I thank Mr Neil for reading out the motion. I have it in front of me. I ask Ms Elder to stick strictly to the terms of the motion, which I am sure she has read.

**Dorothy-Grace Elder:** I understand Dr Simpson's reluctance when it comes to this issue being aired. I will ask the minister one question before I finish my speech. I have been told that haemophilia patients from Perth informed the minister, long before *The Scotsman* was informed, that documents exist to prove that a form of hepatitis C was known to exist in the 1970s and 1980s. I invite the minister to address that point—which should have been addressed in the plan. I urge that truth be brought to bear on all health issues because—perhaps unlike others—health is an area in which lives are often at stake and honesty is needed. I urge members to support the motion.

**The Deputy Presiding Officer:** Before I call the next speaker, I want to make it clear that, in a motion as wide ranging as this, members may of course raise points of more general interest, but they must be in the context of the motion.

11:30

**Dr Richard Simpson (Ochil) (Lab):** I am not sure whether I should make a declaration, but I refer members to my membership of various medical societies.

It has taken Nicola Sturgeon only two debates in her new position as Scottish National Party spokesperson on health to reach, in this motion, what is probably the lowest point. To dissect the motion, one needs the skills of a forensic pathologist, since it is so buried in the past that it bears little resemblance to a modern party's approach to health. For a party that would like us to think that it is an alternative Government in waiting, the motion is a disgrace.

**Nicola Sturgeon:** Will the member give way?

**Dr Simpson:** No, not yet.

Let me explain first, then I will allow—*[Interruption.]* Later.

First, let us deal with bed reductions. If I were in opposition, the aspect of our Government that I would attack is that we are moving too slowly on bed reductions. I have spent a professional lifetime as a psychiatrist trying to persuade Government after Government to provide decent, effective support to people in their own homes—including supported, group and sheltered homes—so that we do not continue the bad old habits of putting people with learning difficulties into asylums and large hospitals and, in essence,

forgetting about them.

An 80-year-old constituent was recently given a new lease of life on their release from the Royal Scottish National hospital to a group home. In its motion, the SNP is saying to that patient, "We are sorry—we will reopen your bed and put you back into old-fashioned care."

**Shona Robison:** Will the member give way?

**Dr Simpson:** I will take the point in a moment.

The 3,000 beds that have been closed are long-stay beds that were long overdue for closure. Will the SNP come back to us in two and a half years' time, in 2003, when we have closed a further 2,300 learning disability beds, and say, "More bed reductions"? Let us have a clear policy—Nicola Sturgeon promised it to us in her speech, but she revealed nothing of the positive policies of the SNP. Will the SNP support us in closing the beds that are long overdue for closure? We should accelerate the closure.

In her new brief, Nicola Sturgeon should indulge in some reading. For her Christmas stocking, I suggest Irving Goffman's "Asylums", which was written in the 1960s, but is a seminal work on institutionalisation. In fact, I will buy it for her.

**Nicola Sturgeon:** I thank Dr Simpson. For the record, will he first clarify whether he is denying the essential facts in the SNP motion? Secondly, does he think that when waiting lists are rising at a rate of 15 per cent and waiting times are not going down, a 5 per cent reduction in acute beds is justified?

**Dr Simpson:** I will come to that.

It is not that the facts in the motion are wrong; it is that they are so irrelevant and so damaging to the development of modern health care that they are a disgrace. That is the problem.

Scotland has proportionately substantially more acute beds than England. Why? Because we in Scotland have not moved as fast in introducing day care operations. Will the SNP really say to us, "We want to reverse that policy"? I will give some examples. Is the SNP saying, for example, that we should return to the point in the 1960s when there was a maternity lie-in period of 14 days after having a baby? Or does it accept that the length of time in hospital for maternity is now two days and dropping because we are providing better care and getting people home more quickly?

**Dorothy-Grace Elder:** Some women do not want to be hustled out of hospital after two and a half days. As the member knows, some women subsequently develop severe problems and are glad to return to hospital. Some would wish to be in hospital for a week or more.

**Dr Simpson:** And there are others who want to

go in, have the baby, and come out again within a few hours—we are not adequately supporting them yet either.

There are plenty of areas on which the SNP can criticise the Government—we are not moving fast enough on many issues—but the motion is a disgrace.

Delayed discharge is also mentioned in the motion.

**The Deputy Presiding Officer:** Very briefly, please.

**Dr Simpson:** I hope that you will give me a little latitude, as I have been interrupted at length.

**The Deputy Presiding Officer:** I have to ask you to wind up, Dr Simpson.

**Dr Simpson:** I will wind up.

For the first time, we have a proper information services division survey of delayed discharges. They are the first accurate figures that we have ever had, but instead of concentrating on some positive policies and supporting the suggestions that I have made to ministers—for example, that because we now have the information we should have targets to say that no one should wait in delayed discharge for more than a year or nine months and that we should clear the orthopaedic bed waiting lists to deal with the orthopaedic bed problems—the SNP comes out with a bland statement.

I am utterly appalled at the motion. Of the SNP's motions on health, it will be one of the easiest to vote against. In the past, the SNP has talked some sense. There is plenty of scope for constructive criticism and encouragement, but the motion is appalling and I hope that the chamber will reject it.

**The Deputy Presiding Officer:** Before I call the next speakers, I advise members that copies of the ministerial statement are now available at the Scottish Parliament information centre desk at the back of the chamber.

11:36

**Brian Adam (North-East Scotland) (SNP):** There has been much discussion this morning of waiting lists and beds and there have been challenges to discuss waiting times.

I want to highlight the situation in the Grampian health authority area, which contains about one tenth of the population of Scotland. The most up-to-date figures show that almost half of all Scotland's patients who are waiting beyond the guaranteed waiting times live in that area. That is a disgrace. Such significant disparities in what is supposed to be a national health service represent exactly the kind of situation that is not acceptable.

It is not only about waiting longer than the guaranteed waiting times for various procedures; there is a similar problem with waiting for referral to a specialist.

Grampian has the highest percentages of patients who are waiting beyond nine weeks and beyond 18 weeks. Waiting times are a better measure of need than waiting lists, but even waiting times mask the fact that there is greater need in some procedures than in others. We have not yet found a measure that adequately addresses that, but if we consider figures relating to real needs and real demands—not artificial ones—Grampian has the worst figures in Scotland. The balance there is so out of kilter that the Administration must address the matter relatively quickly.

An attempt was made in the Arbuthnott report to address the measure of need across the health service in Scotland, but the Arbuthnott formula will exacerbate the situation in Grampian because the area will be one of the significant losers. I suggest to the minister that, in addressing health needs and in relation to the health plan, we should measure needs directly, rather than use the indirect measures that Arbuthnott relies on heavily. I ask the minister to consider the detail of the Arbuthnott formula to see whether those important measures can be addressed.

On the acute sector, the Grampian University Hospitals NHS Trust medical advisory committee has told us that the trust is in crisis because it does not have the resources to tackle the problems. It is having difficulty recruiting and retaining staff. The difficulty with retaining staff arises because the work load in Grampian is disproportionate. That can be seen in the information and statistics division figures, which suggest that the throughput per member of staff across a range of specialties is much higher in Grampian than in other areas.

The Arbuthnott formula will drive the process in the wrong direction. We will get to a point in the cycle at which it will be difficult to recruit anybody, because no one will be attracted to work in Grampian because the work load there is much higher than it is in other parts of the country. I hope that the minister will address that point.

I recently got a letter from the daughter of a 90-year-old patient who is now ready for discharge. A suitable place is available for her, but the finance is not in place and will not be for another nine months. That is utterly unacceptable. It is terrible economics: it costs £1,600 a week to maintain someone in a hospital bed, but only a little over £300 a week to keep them in a residential home. It makes no sense whatsoever and we must consider the transfer of resources to tackle those specific needs.

11:41

**Mr David Davidson (North-East Scotland)**

**(Con):** Before I get into any deep trouble, I should say that I think I have assessed roughly where the SNP was supposed to be going this morning. It was going to address capacity, discharge, staffing and resources. I hope that you agree, Presiding Officer, that I am on the right subject. However, we have not heard any solutions at all today, and that is what I would like Miss Sturgeon to tell us. The temptress as usual, she said that all would be revealed, but she did not answer a single point today.

The capacity shortage means that we have to balance the access to private facilities that will help out in key areas of the health service. We must do that in a measured and responsible way that does not mean that the health service gives up control or ceases to measure the standards.

I strongly support some of what Brian Adam said about Grampian. He talked about a delay in patients being seen. On Saturday, someone came to my surgery to tell me of a problem with a relative who had only one good eye and had developed a cataract. That patient was told that they will not be seen until next May. When I followed that through, I was told that the situation is a result of a problem with staffing and resources. It is not that the system will not work; it is a question of attracting and retaining people at the right level throughout the Scottish health service.

Scotland's shortages in key hospital medical posts are twice those of the rest of the UK. We produce more people through the Scottish universities, but we export them and cannot attract them back into the system. That is a key part of the problem.

**Pauline McNeill (Glasgow Kelvin) (Lab):** I do not disagree with too much of what David Davidson has said so far about addressing shortages in medical specialties. Will he tell us about the Conservatives' manifesto commitment to have modern matrons? Can he tell Parliament what modern matrons are and how they would be different from ward sisters?

**Mr Davidson:** If Pauline McNeill reads Mr Milburn's plan, she will find that he has adopted that idea in full.

We have now got to a stage—this alters how people get through the system—where much of the equipment in Scotland's hospitals is beginning to approach the end of its fit-for-purpose period. It is still functioning, but spare parts are becoming a problem. In Grampian alone, it will cost £6 million to maintain and upgrade equipment. Across the whole of Scotland, a large sum of money will be required, but it will speed up access and

treatment. People will not have to be tied up in hospital if the equipment is in place. If we have the equipment, we also need the trained staff to operate it.

The medics tell us time and again that the medico-political dynamics are causing tensions. In other words, the minister cannot decide that three areas only are the priorities of care when the illness that presents itself at any one time is the most important illness to the patient and to the clinician. We must have an assurance from the minister that clinicians will be free to prioritise according to their specialties.

Staff shortages have already been mentioned, but there is another important aspect of that issue that affects Scotland's teaching hospitals. Where hospitals have an academic role there are also shortages and tremendous pressure on staff. As Brian Adam rightly said, that puts an additional load on them. At the next stage, there is also a problem with the allocation of research funding in teaching hospitals, which must also be examined.

The Arbuthnott report goes very badly against many parts of the health service in Scotland, particularly those where demand is rising. Arbuthnott does not recognise that the health service—the minister put down the SNP for not talking about our modern health service—is now a demand-led service.

There is a range of issues that we must address and I hope that the health plan will address them. We must ensure that we control the rate of removal of beds from hospitals and work to ensure that people can be cared for in the community. That will mean additional resources and staffing will be needed in the community, which is the best place for many patients, as Richard Simpson said. To do that, however, we must also have a proper linkage with our schools of medicine, nursing and dentistry.

11:46

**Mr Frank McAveety (Glasgow Shettleston)**

**(Lab):** I was entertained earlier in the debate when I heard what I thought were rehearsals for the Scottish panto season. We heard cries from across the chamber of "Oh, yes it is!" and "Oh, no it's not!" There seemed to be a discussion between Nicola Sturgeon and Kay Ullrich about whether they were talking about waiting times or waiting lists. One was saying "Oh, yes it is!" and the other was saying "Oh, no it's not!" In my opinion, however, the *pièce de résistance* was the Widow Twankey performance from Dorothy-Grace Elder, which focused accurately on the issues of today's discussion.

Many members who have contributed to the debate missed some of the key elements of the

issue. A whole package of resources is now available throughout Scotland.

**Nicola Sturgeon:** Will Mr McAveety give way?

**Mr McAveety:** I shall let Nicola Sturgeon intervene in a moment, once she has had a few more rehearsals.

We want to deal with the issue of how to connect health spending to the other fundamental issues involved in changing the health of Scotland. The health plan that Susan Deacon will advocate today will address many of those issues in a much more integrated and strategic way. It is not sufficient to talk about health without addressing housing, educational attainment and opportunity, and employment. Those are the connections that seem to have been missed by the Opposition spokespersons today.

We have substantially more resources in the Scottish health service per head of population than the health service elsewhere in the UK has. It is not solely a question of the resource base; it is a question of managing and advocating those resources.

**Nicola Sturgeon:** Will Mr McAveety give way?

**Mr McAveety:** I will be happy to take an intervention from Nicola Sturgeon if she will tell me how she would resource and manage the Scottish health service.

**Nicola Sturgeon:** I was going to say that it is nice to see Buttons performing from the back benches, but I would like Frank McAveety to clarify Labour's position on waiting lists and waiting times. Is Labour now saying that when it said in 1999 that it would reduce waiting lists by 10,000, it was wrong to make that pledge?

**Mr McAveety:** The only buttons are probably the financial contribution that the SNP would make to the Scottish health service. [*Laughter.*] I am enjoying myself today. The fundamental issue is that the SNP has not reached a decision on resources. The SNP members who have spoken today have not told us what they would do.

What we are saying is that we are focusing on waiting times and looking at that as part of an overall package. We learn from our mistakes, but I am still awaiting Nicola Sturgeon's admission of failure on the penny for Scotland. I am still awaiting the SNP's admission of failure on a whole series of issues. The SNP did not even have a blueprint for the Scottish health service in its manifesto. Rather than blue being the colour of Nicola Sturgeon's contribution, what she has said this morning has been mainly grey and dark.

How do we make the necessary connections more effectively? The health plan should address the issue of how to debureaucratise the health

service that the Tories left us. How do we empower patients more effectively? The minister has taken time to address the needs of patients and allow stakeholders in the health service to arrive at conclusions that will modernise the health service for the future. Malcolm Chisholm identified the resource base from which the Scottish health service will operate now and in the foreseeable future. It bears dramatic comparison to the rather paltry contribution that the SNP has made. I heard no financial contribution from the SNP health spokesperson on the issue of how to invest effectively in the health service.

We have heard enough of folk chasing the complaint syndrome around the Scottish health service and saying that the minister is to blame for everything. Responsibility for every issue is laid at the minister's door. The real issue that Nicola Sturgeon and the SNP must address is whether they can deliver the resources that are needed; I think not. Can they modernise the health service when they are tied into language that derives from a 1970s perspective? I think not. They should join us in welcoming the minister's statement later today, that we have an investment strategy that will make a real difference to the Scottish health service.

**The Deputy Presiding Officer:** We now come to winding-up speeches. I apologise to the three members who had hoped to speak in the debate and whom it has not been possible to call.

11:50

**Mrs Margaret Smith (Edinburgh West) (LD):** Before I move on to the main part of my speech, I would like to put on record two concerns that I have. First, it is a shame that the Minister for Health and Community Care is not present to hear the debate. It is always right that ministers should hear criticism, whatever its source, and that they should take the opportunity to defend what I regard as a mixed picture. That applies both to the point that we have reached in tackling the problems of the Scottish health service and to the overall health situation in Scotland. Secondly, I agree with the comments of other members about briefings made to the press last week. However, I will say no more on that issue.

To be fair to the SNP, its motion reminds us of the situation in which we find ourselves today—waiting, in a ridiculous fashion, for the curtain to go up on the NHS plan. It reminds us of the extent of the challenge that we face in trying to ensure that people get appropriate, high-quality health services in the right settings, in the right way, from the right people. That will not be easy. We must ask ourselves whether we are not always bound to fail. Will we ever get to the point of having enough resources to invest in health and community care

services in Scotland? The chances are that we will always fail in part to achieve that, regardless of personnel, political will or how much investment is made available.

Nicola Sturgeon was correct when she said that it was not disputed that money was being invested in the services. Malcolm Chisholm gave us some of the figures for that. Our concern is that sometimes, despite good plans, consultation and ideas, backed up by resources, on the ground—in our constituencies and surgeries—we hear people say that services are not improving. We hear of problems in specialist areas. David Davidson spoke of difficulties in obtaining treatment for cataracts. Margaret Jamieson, who is poised to intervene, would probably say that cataract services in her part of the country are doing rather well. However, that is clearly not the case in David Davidson's part of the country. People want a national service. They want to be able to say, "I have a problem with my cataract and it will be sorted out by this health service, irrespective of whether I am lucky enough to live in Margaret Jamieson's constituency, or unlucky enough to live in David Davidson's."

**Margaret Jamieson (Kilmarnock and Loudoun) (Lab):** I thank Margaret Smith for mentioning the good cataract services that Ayrshire and Arran Health Board provides. Does she agree that one difficulty in the health service is that people are not happy about sharing the good practice that exists and the good work that is being done? The issue is not always further investment—sometimes a redesign of services can deliver for patients.

**Mrs Smith:** I agree totally. The Health and Community Care Committee frequently comes across examples of good practice in different parts of the country. However, any Government—regardless of party—will always prefer to put money into a trumpeted pilot scheme or new idea, rather than ensure that, where good ideas are working on the ground, they are rolled out across the country. That is better than relying on a plaster, a quick fix or something that the Executive can get into the newspapers.

The debate comes on the back of changing trends in the health service—trends that were alluded to by Malcolm Chisholm and Richard Simpson. There is now greater throughput of patients than ever before. There are difficulties associated with that. Dorothy-Grace Elder was absolutely right. I would not have been happy about being thrown out of hospital after two days when I had just had my second child, but that is happening to some people. The system works for some, but it does not work for others. Throughput is quicker and patients spend less time in hospital beds. Members from all parties welcome the fact

that long-stay beds are being closed. I want to ensure that when those long-stay beds are closed—when people are moved out of the acute sector into the community care sector—they are given the best possible integrated, joined-up service. For that to happen, we need to implement the Sutherland commission report in full.

We cannot build a decent health service and a better, healthier Scotland if we do not put patients and staff at the heart of that. We must do everything that we can to bring flexibility back into the work force, particularly for returning nurses. If we fail in that regard, we will lose their services and experience. We would all be the poorer for that.

11:56

**Ben Wallace (North-East Scotland) (Con):** The year 1999 was very special for all of us, because it was the year in which we took our seats in the chamber. However, for those members who have forgotten, it was a particularly important year for Labour, because 1999 was its year of delivery. It was to be the year in which it all happened—in which things would get better. Instead, from that year until today, the soundbites have come home to roost.

Labour said that we had 48 hours to save the NHS. If ministers want to know why the Executive's own MORI poll suggested that more than 70 per cent of people think that things have got worse or stayed the same, why NHS staff have lower morale than in 1997, or why even more patients are going private, they should understand that high delusions lead to high disillusion.

What can we expect from the health plan? I urge the minister to ensure that it is not high on spin and low on substance. I hope that the minister will not use it to reannounce announcements. Yesterday I saw on the BBC that the plan would include a 24-hour NHS helpline. I hope that the minister will not be announcing the same telephone service that was first announced two years ago and reannounced in April. Let the plan be to the point. If it is to be useful, it should admit the Government's failings before moving on.

I am sure that there will be a clear attempt in the plan to move away from an emphasis on waiting lists, towards an emphasis on waiting times. That is a good idea. However, the Executive can do that only at a price. That price is to admit that it has failed to fulfil its manifesto pledge and to meet its targets on waiting lists. The Executive must admit that it has failed the electorate that bought into that new Labour product.

**Mr McAveety:** Will the member take an intervention?

**Ben Wallace:** I cannot give way, as I have only five minutes.

The Executive amendment refers to “record amounts”. That is the way in which the Executive often seeks to rebut criticism. However, time and again the Minister for Health and Community Care—who has not bothered to turn up for today’s debate—says that it is not just about money. It must then be about policy—or does this minister think that she is always right when it comes to policy? Clearly she thinks so when it comes to community care, even though the First Minister spins otherwise.

In October the previous Deputy Minister for Community Care failed to stick to his reassuring guarantees to the coalition about personal care. I hope that the plan will finally commit the Executive to implementing Stewart Sutherland’s recommendations. As I have already said, the First Minister seems keen on that. For more than three weeks, he has alluded to a Government climbdown. “Oh no, he doesn’t,” says the Minister for Health and Community Care, but “Oh yes, he does,” says *The Sunday Times*. “Oh no, he won’t,” says *The Sun*. That makes the Minister for Health and Community Care look as if she is part of a Christmas pantomime. All the time, patient care is getting worse.

To satisfy the Conservatives, the SNP and the coalition partners, I ask Susan Deacon or the Deputy Minister for Health and Community Care to state whether they are fundamentally opposed to Sutherland’s key recommendation on personal care. If the deputy minister is not opposed to it, will he give us a commitment to adopt it at some point before the next election? At the same time, will he make it quite clear who is in charge of health policy in Scotland? Is it the Deputy Minister for Health and Community Care, the Minister for Health and Community Care, the First Minister or Jack McConnell?

The Liberal Democrats have no doubt noticed our amendment. All that we look for is a simple commitment. I know that in partnership there are pressures on Liberal Democrat members, but they should value themselves more. Can they see the Labour party breaking up a coalition over care and people who need it? Imagine the headlines. I call on Liberal Democrat members to flex their muscles. Partnership is supposed to work both ways.

There is no doubt that people have been let down by the Executive. Its answer to failing to meet targets is to change them. Its answer to real problems is to spin them. Its answer to criticism is arrogant stonewalling.

Focus groups are no substitute for creative policy making. Spin must not be better than

substance. The plan is overdue. It will work only if it lands at the feet of the people in the front line of the health services. The plan will be useless if it stops a few feet above everyone’s head, as so many have before, and will do nothing to change the fortunes of our health service. Any plan requires leadership at the basic level; to be part of it, the hospital porter has to understand the plan and change with it as much as the chief executive of a health board does.

The sad thing is the plan’s timing. It is an admission of failure by Labour after three years in government. Plans should come before battle, not after it.

I urge members to back our amendment.

12:00

**Malcolm Chisholm:** This has been a useful debate, in advance of the statement on the health plan, during which we have been able to analyse the current state of the health service. We are not complacent. I made it clear that issues such as delayed discharges and waiting times are key priorities. However, it is regrettable that there has been so little understanding on the part of so many Opposition members of the current state of the health service or of the nature of a modern health care system.

Mary Scanlon made the interesting point that there has been a 10 to 20 per cent increase in emergency admissions in the past year. That is one of the problems that we have had to deal with, although I am not using that as an excuse.

Mary Scanlon referred to there being more than 3,000 blocked beds, which is a misrepresentation. For the first time, we have published official figures, which indicate that 3,000 patients are ready for discharge. That is not the same as delayed discharge, the common measure of which would be the number of people waiting more than six weeks. However, 1,900 people is not satisfactory and dealing with that will be a key priority. Mary Scanlon also referred to £44 million of health money being reinvested in writing off Glasgow’s housing debt. That is ridiculous nonsense. I leave aside the fact that we now regard housing as an important part of public health. That money was from trust surpluses that would have been returned to the Treasury had they not been used in that way.

Mary Scanlon asked about the complementary role of the private sector. The private sector’s role is not as big here as in England, but various health boards use it when necessary. We will never go down the route of the Tory party—certainly the Tory party in England—of hiving off whole sections of the health service to the private sector.

Brian Adam made the useful comment that waiting times are a better measure than waiting lists. That is traditionally the SNP policy. He also referred to the problem in Grampian with the 12-month guarantee. I accept that that is a problem, but it is being dealt with quickly.

Keith Raffan referred to lengthening waiting times—that is not true. I repeat that 83 per cent of patients on waiting lists are treated within three months. The average wait for someone on a waiting list in Scotland is 31 days compared with 90 days in England.

**Nicola Sturgeon:** Whether the SNP thinks that waiting times are more important than waiting lists is one thing—I accept that that is debatable. However, Malcolm Chisholm cannot deny that this Government was elected in 1999 on a clear pledge to reduce the number of people on waiting lists by 10,000. It has failed to do that. Is Malcolm Chisholm saying that that pledge was a mistake? Is he saying that Labour made a mistake in the past and has changed its policy for the future? Was Labour's manifesto pledge in 1999 a mistake—yes or no?

**Malcolm Chisholm:** In 1997, there was a correlation between waiting lists and waiting times. As more patients are treated, there can be lengthening waiting lists and reducing waiting times. We are sticking with the waiting list pledge. It will be delivered, as promised, by 2002.

Nicola Sturgeon talked a lot about pledges. We have delivered on all the pledges on which we promised to deliver at the beginning of this Administration. I refer specifically to the doubling of the number of one-stop clinics, which was delivered two years ahead of the target.

**Nicola Sturgeon:** When the Government was elected in 1999, one of its pledges was to introduce NHS Direct by early 2000. Yesterday, Susan Deacon announced the piloting of NHS 24 during 2001. Does he consider that to be a pledge that has been delivered on time?

**Malcolm Chisholm:** It is more important to get NHS 24 right, which is precisely what we have done.

The other issue that Nicola Sturgeon majored on was beds. After second thoughts, she referred instead to acute beds. I remind her that an extra 400 acute beds are being brought into use this winter. That is the correct way to deal with the matter.

What has been more significant in the debate is the SNP's appalling, outdated attitude to non-acute beds. Dr Richard Simpson quite rightly said that the nationalists had no understanding of a modern health care system. Are they seriously suggesting that the 2,300 people in learning

disability hospitals should stay there in order to provide the SNP with high figures on bed numbers?

Keith Raffan talked about the important issue of nurses and referred to pay. Increases have been significantly above inflation for two years, but I am not complacent about the situation. He also referred to conditions. Although there have been major developments in family-friendly working, I am not complacent about that either. There is a low vacancy rate for nurses in Scotland. This year, we have employed 210 additional nurses in priority areas and, as I said in my opening speech, 10,000 nurses and midwives will qualify in Scotland in the next five years, which is 1,500 more than the figure in the plan.

David Davidson said that the level of vacancies in Scotland was twice the level in England. Although that might be the case for one or two specialties to which he did not refer, the underlying reality is that staff numbers in Scotland are much higher than in England. For example, in Scotland, there are 823 nurses per 100,000 people compared with 621 nurses per 100,000 people in England. The story is the same for GPs and dentists.

Last, but by no means least, I shall address the problem of delayed discharges, which we regard as a key priority. Precisely for that reason, we allocated £19 million of special money to health boards and local authorities to tackle the problem, on top of the additional winter money to provide more beds, nurses and other services. Our statement in October, which allocated £100 million to build up community services to deal with delayed discharges—because that is the right thing to do—was our key response to the Sutherland report.

Ben Wallace asked whether we were fundamentally opposed to free personal care. As he sat with me in the Health and Community Care Committee for more than a year, he knows that I am well disposed to that recommendation. However, anyone who is serious about politics must realise that free personal care is a complex issue. Politics is about choices, such as choosing what we spend our money on. In October, we saw the need to build up community capacity and services, which is why we emphasised the different parts of the package of home care services.

**Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** Will the minister give way?

**Malcolm Chisholm:** I do not think that I am allowed to—my time is up.

That is not to say that we are not well disposed to the other recommendation, which is precisely why we are reviewing the matter. An

announcement will be made in January. Once again, I caution all members not to believe everything—or, in some cases, anything—that they read in the newspapers.

**Alex Neil:** On a point of order, Presiding Officer. It has just gone 12 o'clock and the Cinderella minister Susan Deacon has arrived. On behalf of the Parliament, will you make it clear to her that the contemptuous way in which she has treated the chamber is totally unacceptable to most members?

**The Deputy Presiding Officer:** That is not a point of order, Mr Neil.

I draw members' attention to my earlier comment about the minister's statement being available. I am sorry—I inadvertently gave members the wrong information. The statement was not available to members at that point; the NHS plan was. That said, the minister's statement is now available to any member who wishes a copy at the Scottish Parliament information centre desk at the back of the chamber.

12:09

**Shona Robison (North-East Scotland) (SNP):** Today's debate has offered an important opportunity for the Parliament to set the context for the launch of the national health plan. I am glad that Malcolm Chisholm recognised that the SNP has provided such an opportunity, unlike the Minister for Health and Community Care, who has allocated only 45 minutes to a statement that we will hear soon. I am glad that she has blessed us with her presence, even though she seems otherwise engaged at the moment.

At a time when, as we go into winter, the public regard the health service as the critical issue, it is not good enough that we will not have had the opportunity to debate the plan after we have had the opportunity to read it. This debate is on the current state of the NHS, and anything that is announced by the Minister for Health and Community Care following the debate must be considered in that context.

There has been a reduction in the number of acute beds, and 3,000 beds are occupied by people who do not need them. There are 900 fewer nurses than there were in 1996 and hospital waiting lists have increased by 15 per cent since September 1999. It is interesting that the Government's pledge on waiting lists—the pledge that must never speak its name—has conveniently disappeared from the minister's statement yet again. However, that pledge was clear—it was in black and white—in the Government's 1999 manifesto. I thought that black and white pledges had to be delivered on, but clearly that is not the case when the Labour party is in power.

Only 13 per cent of Scots who were surveyed in an Executive poll believed that there had been an improvement in the performance of the NHS in the past two years. Many believed that the care element of the service has been lost. We need an open and honest debate about the state of the NHS—something that the Minister for Health and Community Care finds difficult to handle. She has consistently denied the scale of the problems in the NHS and that is part of the problem. Her record is one of denial, excuses and damage limitation. When problems were experienced in Tayside, "Crisis? What crisis?" was the call from the minister. That is perhaps not surprising, as she was not even aware of the 47 per cent increase in the number of people on waiting lists in Tayside, or had conveniently forgotten about it.

I am sorry that Richard Simpson feels unable to vote for the SNP motion, but then he has never voted for any SNP motion. If we lodged a motion to say that Christmas day would fall on 25 December, he would probably vote against it because it was an SNP motion. Richard Simpson should know that we will not fall for that one.

The minister and the Executive have failed to deliver on their key manifesto pledges. Members will remember their key manifesto pledge to cut waiting lists. We can talk about waiting times, if that would be preferable, and about the 43 per cent of people who are having to wait for longer than a year. It does not matter whether we talk about waiting lists or waiting times; the pledges have not been honoured.

When will a new Labour politician answer for the Executive's failure to deliver on its commitments? The arrogance of this Administration—I note its self-congratulatory amendment—knows no bounds. Although the minister is no longer the missing minister—she arrived only five minutes before the end of a debate that provides the context for the health plan announcement—she is disrespectful of the Parliament and of the NHS in not taking the opportunity to listen to members from all parties.

Some members have lauded the shift in resources. Let us be clear: the SNP wants resources to be shifted into the community.

**Dr Simpson:** Will Shona Robison give way?

**Shona Robison:** Not just now. I would like to make some progress.

We believe that people should be able to remain in their homes. However, the Labour Administration has failed to enable them to do so, because it has implemented cuts in home help services that amount to a loss of nearly 30,000 home help hours. Health visitor numbers and district nurse numbers have fallen, and NHS Direct, which was supposed to have been

launched early this year, has not yet been introduced. Pledge after pledge has not been honoured.

**Dr Simpson:** Will Shona Robison tell us how many beds the SNP would close? The motion opposes the fact that we have closed beds. What is the SNP policy on accelerating the bed closure programme, which is the opposite of what the motion calls for?

**Shona Robison:** The SNP believes that it is a problem when people are discharged into the community without adequate facilities to help them to remain in their homes. Many of those people end up back in hospital, in acute beds that are then blocked.

We have a cycle of people going through the system because Labour has failed to invest in adequate resources to enable them to remain at home. This month, Susan Deacon announced that each health board would get additional nursing staff. That sounds good until one considers that Scotland has lost hundreds of nurses since new Labour came to power—nearly 900 nurses since 1996. The Minister for Health and Community Care's encouragement to trusts to use agency staff flies in the face of the Accounts Commission report that said that such staff should be used only in unforeseen circumstances, which winter pressures cannot be described as.

With dropout rates at their highest for four years, the Executive needs to address the key concern in the health plan. Susan Deacon announced that she would be providing more than 700 extra beds across the NHS this winter. However, we have lost 3,000 beds. She is replacing less than one quarter of the beds that have been taken away and she expects us to be grateful. The additional beds that are being provided in Lothian are already full. I see that the minister is shaking her head, but I assure her that that is a fact.

Recently released figures show that more than 3,000 people are awaiting discharge from hospital. The main problem is the lack of public funding that is available to purchase residential or nursing home places, which is an issue that was highlighted in the previous debate that the SNP initiated on the matter. The coalition parties have tried to justify the extensive loss of resources to the NHS by arguing that the resources are showing up elsewhere. By showing that community care services are not as they should be, we have scotched that myth.

Added to all of that is the debacle over the Sutherland report. Now that the minister has graced us with her presence, perhaps she will tell us whether she has a different position on the matter from Henry McLeish. Will one of them clarify what the position is?

**The Deputy Presiding Officer (Patricia Ferguson):** It is not for members to seek interventions.

**Shona Robison:** Susan Deacon and Henry McLeish have declined to clarify to Parliament what the position on Sutherland is.

We may hear more pledges from the minister, but they are fast becoming empty promises. We need properly funded targets if there are to be improvements. The issue is not the amount of money; it is where the money is spent, why the benefits of additional resources are not being felt and why the Executive is failing to deliver on the targets that it set. I note that Frank McAveety said that the pledge to reduce waiting lists was a mistake. That acknowledgement is some progress, at least.

**Mr McAveety:** Will the member allow me to clarify that point?

**Shona Robison:** No. I am winding up.

We have waited two years for the national health plan. The Executive's press spin has led us to believe that we should expect something substantial. Expectations have been raised. If the minister cannot meet those expectations, the health plan will be added to the growing list of new Labour failures on health. I suggest that a failure to deliver on Scotland's health plan would be a failure too far. We will have to wait and see.

I say to Mr McAveety that, if treating more patients more quickly and with more nurses is considered to derive from a 1970s perspective, I will be happy to get the flares out of the wardrobe and wear them with pride.

## Health Plan

**The Deputy Presiding Officer (Patricia Ferguson):** The next item of business is a statement by Susan Deacon on the health plan. The minister will take questions at the end of her statement and there should therefore be no interventions. I invite members who wish to speak to press their request-to-speak buttons now.

12:19

**The Minister for Health and Community Care (Susan Deacon):** This statement marks the publication of "Our National Health: A plan for action, a plan for change". It sets out a radical plan to improve the health of the people of Scotland and to rebuild and renew our national health service. It is not just another Government policy document: it represents a continuum of policy, but a step change in delivery. Its focus is on the practical, and our aim is to ensure that record investment delivers record results for the people of Scotland.

This Parliament was created not just to talk about problems, but to deliver solutions. Devolution was never intended as an end in itself, but as a means to deliver improvements in people's lives. That is what the health plan is about. "Our National Health" is the culmination of almost a year's work: a year of dialogue, discussions and debate; a year of listening and learning; a year of capturing strengths and identifying weaknesses.

We did not simply sit behind closed doors in St Andrew's House when developing this plan. We reached out; we consulted the public—patients, individuals and communities; we spoke to health care providers, including NHS staff, their representatives, voluntary organisations, local authorities and many others; and we listened to the views of members of this Parliament and of its Health and Community Care Committee. The actions and priorities that are set out in "Our National Health" reflect those views.

"Our National Health" seeks to provide a platform on which we can build a national effort to improve health and health care. Improving health comes first, and rightly so. It is time for Scotland to cease being a case study in ill health, and to become a showcase of good health. Tackling the root causes of ill health is at the heart of this Executive's agenda—not just in health itself but across all our work to achieve social justice in Scotland.

We will work together to close the health gap between rich and poor. Over this and the next three years, more than £100 million will be spent

through our new national health improvement fund. Health boards and local authorities will work together to route that money to local communities, especially the poorest ones. There will be a major expansion of breakfast clubs, fruit in nursery schools, free toothpaste and toothbrushes to 100,000 Scottish children and better screening and immunisation. Those are just some of the ways in which that money is being put to work.

The Public Health Institute for Scotland has recently been established, and will start work in earnest early next year. Four major health demonstration projects, backed by £15 million, have been launched in the fields of children's health, sexual health and the prevention of cancer and of coronary heart disease.

Prevention is as important as cure. We want the NHS to be a truly national health service—not simply a national illness service—working together with local authorities, the voluntary sector, the public and private sectors and, crucially, individuals and communities to improve health.

Alongside our plans for improving health are those to improve the health service. The NHS is our nation's biggest and most important public service, and its creation in 1948 was a defining moment in our nation's history. Its architects—William Beveridge, a Liberal, and Nye Bevan, a Labour minister—left us a legacy of which we can be proud. It is a legacy upon which this Labour-Liberal Democrat coalition is determined to build. The founding principle of the NHS, that care be provided according to need, not ability to pay, holds good today, as it did more than 50 years ago.

There is much to be proud of in our NHS. Too often we forget that in the cut and thrust of political debate. It has skilled and committed staff, and offers leading-edge clinical practice and life-saving treatment and care, delivered every day throughout Scotland. In just one day in the NHS in Scotland more than 60,000 people will visit their general practitioner; community nurses will make more than 12,000 visits; 2,500 operations will be performed; and more than 24,000 out-patients will be seen. It is a formidable operation, one that we should be proud of.

In our research with patients across Scotland, time and again people told us how much they value the NHS. They do not see it just as a service, but as part of the fabric of our society. They told us that, in general, they were satisfied with the care and treatment that they received and they described many examples of good practice and high-quality care.

There were also concerns. People said that there were too many delays, too much fragmentation and too much waiting. Concerns

that there was too little information and poor communication came up time and again. People felt that too often the NHS did things to them rather than with them. They wanted to be cared for as well as cured. They wanted to be rushed less and listened to more. They wanted more flexible access to services and to be able to make informed choices.

It was striking that our discussions with staff echoed many of those themes. They, too, wanted to put care back at the heart of the NHS, to be able to respond more effectively to the needs of their patients, and to be valued and listened to more. They, too, complained of fragmentation and the loss of identity of the service that they joined.

This plan acts on those concerns. Our aim is to champion what works, as well as to deal with what could work better. Investment is the key to delivering improvement. The NHS has suffered from decades of underfunding and short-termism. By any measure we have made a major start to turning that situation around.

We have committed record levels of spending for this year and each of the next three years. The health budget will rise from £4.9 billion in 1999-2000 to £6.7 billion in 2003-04. Next year, every health board will receive an increase of at least 5.5 per cent. Under the new fairer funding formula, which recognises the needs of deprived and rural areas, many parts of the country will receive much more. New hospitals and health centres are coming on stream. We are investing in technology and vital equipment. We are recruiting and training more staff.

However, more spending is only half the picture; we must spend better. Our aim is to ensure that resources reach front-line patient care, and that investment is matched by reform. Reducing bureaucracy and rooting out outmoded ways of working are equally important if our people are to get the treatment they need and deserve.

Reducing waiting is a priority. We will work to ensure that the patient's journey, from GP practice to out-patient clinic, and from hospital to home, is better, faster and more responsive. Our aim is for people to get the right care in the right place at the right time. Progress has already been made. In the past year, the number of one-stop clinics has doubled, giving patients better, faster diagnosis and treatment. More people are being treated—50,000 more operations were performed this year than last.

Much more still needs to be done. "Our National Health" sets out a radical programme to transform fundamentally the experience of patients. We will provide better, more comprehensive access to services through the introduction of round-the-clock telephone advice via the new NHS 24

helpline. We will accelerate the development of telemedicine and improve communications to speed up appointments, prescriptions and test results.

We want to work with staff to make the best use of the skills of all members of the health care team. We will roll out existing pilot schemes to develop new roles for our 1,100 community pharmacists, thereby improving access to advice and medication in our communities. We will extend the role of nurses in prescribing and will publish major new proposals on public health nursing, including the school nursing service. We will develop alternative contractual options to ensure that GP services are provided where they are needed, particularly in our poorer and more remote communities.

We will work to reduce the time that patients have to wait. Our target is to ensure that appointments are available within 48 hours with an appropriate member of the primary health care team. We will reduce waiting times for non-urgent in-patient care, and will ensure that, by 2003, no one will have to wait more than nine months, instead of the current maximum of 12 months.

The patients' voice must be strengthened, and £14 million will be made available over three years to improve communication, patient information and partnership working with individuals and communities. All clinical guidelines will be made available in a patient-friendly format, and the NHS complaints system will be reviewed and improved. Advocacy services will be expanded. Training for managers and staff to involve patients and communities more effectively will be introduced.

For most of us, most of the time, the NHS is simply a reassuring presence—it is there if we need it. However, we all need it most at the beginning of life and when we grow older. We will make children and older people a priority for the NHS in Scotland.

We will provide better support for parents—along with child health promotion initiatives and better health services for the very young—to give all our children a better start in life. Better and more joined-up community services for older people will be backed by increased investment. Those services will make a real difference, as they will help older people to stay at home longer and to get home from hospital more quickly and safely.

Coronary heart disease, cancer and mental health are the three agreed clinical priorities that have been identified for special action. There is sound knowledge of what needs to be done, in relation to both prevention and treatment and support for those already affected. The challenge is to ensure that such knowledge is applied systematically to reduce illness and improve

patient care.

In 2001, we will publish a national strategy for reducing heart disease and, by 2002, access to diagnosis and treatment will meet strict new targets. Managed clinical networks will link local, regional and national services for heart disease. In 2001, a comprehensive Scottish cancer plan will be published and new investment will provide equipment for the diagnosis and treatment of cancer. To improve care in mental health, we will speed up the implementation of the framework for mental health and new investment will support the delivery of national standards of care across Scotland.

Key to our approach is the development of national standards that will be delivered locally. We will work to end the postcode lottery of care that grew up under the internal market. The market fragmented the system and demoralised staff. It has been abolished, but too many of its systems and practices remain. Patients and staff need stability and now is not the time to embark on more wholesale structural reform; however, it is the time to rewire the system to make the NHS work more effectively for patients and staff.

There is a range of views on the optimum number and configuration of NHS bodies in Scotland. However, any major structural change must be the product of full and considered discussion and debate. That will take years, not months, and will almost certainly require further statutory change. We will initiate a review next year to consider those matters and to allow people to participate fully in that debate. In the meantime, we will take immediate steps to streamline the bureaucracy of decision-making structures and to improve accountability. We have made changes already in the health department to achieve greater integration and improve performance. We will do the same locally.

In each health board area the separate board structure of NHS trusts and health boards will be replaced by a single unified NHS board that will be held to account for the performance of the whole local health system. The plethora of health improvement programmes and trust implementation plans will be replaced by a single local health plan. Stronger links will be forged with local authorities and the voice of staff and patients will be enhanced.

NHS trusts will remain and will retain their operational responsibility for the delivery of services, but they will do so with streamlined management arrangements and with a greatly reduced number of non-executive trustees.

A new performance management framework will be introduced, so that each unified NHS board is held to account for its actions against agreed

national and local priorities. We will work to re-establish the identity of our national health service, rather than retain the proliferation of signs and logos that confuse patients and alienate staff.

This is not about centralisation; it is about rationalisation, integration and improvement. We want front-line staff to be empowered. We want decision making to be pushed to the local level as far as possible, while remaining within a framework of strong national clinical and service standards. It is unacceptable that good policies—the result of hard work and wide consultation, approved and supported at the national level—should fall down at the crucial stage of implementation in local communities.

We believe that we can and must rebuild the NHS as a truly national health service, delivering national policy to the same standards of excellence across the whole of Scotland, from our cities to our islands. NHS staff will be at the heart of our work. The public value NHS staff, and the NHS must do the same. Staff must be involved in decision making within the NHS, in accordance with the principles of partnership working that we have pioneered and driven forward in Scotland. In future, NHS boards will be assessed on their record as employers, and staff will be involved in that through their local partnership forums. We will continue to work with the other UK health departments to develop NHS pay modernisation, and we will continue to recruit and train more NHS staff and to plan effectively for the future.

Today I have set out the main themes in “Our National Health”. In the time available, I could only touch on those themes. The plan does not seek to identify every issue and every action that is important, but it sets out a clear and unequivocal direction of travel: to build a national effort to improve health; to rebuild our national health service; and to put patients and staff at the heart of that effort. The publication of this document is a beginning, not an end. Over the months ahead, a programme of measures will drive forward its implementation. We will work to change culture and practice.

“Our National Health” is a plan for action. It is a people’s plan. It is a Scottish plan. It is the right thing to do. Now we need to work together to make it happen.

**The Deputy Presiding Officer:** We will now have questions on the minister’s statement, for which I will allow approximately 25 minutes.

**Nicola Sturgeon (Glasgow) (SNP):** I thank Susan Deacon for her statement. It is reassuring to know that, after two years, Labour at last has a plan for the future of the NHS in Scotland, even if large parts of it appear to consist of plans to produce further plans. Nevertheless, I welcome

much of what the minister has announced today, especially the parts of the statement that focused on improving health in Scotland. In a spirit of consensus, I commend Susan Deacon for focusing on health in Scotland rather than simply on the health service.

Does Susan Deacon agree that, after two years of Labour and one Labour reorganisation of the health service that clearly did not go far enough, we simply cannot wait another five years to put in place an NHS structure that can deliver for patients? Can we not move much more quickly—with consultation, of course—to put in place an effective structure that works, and that works for patients? Does the minister also agree that, as she has failed to deliver on the waiting lists pledge on which she was elected to office, any pledges that she makes today will be treated with some scepticism?

It is the detail of the minister's plan that counts. Much of what she has announced today seems to be predicated on an expanded work force. Will she tell us precisely how the Scottish Executive will address the nursing shortage in Scotland and how it will recruit and retain staff in the NHS to make up for the 900 nurses lost to the NHS since 1996? Can she tell us when this Parliament will have an opportunity to debate the detail of the plan? She said that there was insufficient time to go into detail. When will we get the opportunity to do so? If the minister can answer those questions in the spirit in which they are asked, I am sure that all of us in this Parliament, working together, can make progress towards implementing certain parts of her plan.

**Susan Deacon:** I hope that, in the months to come, we will have not just one opportunity to debate the detail of this plan but many opportunities. I stress that the plan should be seen as the start of a process and not the end. Part of the key to achieving the changes we seek is fostering widespread, open, measured, mature and informed debate on health and the NHS in Scotland.

Since devolution the Parliament has given more consideration to health-related issues than to any other subject area. It is good that the Parliament is choosing to scrutinise the issues, but we owe it to the people of Scotland to raise the standard of some of the contributions that we have heard from some parts of the chamber recently. I am pleased that Nicola Sturgeon and others have joined us in debating health improvement, for example. I hope that they will join us in taking forward change.

Nicola Sturgeon suggested that this was the first plan to have been produced in three years. I suggest, respectfully, that she look at the vast policy framework that has been developed since Labour was elected in 1997 and since the

partnership Executive came to power in 1999. It includes "Designed to Care", the health white paper, the acute services review, the mental health services framework, the community care action plan, the learning disabilities review, the human resources strategy, the education, training and lifelong learning strategy and much more. We do not need to add to those policy documents; we need to ensure that they are translated into practice. Patchy implementation has been identified in all our discussions with staff and patients and there is now a desire to move forward and ensure that the implementation is improved.

A question was asked about structural reform. Let us not make the mistake of seeing that as a panacea. Let us recognise that we now need to change culture and practice as much as, if not more than, structure. Proper and full consideration should be given to the optimal arrangements for a post-internal-market, post-devolution NHS in Scotland. We will initiate that process next year.

We need also to work quickly within the existing statute and structure to strip out bureaucracy, to ensure that decision making is more effective and that patients' needs are responded to more effectively. I think that we have struck that balance. We are radically changing what goes on in the boardrooms, with a view to improving what goes on in the wards and communities. We will take that change forward quickly, in consultation and dialogue with the health service. I fully expect it to deliver results.

**Mary Scanlon (Highlands and Islands) (Con):** There are many points in the plan that I would welcome, but given that it has been delivered to us only in the past hour, it is quite difficult to respond to it. I acknowledge the commitment to mental health, greater patient information, greater support for parents, child health promotion and, in particular, the commitment to GP services in poorer and remote areas. I agree with the Minister for Health and Community Care that it is implementation that counts. I am glad that she can remember all the plans, strategies, reviews, consultations and focus groups. They are beginning to fill a library.

It is difficult to believe that the minister will endorse and implement the plan announced today when it is a full admission of failure. Labour has had four years—not two years as Nicola Sturgeon says—to get waiting lists down and to show how Labour works for the NHS.

I would like to know the answers to the following important questions: how will the new boards be responsive to local needs, how can the minister be sure that they will implement the strategies that she announces and how will she hold them accountable? What is being done to fully integrate general practices into the health service and to

encourage them to provide more services and greater innovation?

**Susan Deacon:** We are very concerned to ensure that the NHS at a local level is responsive to local communities. There was a concern that once the Scottish Parliament was established things might shift to the centre. Sometimes truly local issues have been overly elevated as national issues in this chamber. It is important that local public service providers are accountable to local communities.

We believe that achieving the integration, clarity and transparency of local boards will aid that process, as will strengthening the links with local authorities. The new accountability and review process to be announced early next year and the new performance management framework for NHS bodies in Scotland will assist us to strike the appropriate balance between national standards and local priorities—being responsive to the needs of local communities. It is a demanding agenda and a big culture change for the NHS, but we must work to bring that change about.

Mary Scanlon is right to say that GP and other providers of community-based health services are key to delivering the changes that we need. All too often, debate and discussion in the NHS focuses on what goes on in our hospitals. Nevertheless, 90 per cent of all contacts with the NHS in Scotland begin and end in a primary care and community health setting. All too often, the problems that arise in our hospitals find their causes—or indeed solutions—in a primary care or community-based setting.

We do not agree with the previous GP fundholding system, which we think was inequitable and led to a two-tier system—that is why it was ended. We believe that the local health care co-operatives that have been established since the abolition of the internal market are beginning to show the way to ensure effective innovation in primary care. In developing the new unified boards, we will work to ensure that LHCCs, GPs and all members of the primary health care team take a full part in planning and decision making for the local NHS.

**Mr Keith Raffan (Mid Scotland and Fife) (LD):** I welcome the minister's statement and in particular her determination that the record resources being spent on the NHS reach front-line patient care.

Although I do not dissent from the proposed streamlining of the NHS structure, I want to know whether the minister will take on board the strongly held view of the Liberal group that the last thing that the NHS in Scotland needs is a prolonged—I stress the word "prolonged"—period of restructuring, upheaval and uncertainty, which

will not improve patient care, will demoralise doctors and nurses and will deter high-quality candidates from applying for senior management positions. Will she set a tight deadline for the proposed restructuring?

How does the minister expect the plan to impact on an acute services review, particularly in regard to cross-boundary co-ordination and co-operation between health boards to ensure national standards of care? I say that with some feeling as a regional member whose constituency contains three health boards.

**Susan Deacon:** Keith Raffan raises two important points. I agree with what he said about structural reform. I am concerned that Nicola Sturgeon is urging us to implement wider structural reform more quickly. The last thing that the NHS needs at this time is widespread and ill-considered structural reform. The NHS needs the removal of bureaucracy and the introduction of more effective decision-making arrangements. That is what we are aiming to achieve to ensure the improvement of front-line patient care and the empowerment of front-line staff. All too often, the complex machinery of the current system stands in the way of that task.

The immediate changes that we aim to make will be rolled out from the beginning of next year and through 2001. We recognise that it will take more time to manage that change in some parts of the country than in others. We are talking months, rather than years, to bring those changes about. The longer-term consideration of management and structures in the NHS in Scotland ought to be considered through open and sensible debate. When we announce that exercise early in the new year, we will include a timetable for the process.

The issue of local acute services reviews is important. The national acute services review that was published in 1998 set out a sound and robust national framework for the way in which acute services could be provided across Scotland. It set out ways in which centres of excellence could be developed effectively while we ensured that, where appropriate, services could be provided closer to peoples' homes. It set out how managed clinical networks could be used to make the best possible use of skills in the NHS across Scotland.

As with other areas, however, implementation of the acute services review has been patchy; the management of change at local level has been varied, in terms of the effectiveness of local discussions and local decisions. It is important to take decisions locally, but it is also important to look across borders and between health board areas to ensure that change is managed effectively across Scotland. One of the many commitments in the plan is that we will set up a national advisory body to assist local NHS boards

and the Scottish Executive in taking forward the much-needed change process.

**The Deputy Presiding Officer:** Understandably, many members wish to ask questions on this statement, so I ask members to keep their questions as succinct as possible.

**Dr Richard Simpson (Ochil) (Lab):** I welcome many of the principles that the minister has expounded and I look forward to the Health and Community Care Committee studying the detail of the plan. The Parliament should congratulate all those who have been involved in the work.

What arrangements does the minister propose to put in place to ensure the detailed implementation of the proposed local health plans, which will replace health improvement programmes and trust implementation plans? How will those plans link with local authorities' community plans and the plans for developing community schools, health-promoting schools—under the health promotion unit—and the long-term commitment to healthy living centres? How will the plan cement local authority links?

**Susan Deacon:** Links with local authorities and other providers of care, including voluntary organisations, are essential if we are to build services around the needs of individuals and communities. In the plan, we are clear that there must be effective links between local health plans and the emerging and growing role of local authority-led community plans and, as Richard Simpson says, other community-based initiatives, such as health-promoting schools, new community schools and healthy living centres.

We have set out clearly in the plan the key principles and priorities that we want to achieve and we have pointed to other work that will address those priorities. We will be publishing three major programmes early in the new year to drive forward the implementation of the changes that I have outlined today and the changes that are outlined in the plan. The detailed implementation of the points that Richard Simpson and many others raised will be taken forward in that process, in full discussion with the national health service and other care providers.

I take this opportunity to thank the Convention of Scottish Local Authorities and various local authority representatives, as well as people within the NHS, for their contributions to the plan.

**Shona Robison (North-East Scotland) (SNP):** During the health debate this morning, Frank McAveety said that the waiting lists pledge in Labour's 1999 manifesto was a mistake. That was later contradicted by the Deputy Minister for Health and Community Care, who said that the Executive would deliver on the waiting lists pledge by 2002. Who is right? If it is Malcolm Chisholm,

why did the Minister for Health and Community Care make no reference in her statement to delivering on the waiting lists pledge?

**Susan Deacon:** I may not have been in the chamber at the time, as the Opposition commented, but, through the wonders of technology, I was able to listen to and watch much of the debate, including Frank McAveety's speech, and I know that that is not what he said. However, let me answer on my own behalf. Waiting lists are and remain one measure of performance on waiting in Scotland. They tell us how many people are waiting for treatment—in a snapshot—on a given day at a given time. Those data are relevant and it is relevant to work to reduce the number. We are doing so, and remain committed to doing so, but we also need to look at how long people are waiting on lists and at how many people are receiving treatment.

I am pleased that, in relation to those other measures, the NHS in Scotland is performing better than the NHS in other parts of the UK. It is treating more people and is treating them more quickly, with more than eight out of 10 Scots receiving in-patient treatment and care in less than three months—that is the best performance in the UK. We want the performance to get better still. We want a full and transparent report of performance on waiting across the NHS in Scotland. I hope that we will consider in a full and considered way all the data that are available, rather than just picking and choosing numbers. I answered Shona Robison's direct question about waiting lists. It would be interesting to know whether the SNP continues to hold the view that what matters is reducing waiting times.

**Ben Wallace (North-East Scotland) (Con):** In asking questions on the document, I find it tempting to treat it as a summary of every press release on the website since 1997, as that is what the vast majority of the plan seems to be. I have one simple and straightforward question for the minister. Why did she not print in full the results of the MORI survey on attitudes towards the health service? Was it because the half of the survey that is not printed showed complete dissatisfaction with the Labour party and its health policies? Is she frightened to publish any of the public's criticisms?

**Susan Deacon:** We did not print the MORI survey in full in the plan, but we printed a pretty candid summary of the key findings. We did not print in full the plethora of comments that we received or the range of submissions from many stakeholder groups. We did not print the wide range of feedback that we received through the qualitative research that we undertook and the quantitative research that was conducted.

As Ben Wallace knows full well, members of the Health and Community Care Committee were

given a full presentation on the MORI survey, because the time was available to do that. It is unfortunate that someone chose to put selective figures from that survey into the public domain. We have been as open, candid and frank as we can be about the strengths and weaknesses that we have identified in the NHS in Scotland. Rather than simply talking about weaknesses, we want to address them, fix problems and build on strengths. That is the purpose of the plan.

**Mr Duncan McNeil (Greenock and Inverclyde) (Lab):** Will the minister say how the health plan will tackle health inequalities in deprived areas such as Greenock and Inverclyde?

**Susan Deacon:** There is no quick answer that does justice to that question. I will simply say that tackling health inequalities is one of the key priorities not only in health policy, but across the Scottish Executive's work. Narrowing the health gap between rich and poor must be a priority in Scotland. In "Our National Health", we set out how we want to take health to people, not just people to the health service. We want to work in communities to empower individuals and communities to achieve better health. We want to tackle the root causes of ill health, such as poverty, poor housing and lack of educational and economic opportunity. I assure members that ministers across the Executive will continue to work together to achieve that goal.

**Richard Lochhead (North-East Scotland) (SNP):** I welcome the document and hope that it makes a difference to Scotland's health. In his foreword to the health plan, Henry McLeish says that he wants to build a 21<sup>st</sup> century health service in Scotland. Many medical staff tell me that they must deliver the service using antiquated medical equipment. In Grampian, 25 per cent of general medical equipment is beyond its standard life. Will the minister outline what action the health plan will take to address that worrying situation? Will she instigate an investigation into the age profile and condition of medical equipment in Scotland's hospitals?

**Susan Deacon:** The condition of medical equipment in Scotland's hospitals worries me, too. That is one of many matters that has suffered through the many years of underfunding in the NHS and the short-termism that was characteristic of the internal market, which militated against decisions to make long-term investments.

To address that, we have made available more money for capital spending this year and next. From memory, I think that £179 million will be provided this year, which will rise to £194 million next year. In addition, we have targeted investment where there is the greatest need in equipment, including £30 million to deal with some of the most pressing equipment needs, which

Richard Lochhead rightly identified.

When members have an opportunity to read the detail of "Our National Health", they will see that the Executive reiterates that that matter is one for attention nationally and locally. For some major equipment, work must be done nationally. We have already taken action on that in relation to investing in major cancer equipment. However, the NHS must be able to take decisions locally on X-ray equipment, scanners, endoscopy equipment and other items. It is also important to ensure that the equipment is in place.

**George Lyon (Argyll and Bute) (LD):** I, too, welcome the minister's statement, but I would like clarification on an important issue. How will the new structure respond to local needs? Given the need for proper local accountability and the fact that trusts will, in time, be abolished, how will the structure address the fundamental need for proper local accountability? How does the minister envisage that decision making will be pushed to a local level if the trusts disappear and local representatives are no longer able to reflect local needs?

**Susan Deacon:** What will happen over time in the structure of the NHS will be a matter for proper and fair consideration through the review process to which I have alluded. It is crucial that there is effective local accountability, but that and local operational autonomy are not necessarily the same thing. NHS trusts may have created and strengthened local operational autonomy, but the way in which they were created under the internal market did not increase local accountability. The essence of the internal market was to run local NHS bodies as though they were small private businesses, rather than as a public service that was accountable to local communities.

The short-term changes that we propose will—as well as being achievable within the existing structure and statutes—facilitate local operational autonomy and the continuation of effective local management. The system will be clearer and more transparent and it will be clearer to local communities who runs the NHS. Through the wide range of measures that I have outlined in my statement and in "Our National Health", we will work actively with the NHS in the months ahead to equip it to get better at communicating with local communities and individuals, to ensure that people can influence effectively the development of the NHS.

**Mr Andrew Welsh (Angus) (SNP):** It is difficult to disagree with the minister's general objectives, but—as ever—delivery will be the problem.

Every reorganisation so far has brought extra costs. What are the minister's estimates of the possible job losses, redundancies and costs of the

proposed reorganisation of the health boards? What does the minister mean when she says that local authorities will be given a strong voice on the new unified health boards? I welcome guaranteed staff membership of the boards, but why should not democratically elected local authorities also be granted membership so that they can speak for their communities? Given the experience in Tayside, will the minister spell out how she will counteract the inherent centralisation in the new unified boards?

**Susan Deacon:** I stress that in that area of the plan, as in other areas, we have worked closely with a range of people in the health service to examine what changes will be most effective in improving health and health care. That is why we have reached the conclusion that we did. We have not—as a number of members have suggested—concluded that we should restructure the service. We have concluded that we should shake up decision making in the boardrooms and make improvements at that level.

Andrew Welsh asks about costs. We see our plan as a more cost-effective way of taking decisions in the NHS, although I stress that cost is not the main driving and motivating force. The NHS should be more cost-effective as a result of the plan, because there will be fewer all-singing, all-dancing boards in the NHS in Scotland. There will be a greatly streamlined local planning process and fewer appointed members on NHS boards throughout Scotland. I hope that the system is not only cheaper, but better.

I reiterate that the detailed arrangements of how the boards will be made up in each area will be part of the programme of change that will be launched early in the new year and taken forward during the early months of next year. Different parts of the country have different needs and a different geography, and different numbers of local authorities will be covered by health board areas.

**Mr John McAllion (Dundee East) (Lab):** I congratulate the minister on her statement and on getting Nicola Sturgeon to utter the word “consensus”—that must be some kind of first for the Parliament.

Does the minister accept that a single unified board that must be held to account for the performance of the local health service will be difficult to achieve if trust chief executives continue to be separately accountable to the management executive in Edinburgh for the spending by their trusts? Will that separate financial line of accountability be abolished and will those who are responsible for performance within the local health services also be directly accountable for the spending in those services?

**Susan Deacon:** Yes.

**Mrs Margaret Smith (Edinburgh West) (LD):** My first question is about developing national standards. The minister said that she wanted to end the so-called postcode lottery of care. Will she give a bit more detail about how that will pan out? At the moment, the Health Technology Board for Scotland is able to offer suggestions to local health boards and trusts, but it is not compelled to do so. Unless that is changed, the minister can say only that she will attempt to end the postcode lottery of care; she will be unable to say unequivocally that the lottery itself will be ended.

My second question is on patchy implementation. On waiting times, I welcome the minister's statement that, by 2003, people will have to wait for no longer than nine months. At the moment, although the average figures for waiting times across the board are relatively good, there are parts of the system in which waiting times for particular specialist treatment exceed 12 months. How will the minister bring down those times to nine months?

My other point—rather than question—is that we must get work-force planning correct. If we do not, we will be unable to extend the role of nurse practitioners and so on, because the nurses will not be available to do those jobs.

**Susan Deacon:** Work-force planning is key and there are a number of specific references to it in “Our National Health”, including a commitment to conduct a full-scale review of our work-force planning arrangements for the medical profession. We think that the time is right to do that. We know that there is an appetite for it among representatives of the medical profession—indeed, many have raised that matter with us in their submissions.

On the achievement of national standards, let me make it clear that national standards can derive from a number of sources. They are not just about Government policy documents. They can derive from the Clinical Standards Board for Scotland, which was established last year. They can come from the Scottish intercollegiate guidelines network, which has led the way—arguably not only in Britain, but in many areas worldwide—in establishing effective clinical standards.

However, whether those standards are taken forward is to some extent voluntary. Although I gave a brief answer to John McAllion's question—I have always been desperate to give a one-word answer in the chamber—his point about separate accountability illustrates one of the factors that have militated against our being able to work towards national standards. Clear national standards and requirements have not been set for local NHS bodies and there have been too many different planning systems and separate

accountability review processes.

At the heart of the various changes that we will make during the coming months is a desire to bring all that together. We must make it clear that a core requirement of local NHS bodies should be to work towards good, sound national standards in clinical quality or service standards, such as cleanliness in our hospitals.

**The Deputy Presiding Officer:** With the proviso that he will ask a one-line question, I call Mr Sheridan.

**Tommy Sheridan (Glasgow) (SSP):** I, too, hope that it will be a one-line question, because the minister has already referred to the matter about which I will question her.

The minister rightly puts great store by national standards. Page 26 of the document states:

“High standards of cleanliness are particularly important. There is a perception that standards of cleanliness in hospitals have deteriorated over the years.”

Will she give a commitment that cleaning and catering in our hospitals will return to the public sector? That would get rid of the lottery of contracting out those services to the private sector, which has resulted in the problems that we now face.

**The Deputy Presiding Officer:** That was more than one line.

**Susan Deacon:** I am sure that Tommy Sheridan has seen that the section of the plan from which he quoted goes on to say more on those issues. In those—as in many other matters—the approach under the Conservatives suggested that private was good and public was bad. We are concerned with ensuring that patients get what is best. We want to see the NHS go for best value, not merely lowest cost. At times, it is appropriate to contract out services, but we say clearly in “Our National Health” that the contract culture should no longer be seen as the norm, as it was for too long in the NHS in Scotland.

**The Deputy Presiding Officer:** I apologise to the six members whom I could not call, but we must now move on.

## Business Motion

**The Deputy Presiding Officer (Patricia Ferguson):** The next item of business is consideration of business motion S1M-1466, in the name of Mr Tom McCabe, on behalf of the Parliamentary Bureau, setting out a revision to the business programme that was agreed on 7 December and the programme of business for Wednesday 20 December 2000.

13:10

**The Deputy Minister for Parliament (Tavish Scott):** It is important that I intimate that the Parliamentary Bureau proposes that business this afternoon be changed to allow a debate on the draft undertaking by Scottish ministers under section 2(1) of the Highlands and Islands Shipping Services Act 1960. The undertaking deals with northern isles passenger ferry services. Parliamentary approval is urgent so that key deadlines for financing arrangements and applications for shipyard intervention funding can be met.

I move,

That the Parliament agrees

(a) the following revision to the Business Motion agreed on 7 December 2000—

Thursday 14 December 2000

after the Debate on Committee Restructuring, replace

followed by Executive Debate on Tobacco Advertising and Promotion Bill – UK Legislation

with

followed by Debate on the Draft Undertaking by the Scottish Ministers under section 2 (1) of the Highlands and Islands Shipping Services Act 1960

(b) the following programme of business—

Wednesday 20 December 2000

9.30 am Time for Reflection

followed by Parliamentary Bureau Motions

followed by Stage 3 Debate on the Transport (Scotland) Bill

2.30 pm Continuation of Stage 3 Debate on the Transport (Scotland) Bill

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business - debate on the subject of S1M-1389 Cathy Jamieson: Home and Community Safety

(c) that the Local Government Committee reports to the Transport and the Environment Committee by 12 January

2001 on the Financial Assistance for Environmental Purposes (Scotland) Order 2000 (SSI 2000/430)

(d) that Stage 1 of the Education (Graduate Endowment and Student Support) (Scotland) (No. 2) Bill be completed by 31 January 2001

and, (e) that Stage 1 of the Mortgage Rights (Scotland) Bill be completed by 18 January 2001

**The Deputy Presiding Officer:** As no member has requested to speak against the motion, I will put the question.

The question is, that business motion S1M-1466, in the name of Mr Tom McCabe, on behalf of the Parliamentary Bureau, be agreed to.

*Motion agreed to.*

**The Deputy Presiding Officer:** The business bulletin contains an error. It suggests that today's meeting will resume at 3.30 pm; that should read 2.30 pm.

13:11

*Meeting suspended until 14:30.*

14:30

*On resuming—*

## Question Time

### SCOTTISH EXECUTIVE

#### Argyll and Bute Council (Meetings)

**1. Mr Duncan Hamilton (Highlands and Islands) (SNP):** To ask the Scottish Executive when it next plans to meet Argyll and Bute Council and what issues will be discussed. (S1O-2712)

**The Deputy Minister for Finance and Local Government (Peter Peacock):** The Executive has no immediate plans for a formal meeting with Argyll and Bute Council.

**Mr Hamilton:** If the Executive ever gets round to meeting Argyll and Bute Council, I suggest that one issue for discussion might be the recent settlement on local government funding. I remind Peter Peacock of Angus MacKay's comments. He who said that the special islands needs allowance had been reviewed and that

"account has been taken of the additional costs faced by mainland councils with some island based populations."—  
[*Official Report*, 7 December 2000; Vol 9, c 693.]

In other words, areas such as Argyll and Bute.

If the Executive is so concerned with closing the funding gap between Argyll and Bute and the rest of Scotland, why did the council receive a below-average increase for the next three years? Is it true that the continuing problems in that council area—threats to close rural schools and the problems of maintaining roads—are closely related to the Executive's Scrooge-like mentality this Christmas?

**Peter Peacock:** The SINA grants a major boost to Argyll and Bute and its allocation follows a long campaign by the council for that addition to its expenditure. It adds something like £4.1 million to Argyll and Bute's spending over the next three years—spending that it would not otherwise have had. That implements in full the consultants' recommendations on proposals for Argyll and Bute. It adds to the £38 million more that Argyll and Bute will be able to spend over the next three years. It is extremely good news for Argyll and Bute—I am surprised that the Scottish National Party does not welcome it.

**George Lyon (Argyll and Bute) (LD):** Will the minister clarify what the increase in the capital allocation is for Argyll and Bute? What extra help has been given to satisfy the request for help with the new waste disposal system that it is about to

be set up at Lingerton?

**Peter Peacock:** As with the revenue settlement, Argyll and Bute will receive a major increase in its capital allocations of 20 per cent, leading to a total settlement of £12.3 million. In addition, we are in discussion with Argyll and Bute Council concerning the matter that George Lyon raised last week about the council's waste management proposals. We will look as sympathetically as possible at how to help in that situation.

**Mr Jamie McGrigor (Highlands and Islands) (Con):** Is the Executive aware that the proposed waste disposal site at Lingerton appears to be in contravention of the Executive's guidelines on proximity of waste and the transport of waste by road?

**Peter Peacock:** That is a planning matter, which, in the first instance, would be a matter for the local council. The Executive might have a role later. I will alert my colleague, Sam Galbraith, to that possibility.

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

### Rural Deprivation

**3. Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** To ask the Scottish Executive whether it has sufficient statistical information to identify the exact extent of rural deprivation. (S10-2686)

**The Minister for Rural Development (Ross Finnie):** No, we do not. I have already acknowledged that our understanding of rural poverty and deprivation is not as developed as our understanding of urban deprivation. That is why we have established the rural poverty and inclusion working group, one of whose aims is to seek to improve understanding of rural social exclusion in Scotland, including identification of key indicators and ensuring that those are appropriately developed for and measurable in rural areas. I look forward to receiving the group's report in February 2001.

**Mr Rumbles:** I thank the minister for that helpful reply. I am sure that he recognises that low pay is a pervasive problem in rural areas, which—with the lack of public transport and the high cost of using a car—means that there is a disproportionate impact on those who are poorly paid, especially in my area, which is the rural north-east. I am delighted to hear that the working group will report in 2001. Will he confirm that the purpose of its report will be to ensure that urban and rural deprivation are recognised equally?

**Ross Finnie:** I think I got the question.

The purpose of the report is exactly as the member suggests. We are hopelessly

inadequately equipped to develop policies in a way that will give us confidence to deal with the matter. That is an historical matter, which the Executive is putting right for the first time. That is the basis on which we will develop future policies to tackle rural deprivation.

**Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab):** I welcome the minister's assurance that he will look in greater detail at the amount and nature of information on rural deprivation. Can he assure me that his study will also include areas in the south of Scotland, such as Carrick, Cumnock and Doon Valley, which have not traditionally been thought of as rural communities, but which suffer from many of the same problems as other more remote rural areas?

**Ross Finnie:** Yes.

**Richard Lochhead (North-East Scotland) (SNP):** The level of rural deprivation clearly relates to the extent to which people can afford to live in our rural communities. Can the minister tell the chamber whether the cost of living in rural Scotland has increased or decreased in real terms since he took office?

**Ross Finnie:** I am unable to provide that information off the top of my head. That is precisely the difficulty that we have in assessing rural deprivation. The dispersed nature of deprivation in rural areas means that it has not been picked up adequately by all sorts of measures, because the way in which those measures were constructed and the indices that were available all assumed that there would be close clusters of information. That is the purpose of tackling the issue properly for the first time and of developing indices that are appropriate to rural problems.

### Children's Rights

**4. Irene McGugan (North-East Scotland) (SNP):** To ask the Scottish Executive what discussions it has had with Her Majesty's Government about the removal of the 1991 reservation on immigration and nationality from the United Nations convention on the rights of the child and any implications for its policies on the welfare and rights of all children in Scotland including refugees. (S10-2723)

**The Deputy Minister for Health and Community Care (Malcolm Chisholm):** The Scottish Executive is in regular contact with the UK Government on a wide range of issues. Immigration and asylum is a reserved matter, as is agreement to international conventions.

**Irene McGugan:** Is the minister content that, simply because of their status, refugee children are denied the same rights and protection as all other children in Scotland? Is he comfortable with

the fact that they are actively discriminated against because of it is a reserved matter? Is not he ashamed to be implementing child welfare policies that exclude refugee children? Does not he believe that children who seek asylum are children first, and that all children in Scotland should be treated equally?

**Malcolm Chisholm:** As I indicated, specific agreement to international conventions is a matter for the Westminster Government. However, the Scottish Parliament has a responsibility for a wide range of issues to ensure that the children of asylum seekers and refugees are treated in exactly the same way as any other children. We have many things to do to promote that. As I indicated last week, we must send out positive messages. More specifically, through our actions and through the Scottish asylum seekers consortium—of which the Executive is a member—we must ensure that all refugees and asylum seekers have equal access to health services and education and that they have access to the same protection by the police and the criminal justice system as others have.

**Donald Gorrie (Central Scotland) (LD):** Will the minister agree to meet representatives of asylum seekers? Like other members, I have received representations from asylum seekers about the inadequate arrangements that are made for their accommodation in Scotland. It is important that the minister deals with the practical points that affect the children and adults who are asylum seekers.

**Malcolm Chisholm:** I gave such an undertaking in response to Shona Robison's question last week. She referred specifically to the children of asylum seekers, but I am happy to meet representatives of any asylum seekers. Indeed, as I said last week, I visited asylum seekers in Glasgow during the summer—I would certainly like to continue in the same vein.

**Shona Robison (North-East Scotland) (SNP):** The minister will probably be aware that Her Majesty's Government's Home Office is currently undertaking a review of the stigmatising voucher scheme, the deadline for which is next Friday. Can the minister confirm whether he will submit evidence to that review about the operation of the voucher scheme in Scotland?

**Malcolm Chisholm:** The decision of the United Kingdom Government to have a review of the voucher system will be widely welcomed. However, the specific matter of vouchers is a reserved area. In answer to Irene McGugan's question, I referred to a range of issues that are the responsibility of the Scottish Parliament—it is a very large range of issues. We must stick to the issues for which we have responsibility, just as the Westminster Government must stick to the areas

for which it has responsibility.

### **Secretary of State for Health (Meetings)**

**5. Mr Lloyd Quinan (West of Scotland) (SNP):** To ask the Scottish Executive when it last met the Secretary of State for Health and what matters were discussed. (S10-2714)

**The Deputy Minister for Health and Community Care (Malcolm Chisholm):** I met the Secretary of State for Health, along with representatives from Wales and Northern Ireland, on 28 November 2000. Susan Deacon has had frequent meetings with the secretary of state and other ministerial colleagues in the past year.

At the most recent meeting, we discussed NHS winter planning arrangements throughout the UK, including the use of the additional resources for the NHS and local authorities and the record numbers who have been immunised against flu this year.

**Mr Quinan:** I thank Mr Chisholm for that very comprehensive report on the meetings that have taken place with the Secretary of State for Health. In the light of the recent report on autism in the greater Glasgow area by the National Autistic Society, will the Executive implement some joined-up thinking and utilise communication links to establish a centralised information service? That would mean creating formal links between health services, social work departments and the education authorities, which would enable us to assess more effectively the full range of service provision that is available for carers of sufferers and sufferers of autistic spectrum disorders.

**Malcolm Chisholm:** I noted the publication of the report this week, but I have not yet read it. Clearly, I will want to give it serious consideration. The report said that not everybody who suffers from such a disorder has been diagnosed as such. That problem needs to be addressed, along with the issue of service provision. However, to a considerable extent we have dealt with that through our learning disability review.

**Mr John McAllion (Dundee East) (Lab):** Will the minister take the opportunity to discuss with the Secretary of State for Health what is referred to on page 19 of today's health plan as

"the biggest programme of anti-drugs initiatives ever seen in Scotland"?

Will he confirm that the £100 million over three years that has been announced for that programme will be part of the general allocations to health boards and local authorities and that there is, therefore, a danger that some hard-pressed local authorities may use that money to bring down council tax, instead of spending it on those initiatives? What steps will the Scottish

Executive take to ensure that the money that is allocated to anti-drugs initiatives is spent on them?

**Malcolm Chisholm:** There are several routes for the disbursement of the £100 million. Some of it will be disbursed centrally, some will be channelled through health boards, and about £30 million of it will be disbursed through local authorities. Historically there have sometimes been problems of local authorities not using money for the purposes for which it is allocated. The Executive is addressing that issue. It is doing so with the new community care money, through agreed outputs. We want to adopt the same approach with the money for the drugs programme. The drug action teams will also have an important role in dealing with that money. That will ensure that there is complete transparency in how the money is spent.

**Nicola Sturgeon (Glasgow) (SNP):** At his previous meeting with the Secretary of State for Health, did the minister discuss the meeting of European Union health ministers that is taking place in Brussels today? At that meeting, issues such as tobacco control, programmes to improve public health throughout Europe and the availability of paediatric medicines will be discussed. Given that all those issues are within the devolved competence of the Parliament, can the minister advise us which minister is representing Scotland's interests at that meeting?

**Malcolm Chisholm:** Action against smoking is one of the Executive's central priorities and legislation on tobacco advertising will be introduced shortly. Action against smoking is a major feature of the health improvement fund. Nicola Sturgeon is trying to shift us away from the substantive issues of smoking and tobacco on to a constitutional dispute about who is representing Scotland in Europe. Scotland is stronger in Europe because it is part of the United Kingdom.

#### North Lanarkshire Council (Meetings)

**7. Mr Gil Paterson (Central Scotland) (SNP):** To ask the Scottish Executive when it last met North Lanarkshire Council and what matters were discussed. (S10-2715)

**The Deputy Minister for Finance and Local Government (Peter Peacock):** The Executive last met North Lanarkshire Council formally on 22 November 1999. The follow-up to the McIntosh report was discussed at the meeting.

**Mr Paterson:** I am surprised that the council did not take the opportunity to raise the issue of Airdrie Academy, which I consider to be in crisis. The main block has been evacuated and the pupils will be bussed around the town, which will, no doubt, disrupt their education. There are also health issues at stake. When will the Executive pluck up the courage to put in place the

investment that will allow us to build a replacement school before the existing one falls down?

**Peter Peacock:** I am aware of the situation at Airdrie Academy. I examined the issue when I was responsible for education matters. Karen Whitefield, who is the directly elected member for that area, has also kept me closely informed. It is a matter for the council and it prioritises its own capital spending. However, the Executive is helping the council. We gave it a supplementary capital allocation in 1998 of £450,000 and a further supplementary allocation this year of £500,000.

The council's budget, which we announced last week, will rise by over £3 million for capital spending in the coming year. That will give it the capacity to make more choices. In addition, North Lanarkshire Council is considering following other councils in creating a public-private partnership to reap the benefit of additional money from the Executive. That is also good news for a council in Scotland and I am surprised that the SNP does not welcome that.

**Karen Whitefield (Airdrie and Shotts) (Lab):** Does the minister agree that the Scottish Executive is well aware of the problems at Airdrie Academy? Evidence of that came with the granting of £500,000 to allow removal of asbestos from and re-roofing of the building. Does the minister also agree that the only way in which the matter will be taken forward is by approval of a PPP, which will allow a new school to be built on the site of Airdrie Academy?

**Peter Peacock:** The Executive is well aware of the situation at Airdrie Academy, not least because of the diligence of Karen Whitefield in bringing it to our attention.

As I indicated in my answer to Gil Paterson, I understand that the council is considering a PPP. The Executive's intention is to encourage more PPPs in school building to overcome the legacy of neglect that our Conservative friends left after their 18 years in government.

#### Renewable Energy

**8. Maureen Macmillan (Highlands and Islands) (Lab):** To ask the Scottish Executive what advice it offers or plans to offer to local planning authorities regarding development proposals for renewable energy. (S10-2703)

**The Minister for Environment, Sport and Culture (Mr Sam Galbraith):** We published the revised national planning policy guideline 6 "Renewable Energy Developments" on 30 November.

**Maureen Macmillan:** I thank the minister.

Last night, the Scottish Parliament renewable energy group was told that the planners found it

difficult to categorise offshore structures that are used for harnessing wave energy. That means that planning permission is difficult to obtain and projects are held up. Will the minister do everything that he can to clear up that anomaly quickly? It is of the utmost importance to Scotland to be first in developing wave power. The potential for engineering work is enormous, especially in the former oil fabrication yards in the Highlands and Islands.

**Mr Galbraith:** Maureen Macmillan is right about the difficulties that there were with planning permission for not only wave energy, but for all the other forms of renewable energy. That was the basis on which we produced the national planning policy guideline 6.

Wave energy is a developing technology, which the Executive has supported. As a result of that we have the excellent model in Islay. We continue to support wave energy, along with all other forms of renewable energy.

**Dr Winnie Ewing (Highlands and Islands) (SNP):** What plans does the Scottish Executive have to link up producers of renewable energy with the national grid, as is the case in Denmark, which is the leader in renewable energy in Europe?

**Mr Galbraith:** Renewable energy will be linked to the national grid in the normal way. Access methods and charges will follow the usual procedure. There is a problem in the west of Scotland, where much of the renewable energy will be generated, because the grid is not adequate to take large amounts of it in future. A preliminary study has examined that. We are conducting a more detailed study before we make final plans to establish a grid on the west coast that will take all forms of renewable energy.

**Robin Harper (Lothians) (Green):** Has the minister been advised about the anomalies that relate to funding and planning guidelines for biomass?

**Mr Galbraith:** We never publish the advice that we receive, but I am aware of the problems with biomass. It is probably less important than wind in Scotland, but biomass—especially forestry biomass, of which there is much in Scotland—does have a role. The matter is out for consultation, but I hope that it will be included in Scotland's renewable obligations.

#### Ethnic Minorities

**9. Elaine Thomson (Aberdeen North) (Lab):** To ask the Scottish Executive what role the voluntary sector has in the provision of services for ethnic minorities. (S10-2701)

**The Deputy Minister for Social Justice (Ms**

**Margaret Curran):** Voluntary organisations in Scotland provide a wide range of services for the black and minority ethnic communities. A review of Executive support for the black and minority ethnic voluntary sector is under way and I expect to receive the consultants' report on 29 January 2001.

**Elaine Thomson:** Does the minister agree that leaving a non-English speaking Chinese family late at night with instructions for tending a sick child that they could not understand—as happened recently in Aberdeen—is unacceptable? Furthermore, does she agree that all NHS services—whether acute or primary care—should ensure that they have access to suitable interpretation services, which could be provided by the voluntary sector?

**Ms Curran:** The example that Elaine Thomson has highlighted is unacceptable and I recognise the difficult issues that she flags up. The Executive is committed to ensuring high standards of translation, interpreting and communication across the public services in Scotland. In fact, we have convened a group to assist in the development of national standards in that area. I hope that the group will report by summer 2001.

**Phil Gallie (South of Scotland) (Con):** Will the minister define broadly the make-up of ethnic minority groupings? Will she offer some idea of the proportion of those groupings in our overall population? Finally, how much public funding goes to the voluntary sector to support those groups?

**Ms Curran:** According to recent figures, that proportion is 1.6 per cent of the population. We are undertaking a review of strategic funding to the voluntary sector, which will include the funding of black and ethnic minority organisations.

**Ms Sandra White (Glasgow) (SNP):** Is the minister aware that asylum seekers and refugees who wish to volunteer their services as interpreters and helpers for the Scottish Refugee Council and for other asylum seekers are prevented from doing so because they are not allowed access to bus fares that would take them to the middle of town? They are not even allowed money for lunch, which means that they are prevented from helping out. Does the minister agree that that situation is detrimental to asylum seekers and refugees and to the voluntary sector? Furthermore, will she give me an assurance—

**The Presiding Officer (Sir David Steel):** Enough, I think.

**Ms Curran:** I do not understand the question.

**The Presiding Officer:** Can you reply?

**Ms Curran:** I do not know.

**Ms White:** Can I finish the question?

**The Presiding Officer:** Please make it a quick question, then.

**Ms White:** I will make it quick. Will the minister make representations in order to remove that anomaly, which is happening in Glasgow in particular?

**Ms Curran:** I refer the member to Malcolm Chisholm's earlier reply. The Executive is committed to ensuring that there are proper services for asylum seekers within our communities. Having listened to Malcolm Chisholm's commitment on this issue, I have great confidence that he will deal with all the details and any anomalies.

### Convention of Scottish Local Authorities (Meetings)

**10. Mr Keith Harding (Mid Scotland and Fife) (Con):** To ask the Scottish Executive when it last met representatives of the Convention of Scottish Local Authorities and what issues were discussed. (S10-2691)

**The Deputy Minister for Finance and Local Government (Peter Peacock):** I last met representatives of the Convention of Scottish Local Authorities on Monday this week. We discussed 21<sup>st</sup> century government issues.

**Mr Harding:** I assume that COSLA took the opportunity to question the deputy minister on the recent budget settlement. Councils in Glasgow, Perth, South Ayrshire, Clackmannanshire, Fife, Aberdeenshire and Stirling have said that they will still have to make cuts, despite last week's budget allocation. Does the deputy minister agree with the comments of the Minister for Finance and Local Government in last week's debate that councils should now adjust to a system of investing instead of making cuts?

**Peter Peacock:** This year we have repealed some of the measures that the Tories introduced to control local spending. For example, as the Executive has abolished the local guidelines that pushed the controlled spending of councils, it will not make any enforced cuts on councils.

Furthermore, we have provided an excellent financial settlement. It contains three years of grant figures, which will mean that there will be stability within those grant figures. There will be no guidelines and there will be guaranteed minimum increases to every council in Scotland. The revenue grant will increase by 16 per cent over three years. The settlement means more freedom, opportunity and good news for local authorities and it is appropriate that, at this time of year, a minister with a white beard is issuing this good news.

**Paul Martin (Glasgow Springburn) (Lab):** Will

the minister share my surprise at the Tories' tactics in supporting local authorities, when Conservative Administrations could only promise the return of the stone of destiny; propose council tax rises of 20 per cent in Glasgow; destroy local communities—

**The Presiding Officer:** Order, order. We must have a question.

**Peter Peacock:** Paul Martin is absolutely right to illustrate the contrast between this Executive and previous Conservative Administrations. This Executive is putting right the wrongs that were perpetrated in local government over 20 years.

**Michael Russell (South of Scotland) (SNP):** In the context of the minister's discussions with representatives of COSLA on 21<sup>st</sup> century government, has he taken a slightly narrower focus and considered the possible settlement of the McCrone talks? Has he given a cast-iron guarantee to local authorities concerning the funding of the McCrone settlement, if a settlement is reached? Worries about that are emerging in local authorities, most recently in Dumfries and Galloway Council, representatives of which I met on Monday.

**Peter Peacock:** Serious, detailed negotiations are under way. The Executive has been careful not to intervene in those negotiations to avoid pre-empting any decision. How much of the settlement the Executive will be able to fund depends on the outcome of the negotiations. None the less, the Executive is prepared to consider such funding in the context of the outcome of those negotiations. We do not intend to leave local authorities short.

**Mr John Home Robertson (East Lothian) (Lab):** Is Santa Claus aware that the president of COSLA and the rest of my constituents in East Lothian did not have their bins emptied for four weeks because of the dispute between Unison and COSLA? Does he share the relief of people throughout my constituency that local discussions have restored that important service? More importantly, can he confirm that the recent three-year financial settlement will make it possible for councils to negotiate a longer-term agreement to recognise the value of manual workers who provide essential public services for our communities?

**Peter Peacock:** Like John Home Robertson and many others, I am relieved that measures have been taken in East Lothian and Midlothian to clear up the refuse that was left as a result of that dispute. John Home Robertson is right to draw attention to the fact that the three-year stability package and the grant figures that are being given for the first time create a climate of some certainty, in which local authorities can plan with their employees how best to structure their wage

packages over the coming years. That ability to plan creates much more stable industrial relations.

**Tommy Sheridan (Glasgow) (SSP):** I hope that the minister is aware that Glasgow is the poverty capital of Scotland. Council tax there is 25 per cent higher than it is in the rest of Scotland and incomes are 18 per cent lower on average. The new Labour leader of Glasgow City Council, Charles Gordon, says that

“Angus Mackay’s deal for Glasgow is bad. It’s neither fair nor just.”

Will the minister tell us who is right: Angus MacKay or the leader of Glasgow City Council?

**Peter Peacock:** We recognise—through the work of the enterprise companies and the social inclusion partnerships—the challenges that face Glasgow, not only in local government, but in health and employment. The Executive is providing more resources right across the board, which is why Glasgow City Council receives the highest amount of grant per head of population of any council in Scotland—22 per cent above the Scottish average and 40 per cent above that of City of Edinburgh Council. That is part of the process of targeting extra resources at cities such as Glasgow, to try to resolve their problems.

### New Deal

**11. Bill Butler (Glasgow Anniesland) (Labour):** To ask the Scottish Executive how many young people have entered full-time education because of the new deal. (S1O-2709)

**The Minister for Enterprise and Lifelong Learning (Ms Wendy Alexander)** I welcome Bill Butler’s question and express my delight at being the first minister to answer an oral question from him.

Figures to the end of September 2000 show that 9,534 young people in Scotland have taken up the new deal’s full-time education and training option. The fact that more than 1,000 people in Glasgow’s Anniesland constituency have had the opportunity to benefit from the new deal might account for the fact that Bill Butler—who represents the people of Anniesland—is asking the question, rather than a member from any other party.

**Bill Butler:** I thank the minister for her answer and comments. As the MSP for Glasgow Anniesland, I take pleasure in the success of the new deal in my constituency. Does the minister agree that the success of the new deal is testimony to the hard work and commitment of the young people of Scotland? Furthermore, will she outline what other steps the Executive is taking to ensure that young people in Scotland acquire the necessary skills to prepare them for employment?

**Ms Alexander:** I commend the work that is done

by Linda McTavish, the principal of Anniesland College, who is a member of the new deal task force. In stark contrast to the arrangements under the Tories, she is ensuring that young people who participate in the new deal are not just put on poor job schemes, but have the opportunity to enter full-time education and training. Anniesland College is leading the way in that respect, and we intend to achieve more.

### Environment

**12. Alex Neil (Central Scotland) (SNP):** To ask the Scottish Executive, further to the answer by Mr Sam Galbraith on 24 November 2000 to question S1W-11158, who represented it as part of the UK delegation at November’s United Nations climate change summit in The Hague. (S1O-2694)

**The Minister for Environment, Sport and Culture (Mr Sam Galbraith):** Scotland and the rest of the UK were represented at The Hague by Mr John Prescott, the Deputy Prime Minister, and by Mr Michael Meacher.

**Alex Neil:** I will not ask a question about the contribution of two Jaguars to climate change. That is a separate issue.

Even in a devolved system of government, does not it make sense for the Scottish Executive, particularly in the light of the minister’s reply, to have a representative on the UK delegation? Would not it also make sense to devolve energy policy, including on oil and gas, to the Scottish Parliament so that we can maximise our contribution to the Kyoto targets?

**Mr Galbraith:** The answer to virtually all of those questions is no. We choose when it is appropriate for us to go to such conferences and our officials always attend. Our philosophy is that we are stronger when we are a part of the UK, and weaker when we are apart from the UK.

### Drug-related Deaths

**13. Trish Godman (West Renfrewshire) (Lab):** To ask the Scottish Executive what plans it has to bring together all agencies working to reduce drug-related deaths. (S1O-2685)

**The Deputy Minister for Justice (Iain Gray):** At a local level, drug action teams bring together all the relevant agencies that are tackling drug misuse, including health boards, local authorities, the police, the Prison Service and the voluntary sector. Reducing drug-related deaths will depend on the work of all those agencies. The Executive monitors the work of drug action teams. Reducing the number of drug-related deaths is one of a number of national targets that I announced recently.

**Trish Godman:** I welcome the target set by the

minister. I am sure that he agrees that one drug-related death is one too many. What action does the minister expect the agencies to take to reduce the number of such deaths?

**Iain Gray:** I can only agree with Trish Godman that one drug-related death is one too many. However, the hard fact is that drug-related deaths increased to 340 in 1999, which is the last year for which we have figures. The target that we have set to reverse that trend is challenging, but we are determined to achieve it. The detail of how we will do that and of the areas in which we will invest to ensure that we do will come when we reveal the detail of the £100 million investment over three years that has already been announced. That will lead to increased treatment options including more shared care, more needle exchanges and, importantly, better through care for those leaving prisons' treatment programmes.

**Mr Keith Raffan (Mid Scotland and Fife) (LD):** As a large number of recent drug deaths have involved people who have recently left prison, does the minister agree that we need the investment that he has outlined in treatment and through care to be delivered on the Simpson House model and through a network of halfway houses for problematic drug misusers in prison and leaving prison?

**Iain Gray:** I think that I answered Mr Raffan's question in my previous answer. I agree that, in dealing with drug-related deaths, there is an important moment when people leave prison and return to the community. The details of our investment in through care will come in time.

The key point is that the Scottish Prison Service must play a part in the local drug action teams to ensure that there is a linkage between the local services and the treatment that prisoners receive. The Scottish Prison Service deserves credit for the progress that has been made with drug treatment programmes. It is widely recognised that the linkages between those programmes and the community have to be strengthened.

### Health Service

**14. Brian Adam (North-East Scotland) (SNP):** To ask the Scottish Executive whether it has any plans to review the criteria used in the Arbutnott formula for health expenditure in Scotland. (S10-2696)

**The Deputy Minister for Health and Community Care (Malcolm Chisholm):** We have no plans to carry out a formal review of the Arbutnott formula, although we will continue to examine carefully the effects of implementing it.

**Brian Adam:** Does the minister agree that Grampian health services are net losers with the Arbutnott formula, even though they have the

worst record in Scotland on the Government's criteria for health need, such as waiting lists? Is not it true that the effects of the Arbutnott formula will make the situation worse?

**Malcolm Chisholm:** No health board in Scotland will have any resources taken away. In fact, every health board will get a minimum increase next year of 5.5 per cent. A lot of work went into the Arbutnott formula and I pay tribute to the Arbutnott committee. I also pay tribute to the Health and Community Care Committee for all the work that it did, as the formula was considered again after the committee had commented on it.

Three of the important factors that were taken into account were rurality, the proportion of elderly people and levels of deprivation. Grampian comes below the Scottish average for deprivation—which is not to say that there is no deprivation—and below the average for the proportion of elderly people. That may be why Grampian health board has not done as well as some others, but the minimum increase for everyone is 5.5 per cent.

**Mary Scanlon (Highlands and Islands) (Con):** Given the lack of recognition in the first formula for the unique needs of the 26 inhabited islands in Argyll and Bute, does the minister share my concern about the comments of John Aldridge? He said:

"If ferry kilometrage, as well as road kilometrage, had been included in the formula, that would have resulted in a worse outcome for island communities."—[*Official Report, Health and Community Care Committee, 25 October 2000; c 1242.*]

Will the minister consider the formula again in relation to small islands?

**Malcolm Chisholm:** I remember the discussions and the technical arguments surrounding the matter. I do not think that the introduction of ferry kilometres would have made an enormous difference. The reality is that the island health boards, like all the others, will benefit by a minimum of 5.5 per cent. Some of the island health boards come way beyond the Scottish average as regards what they will get per head.

Consideration will be given to how we review the formula. It is not a matter of this being the last word on the issue. No doubt the details to which Mary Scanlon referred can be considered in due course.

### Teachers (Stress)

**15. Richard Lochhead (North-East Scotland) (SNP):** To ask the Scottish Executive whether it has any plans to measure stress-related absence among teachers. (S10-2697)

**The Minister for Education, Europe and External Affairs (Mr Jack McConnell):** No,

because the management of teacher absence, for whatever reason, is the responsibility of local authorities, as teachers' employers. However, the national management information system that is being developed will be capable of collecting the information necessary for us to discuss the issue with our partners in the local authorities if there is a need to do so.

**Richard Lochhead:** Aberdeenshire Council recently informed me that 11 per cent of primary school teachers in that area are off work through illness. The teachers tell me that that illness is stress related. Should not the minister investigate stress-related absence among teachers throughout Scotland, to find out the impact that his policies are having in our schools so that he can change his policies to give teachers less misery?

**Mr McConnell:** I remind Richard Lochhead of the substantial increase in the levels of staffing in schools, which is helping to deal with stress among teachers and the associated challenges. I also commend the teaching profession for the fact that, despite the absence levels in schools and the fact that stress is a factor in that absence, the absences in the teaching profession are lower than for any other local authority employee group because of the level of teachers' commitment to working in the classrooms of Scotland.

As Richard Lochhead will be aware from his discussions with Aberdeenshire Council, we wrote to every local authority in Scotland in November, asking them for information on the matter. When we get that information—we do not yet have it from most authorities, despite the deadline being earlier this month—we will assess with them, as they are the employers, what further action we need to take.

**Dorothy-Grace Elder (Glasgow) (SNP):** Is the minister aware that the anti-workplace-bullying network has said that one of the major causes of stress among teachers is the adult bullying of teachers and that bullying extends inside from the playground into the staff room, in particular with regard to managers of the jackboot tendency in local authorities?

Will the minister investigate—perhaps with the Convention of Scottish Local Authorities—workplace bullying in local authorities?

**Mr McConnell:** Dorothy-Grace Elder's original question was about schools. I can confirm to her that any instance of violence, bullying, intimidation or indiscipline in Scotland's classrooms or elsewhere at Scotland's schools, whether it is the responsibility of an adult or of a child, is entirely unacceptable. I am currently discussing with my officials how to improve the current situation, and I intend to make announcements on the matter soon.

### Scottish Transport Group Pension Schemes

**16. Dennis Canavan (Falkirk West):** To ask the Scottish Executive, further to the answer to question S10-2565 given by Sarah Boyack on 23 November 2000, what progress has been made in on-going negotiations with Her Majesty's Treasury regarding the Scottish Transport Group pension schemes. (S10-2717)

**The Minister for Transport (Sarah Boyack):** While there is no legal entitlement for STG pension scheme members to share in the surplus, ministers are continuing to work closely with HM Treasury on the issue. As I said in this chamber on 25 October,

"I hope that a substantial sum will be distributed"—[*Official Report*, 25 October 2000; Vol 8, c 1166.]

to pension scheme members.

**Dennis Canavan:** Does the minister recall telling me in July that the Executive hoped

"to bring to the Parliament in the autumn an order that will achieve the wind-up of the . . . STG pension schemes"—[*Official Report*, 6 July 2000; Vol 7, c 1222-23.]

and that, more recently, she told the Parliament that she hoped to make an announcement—again in the autumn—about ex gratia payments?

Now that autumn has come and gone, will the minister give the Scottish Transport Group pensioners a happy Christmas by telling them that the £129 million surplus will be paid out to the pensioners who contributed to the pension schemes throughout their working lives?

**Sarah Boyack:** It is very much our intention to bring this matter to a speedy resolution. The assiduous way in which Dennis Canavan has pursued this issue has ensured that it is at the top of our agenda. I give him the assurance that we will continue to work to bring this matter to a speedy conclusion.

## First Minister's Question Time

### SCOTTISH EXECUTIVE

#### Cabinet (Meetings)

**1. Mr John Swinney (North Tayside) (SNP):** To ask the First Minister what issues were discussed at the most recent meeting of the Scottish Executive's Cabinet. (S1F-729)

**The First Minister (Henry McLeish):** The Cabinet discussed several matters of significance to the Executive and the people of Scotland.

**Mr Swinney:** I wonder whether the Cabinet discussed the fact that this is the last question time before Christmas. In the spirit of Christmas, will the First Minister give a straight answer to a straight question? I will make it nice and easy. If the First Minister were to add 12 and 24, what answer would he get?

**The First Minister:** Sir David, I think that we should treat question time with a bit of respect—I expect more of John Swinney.

**Mr Swinney:** I am deadly serious on this point. Twelve and 24 is, of course, 36. [*Applause.*] Did members like that? I am glad that I can count, although the First Minister cannot.

The Minister for Health and Community Care's press release this morning stated that the maximum time for which an individual should wait for investigation of a heart problem will be 12 weeks, and the maximum time for which they should wait to undergo heart bypass surgery will be 24 weeks. Twelve weeks plus 24 weeks equals 36 weeks, which in my book equals nine months.

On 18 March 1997, Malcolm Chisholm, then Labour's health spokesman and now Labour's Deputy Minister for Health and Community Care, said in a Labour party press release, which I have in front of me, "It is scandalous"—[*Interruption.*]—I think Mr Galbraith should wait a moment. Malcolm Chisholm said:

"It is scandalous that many needing urgent heart bypass surgery have to wait nine . . . months."

Is it not the case that yesterday's Tory scandal, to which Malcolm Chisholm referred, is today's new Labour target? Is that not the real scandal of Labour's handling of the health service?

**The First Minister:** We hope with that question that the best is still to come. It is another example of the SNP failing to realise that this is an important day for the health service in Scotland—although not because of the long whinge that we get from the SNP.

Let us repeat that Susan Deacon announced

today significant reductions in waiting times for those with many of the illnesses and diseases that affect the people of Scotland. I resent the fact that waiting times and lists for heart and cancer treatment is reduced to political knockabout by the Scottish National Party. By 2003, no patient will wait longer than nine months for treatment—the current maximum is 12 months—and, by October 2001, the maximum wait for children needing urgent cancer and leukaemia will be one month. Are those not the issues that affect ordinary people?

We are making significant steps forward. As we have said, we have not yet met our targets on waiting lists but, by March 2002, we intend to do so. The crucial point about today's announcement is that it concerns waiting times. I hope that people will warmly applaud the waiting times that Susan Deacon announced.

**Mr Swinney:** Is it not the case that, after that lengthy answer, the scandal that Malcolm Chisholm talked about before the general election—nine months' wait for urgent heart bypass surgery—is the target that the Labour Government is pursuing? That is the target that was announced today. There has been a failure on waiting lists and a failure to deliver real change on waiting times. Is it not the case that Labour is letting down the health service time after time?

**The First Minister:** I utterly reject that proposition. The fact is that 828,000 operations are being done this year—50,000 more than last year. Last year, over 43,000 more patients were treated than in 1996-97 and over 90,000 more new outpatients attended outpatient clinics.

We have successes, but we also appreciate that more has to be done on waiting lists and waiting times. The health plan that was announced today will create a truly national health service at the heart of Scotland's needs. We will pursue those issues over the coming months and years.

#### Secretary of State for Scotland (Meetings)

**2. David McLetchie (Lothians) (Con):** To ask the First Minister when he next plans to meet the Secretary of State for Scotland and what issues he intends to raise. (S1F-725)

**The First Minister (Henry McLeish):** I last met the Secretary of State for Scotland last week. We have not yet fixed a date for our next meeting.

**David McLetchie:** I thank the First Minister for his answer.

I trust that, at their next meeting, the secretary of state will ask the First Minister about the Sutherland commission. I hope that the First Minister will give the secretary of state a straighter answer than he has given the Scottish people so

far. The Minister for Health and Community Care has consistently made it clear that implementing the Sutherland recommendation on free personal care is not a priority for the Executive—a regrettable, if at least honest, approach. Then the First Minister started to send out signals, saying that he wants to adopt that recommendation but that it is a matter of timing.

Does not the First Minister speak with forked tongue on this matter? There is no reason why his Executive cannot adopt the Sutherland recommendation on free personal care right now. Is not the plain and simple truth that implementing that recommendation is not a priority for him?

**The First Minister:** I repeat that implementing that recommendation is an important priority for this Administration and for the people of Scotland.

I have the benefit of being in government, which is something that Mr McLetchie will not experience. We took over eight weeks ago and are conducting a review of the programme for government and of policy. I have consistently made it clear that we are considering Sutherland and personal care. An announcement will be made in January.

**David McLetchie:** The First Minister's arithmetic is really shaky today, as Labour did not take over eight weeks ago—it took over three and a half years ago.

Age Concern Scotland estimated that 100,000 pensioners will lose out if the Executive refuses to provide free personal care. The fact is that the First Minister has raised the expectations of our pensioners while the truth is that doing so was a cynical, political ploy. There is no commitment to providing free personal care—it was not mentioned in the NHS plan that was announced today nor is it even in the Executive's planned programme for government.

I give the First Minister an opportunity. Will he put his famous neck on the line today and give us a firm date for the implementation of the Sutherland recommendation on personal care—or is that just another promise that is not worth the paper on which it is not written?

**The First Minister:** With respect, that was pathetic.

We have made a serious commitment to 940,000 people in Scotland aged over 60 and 65. Some of the press comments are not accurate, as we are considering seriously—*[Interruption.]* Members may not like the answer, but they should wait for it. We are talking about a commitment of £100 million and about extending a care plan of £120 million that we have announced already. It is important that we consider every aspect of the situation.

I told Mr McLetchie that our programme for government and the outcome of our policy review will be announced in January, as will our deliberations on Sutherland. I cannot be more precise than that, but I hope that the nation will welcome the fact that this Executive is taking personal care seriously.

**Alex Neil (Central Scotland) (SNP):** When the First Minister next meets the secretary of state, will he discuss with him the local government settlement? Will he draw to the secretary of state's attention the comment of the Labour leader in Glasgow, Charlie Gordon, who said:

"The Scottish executive is good at talking about social justice but there's not much sign of it in this finance settlement"?

Given that 60 per cent of Scotland's deprivation is in the city of Glasgow, will the First Minister tell the Minister for Finance and Local Government to think again and to give Glasgow the money it deserves and needs?

**The First Minister:** No, I will not be asking the Minister for Finance and Local Government to think again. It is important to put Glasgow's case in context and to consider three broad areas: economic development, where a significant amount is happening; social justice, where the situation is similar; and the local government settlement. I do not know where Councillor Gordon gets his figures. Since 1996-97, a number of significant transfers out of local government have affected Glasgow. The important point to make today is that Glasgow receives 25 per cent above the average for mainland councils—£1,559 for each person by 2003-04.

The best thing to do is to work in partnership. However, on the economy, on social justice and on the local government settlement, this Executive is delivering for Glasgow. I hope that that is widely recognised.

**Bristow Muldoon (Livingston) (Lab):** I want to continue Mr McLetchie's line of questioning. When the First Minister next meets the Secretary of State for Scotland, will they discuss the implications for services and for pensioners if cuts amounting to £24 million are imposed on every constituency, as is advocated by Mr McLetchie?

**The First Minister:** I was too polite to refer to that earlier. It is important for Scotland to face some realities. The Conservatives are committed to £16 billion of cuts if they ever get into government, leading to the £24 million per constituency that Mr Muldoon mentioned. My simple question is this: how many doctors, how many nurses, how many teachers and how many policemen does that translate to? We are looking to invest in services and to expand them, which is the exact opposite of what the Tories are about.

## Higher Education

**3. Rhoda Grant (Highlands and Islands) (Lab):** To ask the First Minister what steps the Scottish Executive is taking to widen access to higher education in the Highlands and Islands. (S1F-738)

**The First Minister (Henry McLeish):** Earlier this week, I was delighted to be able to announce the designation of the University of the Highlands and Islands as a higher education institution. This development will significantly improve access for those who have been geographically remote from higher education institutions. That will be achieved through provision in local colleges, use of state-of-the-art information and computer technology, and resources to facilitate distance study.

**Rhoda Grant:** I agree that one of the most important aspects of the University of the Highlands and Islands project is that it will bring learning to remote areas. Will the First Minister ensure that the project is funded in a manner that allows small learning centres to flourish, thereby allowing people to access education in their own communities?

**The First Minister:** That is crucial. The purpose of UHI is to ensure that, in a sparsely populated area, we bring together all the local communities and allow them access to higher education. That is important for the UK; it is also a model for the rest of Europe.

I would add that Wendy Alexander is working closely with BT and others to ensure that we have the broadband infrastructure to ensure that UHI is the most technologically advanced university in the UK. That augurs well for individuals and for local economies.

**Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** Does the First Minister agree that, although UHI will bring considerable economic benefit to the Highlands, it is important that that benefit be spread right around the Highlands and Islands area?

**The First Minister:** That is part of the commitment. The Government has already spent £13 million on the project, and the Millennium Commission has contributed £33 million. That is a significant investment. The key has to be quality—quality of access and quality of provision. We have to ensure that a sparsely populated area such as the Highlands and Islands becomes an integrated, educational access opportunity. That will be the reality.

People have said that the project will need more resource. If more resource is required, it will be invested. At the end of the day, we want not only access, but quality.

**Ms Margo MacDonald (Lothians) (SNP):** I

would like to press the First Minister on how the additional resource might be introduced into the provision of broadband technology, without which the development of the University of the Highlands and Islands is likely to be severely curtailed. We know that BT is very unwilling to invest north of Crieff. Is the First Minister willing to give a commitment that, if BT will not invest, there will be public investment?

**The First Minister:** It is not a matter of BT not investing. It is considering the commercial criteria. However, let me give Margo MacDonald a commitment today—Wendy Alexander is looking into that. In the early part of this century and the latter part of last century, roads were the key to access and we invested in them. In future, broadband technology will be crucial. We want to work in partnership with the providers to ensure that the infrastructure is in place. Margo is right again.

## Drink Driving

**4. Mr John Munro (Ross, Skye and Inverness West) (LD):** To ask the First Minister what measures the Scottish Executive intends to take to ensure that the number of drink-driving incidents over the festive period is as limited as possible. (S1F-727)

**The First Minister (Henry McLeish):** Through the Scottish road safety campaign, the Scottish Executive is supporting the festive safety campaign mounted by the Association of Chief Police Officers in Scotland.

**Mr Munro:** Thank you. I am sure that the First Minister will accept that the procedure currently used to determine the levels of alcohol in the breath and blood of offending drivers is simple, effective and legally accepted. Will the Scottish Executive legislate to introduce similar procedures for the detection of drivers who may have consumed other substances?

**The First Minister:** That is a matter that concerns police forces at present. We are looking at the problem nationally, in the UK and Scotland, because substance abuse is not just alcohol abuse and we are keen that that is recognised. A lot of drivers who are stopped have taken drugs that affect their driving.

With your permission, Sir David, I will add to John Munro's point to send a powerful message to Scotland about the coming festive season. The current figures for drink driving show that, in Scotland, one person is killed every week. Each death means a bereavement for a family and often for a whole community. I hope we will cut that figure. There has been some progress, but far too many people are still irresponsible. Those who drink and jump in a car are likely to be caught.

That matters less than someone getting in a car and killing themselves and, perhaps, someone else.

Recent figures from Fife on drink driving among the 17 to 25-year-old age group show that there has been a 31 per cent increase in drunk drivers as a proportion of all drivers of that age. To young drivers I say—enjoy yourselves at Christmas and new year, but when you take drink do not use a car.

### Scottish Prison Service

**5. Mr Alex Salmond (Banff and Buchan) (SNP):** To ask the First Minister when the Scottish Executive expects to be able to make a statement on the recommendations of the estates review undertaken by the Scottish Prison Service. (S1F-728)

**The First Minister (Henry McLeish):** We expect to be able to do so in the new year.

**Mr Salmond:** Does the First Minister accept that there is a mood of demoralisation among Scottish prison officers as a result of attacks on their terms and conditions, privatisation and the leaks emanating from the Scottish prison board about prison closures? How does the First Minister think the officers of Peterhead prison feel when, after 10 years of hard work that has put their prison among the top three in the world in terms of the enormously difficult work undertaken, they read in the papers constant leaks from the Scottish prison board that suggest that the future of the prison is in jeopardy? Will the First Minister say that no decisions have been made on the estates review and that no decisions will be made until there is a full public debate on the future of the Scottish Prison Service?

**The First Minister:** I agree with both of the propositions made by Alex Salmond. He is the local MP and MSP for Peterhead and a significant number of people are employed in the prison. There is a very successful sex offenders unit in the prison.

I am also concerned about the state of the prison estate throughout Scotland. For those reasons, there will be consultation soon on the issues being considered by the Scottish prison board and the Minister for Justice. There will also be an opportunity for the Parliament's committees to look at the issues.

On a sensitive issue of this kind, we need to move forward together. The opportunity to do so will certainly exist. Jim Wallace and I would be pleased to discuss the current position with Alex Salmond because it is an important matter about one of the best services we have in Scotland. I understand the concerns about the possible closure or move of the facility.

**Lord James Douglas-Hamilton (Lothians) (Con):** Is the First Minister aware that Dungavel remains suitable either for prisoners or illegal immigrants?

**The First Minister:** The prison estates review will look at all the properties. In the new year, I fear that this is likely to be a difficult issue for the Parliament.

It is important that, given that prison officers are concerned about their future, the public is concerned about security and the Parliament is concerned about the public-private split in our prisons, we ensure that the review is dealt with seriously. We look forward to the involvement of all 129 MSPs to ensure that we have a sensible and serious debate.

**Christine Grahame (South of Scotland) (SNP):** Unfortunately, the low morale in Scotland extends beyond Peterhead. I quote from a letter from the Prison Officers Association:

"Openness, fairness, integrity etc are all words supposedly to state how staff will be treated by management, but it's all hogwash and jargon to tell anyone who asks how we are treated. Staff now no longer believe anything."

In the light of those comments and the recent near escape of Tony Cameron from a vote of no confidence by governors, does the First Minister recognise that the chief executive is not the cure for low morale in Scotland's prisons, but the cause?

**The First Minister:** I do not want to indulge in attacks on any individual or on the Scottish Prison Service. This is a sensitive and serious subject. That is why it is important that the Parliament gets involved in consultation. The Government is not going to take decisions on such matters without consulting public and private interests. That is the view taken by the Minister for Justice and it is one that I endorse. I hope that that point will be taken on board. Prison officers carry out a vital service. Public service provision is very good. Morale is not as bad as has been suggested, but we must make a big improvement.

## Committee Restructuring

**The Presiding Officer (Sir David Steel):** The next item of business is a debate on motion S1M-1462, in the name of Tom McCabe, on committee restructuring.

15:31

**The Minister for Parliament (Mr Tom McCabe):** Long before the Parliament was established in May 1999, a variety of interested bodies took time to consider how it could best function. That process culminated in the report of the consultative steering group, which gave us a framework for a Parliament that would operate in a way that was distinct from Westminster and many other Parliaments. One of our most distinctive features is our committee system. It has been said that the committees lie at the heart of the Parliament. I agree. Our model of hybrid committees, which combines the scrutiny of legislation with inquiries into various aspects of life in Scotland, has proved to work admirably.

However, it would be surprising for the world's youngest Parliament to take the view that its original structure was beyond question. Indeed, it would be disappointing if, in the light of experience, we set our face against any review. It is worth reminding ourselves that we saw merit in a system where every member can attend, speak and move amendments at all the committees of the Parliament.

The intention was to allow members to gain a wider exposure to the work of as many committees as possible and in that way allow any member with an interest in a specific piece of work to be involved in its progress. Experience has shown that all too often that has not been possible. Members who serve on two or more committees have found the burden excessive. It is also clear that the volume of legislation that falls to the Justice and Home Affairs Committee has created considerable pressure, not only in the committee's consideration of bills, but in its legitimate inquiry role. There is every indication that that will continue to be the case for the remainder of the Parliament's four-year session.

Four of the 12 Executive bills that have completed their parliamentary passage were scrutinised by the Justice and Home Affairs Committee. Three substantial bills of the nine bills announced in this session will fall to the committee's area of responsibility. The committee has also been heavily involved in scrutinising the Leasehold Casualties (Scotland) Bill at stage 1 and is expected to continue that work at stage 2. In addition, it has brought forward its own

proposals for a protection from abuse bill. I am convinced that the work load in this area will grow still further and I therefore strongly recommend the creation of a second justice committee.

**Phil Gallie (South of Scotland) (Con):** Does the minister agree that the function of committees is to scrutinise and that committees must take time to examine all the legislation that passes through the chamber? Does the minister agree that, if he splits a committee that has been working well, he will reduce the quality of scrutiny? Does he recognise that we might simply hasten legislation through the Parliament and that that might not be to Scotland's advantage?

**Mr McCabe:** On the contrary, the purpose of the proposal is to increase the level of scrutiny. I disagree with Phil Gallie that the main role of a committee is to scrutinise Executive legislation, albeit that that is important. Committees will play an extremely important role in scrutinising a variety of aspects of life in Scotland and a variety of aspects of the administrative work of the Executive.

It is important that there is time and space for the committees to scrutinise legislation and to conduct inquiries. There is nothing to suggest that a committee of 11 members will necessarily scrutinise legislation better than a committee of seven members would.

The motion rightly proposes that the remits of both justice committees should be identical. We need two committees for no other reason than to deal with the volume of work. I have made it clear in discussions that it should be for the respective conveners to discuss the distribution of legislative scrutiny on the basis of existing work loads. Only when agreement cannot be reached will I, on behalf of the Executive, make a recommendation to the Parliamentary Bureau on the allocation of a bill.

**Alasdair Morgan (Galloway and Upper Nithsdale) (SNP):** How does the minister interpret standing order 9.6.1? Does he agree that, where committees have the same remit, although the Parliamentary Bureau may by motion designate one committee as the lead committee on a bill, the bill would also have to go to the other committee, because it would have a legitimate interest?

**Mr McCabe:** No, I do not agree with that point of view. It is the job of the Parliament to examine our existing work load. If we reach a decision that our structures need to be altered to deal with the work load, it would be only common sense to make necessary changes to the standing orders of the Parliament. In a moment, I will touch on a separate proposal for substitute members to attend committees, which would also require an alteration to the standing orders.

**Christine Grahame (South of Scotland) (SNP):** Does the minister know of any other legislature that has two justice committees with identical remits?

**Mr McCabe:** One of the founding principles of the Parliament was that we would not necessarily follow the working patterns of other Parliaments, but create a structure and method of working that suited our purposes in Scotland.

Other changes to remits of committees merely reflect the recent ministerial reshuffle. The effect is that the remits of the Education, Culture and Sport Committee and the Transport and the Environment Committee are shared between two ministers. In practice, there should be no change to the areas that those committees cover. For example, the Education, Culture and Sport Committee will continue to scrutinise Jack McConnell in respect of his responsibilities for children and young people, in the same way that it scrutinised Sam Galbraith when he was the Minister for Children and Education. The changes to the titles and remits of other subject committees simply reflect the new ministerial titles.

Our discussions on the various models of committee structures have been on-going since May. They have taken place between the major parties in the Parliamentary Bureau and with the conveners group. There is a wide consensus that change is required. The structure proposed in the motion reflects the wide-ranging discussion that has led to these proposals.

**Tricia Marwick (Mid Scotland and Fife) (SNP):** Before the minister moves the motion, would he care to reflect on the fact that it does not mention the Public Petitions Committee? I know that, in all our discussions, it was assumed that there would be a Public Petitions Committee.

**Mr McCabe:** I am sorry, but I have not noticed an omission. If there is one, it will have to be corrected.

**Mr Lloyd Quinan (West of Scotland) (SNP):** On a point of order. If the motion contains an omission, surely we cannot continue to debate it. If there is a major omission, we should close this discussion now.

**The Deputy Presiding Officer (Mr George Reid):** The point is that there is no change to the Public Petitions Committee.

**Mr McCabe:** That is correct. If there is no change, there is no requirement to mention the committee in the motion.

**Mr Gil Paterson (Central Scotland) (SNP):** So there is no change to the number of members on the committee?

**Mr McCabe:** The Public Petitions Committee

had and will continue to have seven members.

The proposal is that mandatory committees will have seven members, with the exception of the two mandatory committees that include a member of a single-member party or a single individual representative. Those committees will have nine members, in line with existing practice.

The subject committees vary in size. Four have seven members, two have nine and two have 11. Those figures reflect changes that have been made to accommodate the wishes of two parties and the desire to provide a space for a representative of a single-member party.

A new feature is that the Procedures Committee should make proposals for changes to standing orders to allow substitutes with voting rights to be appointed to committees.

By the nature of the discussions, no one party has had all its ambitions fulfilled, but all have obtained something that they wanted. That is no bad thing.

We should create structures that best serve the needs of the parliamentary work load, not just the political parties. We will be judged by that and by our willingness to be flexible about changing our structures when the parliamentary work load demands it. It is work load that drives the proposal for two committees on justice issues and it is the desire to create a more equitable and focused work load for members that drives other aspects of the proposals. The changes will free up time to allow members to become involved in those other aspects of committee work in which they were previously unable to participate.

I mentioned that we have been discussing the proposals for some time. I suspect that discussions on such matters will seldom be quick or easy. However, I am convinced that members themselves are best placed to make the decisions on the working arrangements that best suit their work load. Every member has an obligation to accept the need for periodical assessment. We have an equal obligation to make that assessment objectively. I give a commitment on behalf of the Executive that we will approach the issues in that way. I am pleased to say that I think there is enough evidence to suggest that a large body of opinion in the Parliament agrees with that approach.

I move,

That the Parliament agrees that resolution of the Parliament S1M-37, agreed on 8 June 1999, shall be amended with effect from 8 January 2001 as follows—

Name of Committee: European

Remit: Unchanged

Maximum number of members: 9

Name of Committee: Equal Opportunities

Remit: Unchanged

Maximum number of members: 9

Name of Committee: Finance

Remit: Unchanged

Maximum number of members: 7

Name of Committee: Audit

Remit: Unchanged

Maximum number of members: 7

Name of Committee: Health and Community Care

Remit: Unchanged

Maximum number of members: 9

Name of Committee: Justice and Home Affairs be renamed Justice I

Remit: to consider and report on matters relating to the administration of civil and criminal justice, the reform of the civil and criminal law and such other matters as fall within the responsibility of the Minister for Justice

Maximum number of members: 7

Name of Committee: New Committee to be established and named Justice II

Remit: to consider and report on matters relating to the administration of civil and criminal justice, the reform of the civil and criminal law and such other matters as fall within the responsibility of the Minister for Justice

Maximum number of members: 7

Name of Committee: Education, Culture and Sport

Remit: to consider and report on matters relating to school and pre-school education which fall within the responsibility of the Minister for Education, Europe and External Affairs; and on matters relating to the arts, culture and sport which fall within the responsibility of the Minister for Environment, Sport and Culture

Maximum number of members: 7

Name of Committee: Social Inclusion, Housing and Voluntary Sector be renamed Social Justice

Remit: to consider and report on matters relating to housing and the voluntary sector and such other related matters as fall within the responsibility of the Minister for Social Justice

Maximum number of members: 7

Name of Committee: Transport and the Environment

Remit: to consider and report on matters relating to transport which fall within the responsibility of the Minister for Transport; and matters relating to environment and natural heritage which fall within the responsibility of the Minister for Environment, Sport and Culture

Maximum number of members: 9

Name of Committee: Rural Affairs to be renamed Rural Development

Remit: to consider and report on matters relating to rural development, agriculture and fisheries and such other related matters as fall within the responsibility of the Minister for Rural Development

Maximum number of members: 11

Name of Committee: Local Government

Remit: to consider and report on matters relating to local government and which fall within the responsibility of the Minister for Finance and Local Government

Maximum number of members: 7

and calls upon the Procedures Committee to bring forward amendments to the standing orders to allow substitutes with voting rights to be nominated for each of the Committees.

15:42

**Tricia Marwick (Mid Scotland and Fife) (SNP):**

The SNP has tried hard to achieve consensus on the proposals to restructure the committees. It is therefore with regret that I must say that it has proved impossible for the SNP to agree to the latest proposals. The SNP group will vote against them. Consensus cannot be assumed, regardless of the proposals on the table.

As Tom McCabe said, the process of reviewing the committee system began so long ago, and there have been so many changes to the original proposals, that this final proposal has lost sight of what we were trying to achieve. The start of the process was a genuine attempt to make our committee system work more effectively. It was begun in response to concerns from members of all committees. Last October, John McAllion wrote an excellent article, which appeared in *The Herald*. He said:

“There are 16 different committees in the Scottish Parliament. Budgetary constraints mean that committee clerks have to double up and serve at least two committees.

This not only stretches, but weakens the ability of each committee to establish itself as a power in its own field . . . many MSPs now find themselves having to serve on two committees at the same time. This is an enormous workload in Parliamentary terms and is unheard of in Westminster.”

There was unanimity throughout the parties on the need for change.

The decisions that established our current system were based not on experience, but on a best estimate of how a modern committee system would work in a 129-member Parliament. The committee system was expected to be dynamic, as it has been. The challenge for all members is to ensure that it continues to be.

It was initially envisaged that the committees would meet once a month and that being on more than one committee would not be an onerous commitment. What was unexpected was the work load of the committees and the dedication of the MSPs to making the committee system the powerhouse of the Parliament. MSPs have been committed to scrutinising legislation, holding

ministers to account for their departments and actions, conducting investigations and inquiries and submitting legislation. The work load has increased beyond expectation and it is a tribute to the commitment of members to making Scotland more democratic than ever before. Eighteen months on, we know that scrutinising a bill or taking part in an inquiry does not mean one meeting a month; it can mean two or three a week.

When the review process first started earlier this year, the proposals—not only on committee numbers—were radical, as it was proposed that the whole structure of the committee system should be altered. Changes were to be far reaching, with some committees to be combined with others and some to be split, while the remit of some committees was to be absorbed into others. Those proposals found almost universal condemnation within the party groups.

What we are left with—after all that time, all those months and all those permutations—is the proposal to create two justice committees. That is the one proposal that the Scottish National Party has objected to from the outset. The SNP has argued consistently that there should be only one justice committee and that two such committees, with identical remits, would create an inherently unstable situation.

I accept Tom McCabe's assurances that decisions on what legislation goes to which committee would be decided by the conveners of the two committees. He acknowledges that, when there is a dispute between the two conveners, the bureau, with its built-in Executive majority, would decide which committee the legislation should go to. However, he has not said what would happen if the two committees decided to hold similar inquiries. That is not a matter for the bureau and it is one of the reasons why we are unable to support the proposals.

**Johann Lamont (Glasgow Pollok) (Lab):** Will the member give way?

**Tricia Marwick:** I will continue, as I am struggling for time and there are points that I feel I must make.

The SNP believes that all subject committees should be the same size, apart from where minority party representation makes that impossible. The problem that we now face is a series of subject committees of different sizes, not because of work load or need, but as a result of the concessions negotiated between the parties for party political interests and the need to get some form of committee changes through the Parliament today.

Party political interests should not be allowed to dictate committee numbers. Organisations and individuals outwith the Parliament might assume

that the bigger the committee, the greater its importance—that the Enterprise and Lifelong Learning Committee and the Rural Development Committee, with their 11 members each, are more important than the Social Justice Committee or the Education, Culture and Sport Committee. No one in the chamber believes that that is the case, but we must face the fact that that will be the perception. Without a logical reason for the difference in committee sizes, we will be open to a public perception that the priorities of the Parliament are misplaced.

At the outset of my speech, I underlined the need for reform and the expectation that reform, drawing on the strength of our collective experience, was essential. The procedure to date has involved extensive consultation with all the party groups and has had to take into account 129 different experiences of the working of the parliamentary committee system and 129 different opinions about how that system could work best. Within every group, there have been arguments for and against, with different emphases and focus.

The fact that there is no unanimity today suggests that we are too tightly bound up with the system and that it is now impossible for us to take an impartial, independent view of what the committee structure and the committee sizes should be. We are all committed to the strong committee system, but we bring to the debate our own perceptions and experience and remain unable to reach universal agreement about how what we want can best be achieved.

I suggest that consideration be given to an independent review of the committee system—my colleague Kenny MacAskill will expand on that. I hope that that will ensure that we have a solution that fits and that is genuinely impartial—a solution that will allow our committees to lead the way in a modern, democratic Parliament.

15:49

**Lord James Douglas-Hamilton (Lothians) (Con):** Few subjects have given rise to greater passions in the Parliament than that of committee restructuring. There is perhaps good reason why that should be so. The work of the committees in the Parliament is of great significance and—because there is no second chamber—of greater constitutional importance than the work of committees in the House of Commons. In this Parliament, as well as having a legislative role, the committees have the enhanced role of scrutiny and investigation.

The composition of committees should, as far as possible, reflect the composition of the Parliament. Although we recognise that there were

considerable demands from within the Parliament for restructuring the committees, I have to say that the pressure for reform did not come from the Scottish Conservative and Unionist members, who would have been more than willing to soldier on with the current arrangements. That is because we considered that the committee system was working effectively and gathering momentum. We were strongly opposed to the first proposals, which would have involved a major upheaval leading to a reduction in the number of committee places to 120. We believed that that was going too far and would have involved an emasculation of the committee system.

It appeared at first that we would have about as much luck in wringing concessions out of Mr Tom McCabe as a dentist might out of a particularly unwilling patient. In fairness, however, I must admit that the Minister for Parliament, after lengthy negotiations, accepted our case for a larger number of committee places and at least one for each member of the Conservative group, the overall number being 131. That represented a considerable improvement on the original proposals.

We have always made it clear that the members of our group are determined to make devolution work effectively in the best interests of Scotland. Although we have not obtained everything that we wanted, we are prepared to accept the package, subject to reservations. In politics, when one cannot get exactly what one wants, one must fight to obtain as much as one can get. Our reservations included a request that the creation of two justice committees should be subject to early review, and indeed that the whole committee system as adjusted should be reviewed in due course in the light of experience.

**Alasdair Morgan:** Is the member seriously arguing that the kind of enhanced scrutiny role that committees in this Parliament have, particularly at stage 2 of what could be complex legislation, can be achieved properly with a committee of seven members?

**Lord James Douglas-Hamilton:** Yes, but I believe that it is extremely important that the system should be reviewed in the light of experience. There will be provision for substitutes in case anyone should fall ill or in the event of any unacceptable eventualities.

I accept that reconciling the interests of each political group in the Parliament on this subject was never going to produce unanimity, but the Minister for Parliament has been willing to amend his proposals in response to the legitimate concerns expressed on behalf of our group. I believe that he is to be commended on his efforts. I regret that the SNP has been unable to reach a similar accommodation with the minister.

**Mr Keith Raffan (Mid Scotland and Fife) (LD):** Does Lord James agree that there is a problem with substitute members with voting rights? If they arrive during the passage of legislation or in the middle of an inquiry, they may not know what is going on. What kind of experience or background will they bring to the discussions, other than that they may have read the relevant papers?

**Lord James Douglas-Hamilton:** I absolutely accept that the system must not be subject to abuse. If a member is appointed to a committee, he would be expected to participate as a full member of that committee. However, as Mr Raffan has intervened, let me tell him that I wish to congratulate his colleague, Mr Mike Rumbles, on his great victory in having ensured that the package retained the Standards Committee. I believe that that committee will be a guardian of standards in the Parliament.

**Phil Gallie:** Will Lord James accept my sympathy for the fact that he was forced into a situation in which he had to get the best out of a deal was the Lib-Lab Executive was intent on railroading through? In his future dealings with the Parliamentary Bureau, will he carefully scrutinise the effects of change on the justice committees? Will he try to ensure that the legislative process in the Parliament is not weakened by the changes that are being made?

**Lord James Douglas-Hamilton:** The short answer to my friend's question is yes. We believe in keeping such matters subject to careful scrutiny and review; the Minister for Parliament has assured us that will continue to happen. In those circumstances, as evidence of our good will and commitment to the Scottish Parliament—notwithstanding our reservations—we accept the overall package.

**The Deputy Presiding Officer:** If we play it by the clock, we have time for only two speeches. I shall therefore use my discretion to take up to 10 minutes off the ensuing debate, as this matter is of great concern to individual members.

15:55

**Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** I thank Lord James Douglas-Hamilton for his kind words.

To begin with, the Liberal Democrat group did not see the need for restructuring the committees. The committees were working well: they are the real success story of the Parliament. In my view, they are effective and very efficient.

**Alasdair Morgan:** Will the member give way?

**Mr Rumbles:** I have barely started, but I will take an intervention.

**Alasdair Morgan:** If the Liberals do not see the point of the restructuring, if the Conservatives agreed to it reluctantly, and if the SNP is against it, why on earth are we going ahead with it?

**Mr Rumbles:** Perhaps Alasdair Morgan should not have intervened. I have been surprised by the shifting position of the Scottish National Party. I am sorry that that discordant note has been sounded. It was the previous business manager of the SNP, Mr Mike Russell, sitting here quietly, who came up with the main proposals for committee restructuring. The SNP and the Labour party worked together to produce a programme of changes, because they felt that there was pressure on members. We recognised that.

**Mr Paterson:** Will the member correct his phraseology and withdraw the suggestion that the SNP was involved in deals? Some backdoor deals may have been done, but they did not involve the SNP. I would also like to make a further point—

**The Deputy Presiding Officer:** That is enough, Mr Paterson. The member has only one minute left.

**Mr Rumbles:** The process has dragged on for six or seven months, in part because of the way in which proposals emerged from the party business managers. When the Liberal Democrat group first heard of the proposals all those months ago, we decided that they would be best discussed by the committee of conveners, which could represent the wishes of the committees. The Procedures Committee should also have played a major role in the process. When the changes are reviewed, I hope that the committee of conveners will be consulted properly from the beginning and that the Procedures Committee will be able to play its proper role.

I know that we do not have much time, so I will cut short my speech. Like the Conservatives, we are relatively happy with the way in which the committee system is working. I regret Phil Gallie's comment about the changes being pushed through by a Lib-Lab Executive. Nothing of the sort is happening. The Liberal Democrat group took the position that there must be consensus on the proposals. We regret that the SNP was unable to reach agreement with the other parties. Because of the needs and wishes of others, the majority of Liberal Democrat members decided that they would support the proposals to put an end to a six or seven-month drag on the committees. The process is having a drip-drip effect on the committees and if it is not stopped there is a risk that their work and the success of the Scottish Parliament will be seriously affected.

A minority of Liberal Democrat members feel that we should not proceed with the changes. However, a majority of us has decided to back the

proposals. We want to seek consensus in the Parliament. It is a matter of regret that the SNP, of all parties—it initiated the process—is now taking such an amazing position.

15:59

**Johann Lamont (Glasgow Pollok) (Lab):** I am pleased to have the opportunity to speak in the debate. I am committed to making the committees work. They should work in the interest, not of those who sit on them, but of the democratic process in Scotland. The committees provide the most powerful vehicle for members of the public to make their voices heard in the Parliament. We must not forget that.

A great deal of nonsense has been talked in the debate. We see people clambering on to the moral high ground and ascribing the worst of motives to those who seek change. There is no right and wrong on the issue. It is a matter of managing competing demands. It is healthy to review the situation and make change where it is needed. The size of the committees was not written in stone. I was not born a member of the Local Government Committee. We all have the capacity to do different things in Parliament.

**Mr Paterson** *rose*—

**Mr Raffan** *rose*—

**Johann Lamont:** I find it depressing that some members want to be so conservative; they want the comfort of what they already have. Committees are at their best when they are uncomfortable and challenging places. I also find it depressing that members see the size of committees as a sign of status. Status comes from the quality of a committee's work, not its size.

We know that the problem of clashing committee meetings must be addressed. I was not able to represent my constituency on a social justice issue when I was not on that committee. We know that there is a problem in relation to the Justice and Home Affairs Committee, because its convener, Roseanna Cunningham, told us so time and again. She said that it could not get through the business.

**Christine Grahame** *rose*—

**Johann Lamont:** As a woman I understand the importance of the justice agenda to women and I am not prepared to have members using boring and dull arguments about having only one committee to prevent that work from being done. That is a piece of nonsense. Justice is crucial.

Smaller committees will allow members to attend a variety of committees. It is important to ensure that the model is closely monitored. If it does not work, we can review it. That is what a modern, living, breathing Parliament does. It

examines what it is doing, works out whether there is a problem and changes it. What SNP members want to do, because they cannot agree among themselves, is to stick with a tradition that is 18 months old.

I hope that members will support the changes to ensure that the committees work. If there are problems, we can come back and sort them out.

16:01

**Mr Lloyd Quinan (West of Scotland) (SNP):** There is no question but that we need reform of the committee system. However, I suggest that members consider a number of points.

We found out early in the process that there was a work-load problem in the Justice and Home Affairs Committee, but it is far too early in the process to make such sweeping changes. If we are to make changes—and I have said that they are required—why do we not, instead of accepting the proposals that are before us today, sensibly consider the European structure? The committee structure would then reflect the programme for government and we could form committees of inquiry to examine the issues properly. I have spent the past year on a committee inquiring into what was—

**Johann Lamont:** Will Mr Quinan give way?

**Mr Quinan:** No. Johann Lamont did not give way and I have very little time.

It is too early in the process to make such changes. We must work it through rather than make a judgment on the basis of one convener's complaints. We must examine the European model and consider the offer in the original CSG report—

**Mr Duncan McNeil (Greenock and Inverclyde) (Lab):** Will Mr Quinan give way?

**Mr Quinan:** No.

**Mr McNeil:** Are you feart?

**Mr Quinan:** Of you?

**The Deputy Presiding Officer:** Order. Carry on, Mr Quinan.

**Mr Quinan:** Thank you. It is interesting that one of the Government whips got up to speak, because I was about to say to back-bench members that the restructuring of the committees will be used to keep them in line. It will be used to prevent people who would cause trouble from going on committees. That will happen in every party in the chamber, as it currently does.

**The Minister for Social Justice (Jackie Baillie):** Did Mr Quinan not get his committee of choice?

**Mr Quinan:** Oddly enough—to answer that sedentary intervention—I got the committee that I wanted, thank you very much. I would happily swap my place on the Audit Committee with Jackie Baillie.

It is vital that we do not leap intemperately to seek solutions. Eighteen months into a fresh legislative programme is far too early to make such sweeping changes.

On the suggestion that there should be two justice committees, it is not simply because no other legislature on the planet has two justice committees that it would be a backward step; there is a clear necessity that justice matters should be dealt with by the same people, in the same place, at the same time.

16:04

**Bill Aitken (Glasgow) (Con):** It is an open secret that the Conservative party's original inclination in respect of the committee changes was to retain the status quo. We based that on the fact that the committee structure had been working effectively, despite the somewhat optimistic CSG outlook that the committees would meet monthly.

Quite clearly, the committees have become a vital part of the Parliament's activities, if not the most vital part. We also recognise that committees have a vital input into legislation and it is particularly important that, with our unicameral set-up, committees get it right. We must also consider that point.

Furthermore, we are aware of the problems of an overworked Justice and Home Affairs Committee and of committees such as the Social Inclusion, Housing and Voluntary Sector Committee which, from time to time, become overworked.

**Christine Grahame:** Will the member give way?

**Bill Aitken:** Briefly.

**Christine Grahame:** At last.

I fully admit that there was an enormous amount of legislation in the early months of the Justice and Home Affairs Committee. A backlog built up over a long time before the Parliament came into being and then we had to deal with emergency ECHR legislation. However, that situation has levelled off and there is now no requirement to do that kind of work. My committee colleagues would agree on that point.

Three parties in the chamber do not want the changes. Two justice committees are not required for the work load, so why are we doing any of this?

**Bill Aitken:** All I can say is that there seems to be contradictory evidence on the issue.

I want to move to our reasons for agreeing to the changes that are being put to the chamber. Given Christine Grahame's intervention, it is ironic that we were in a minority of one at the Parliamentary Bureau in wishing to preserve the status quo. The fact is that the changes were initiated by members of Christine Grahame's party. In line with the consensual approach by which the Parliament has underwritten its processes, we agreed to go forward with the proposals before us today. Most of our concerns have been met, although we still have some difficulty with the concept of two justice committees and acknowledge that there would be problems with such a system.

However, we must recognise that we are only 18 months down the road and are now initiating change. The fact is that, if we find problems another six months or a year down the road, we can revisit the situation. The normally intransigent Mr McCabe has been a bit more realistic in recognising that such difficulties could arise and has given that particular undertaking. On that basis, we are prepared to agree to the changes.

I take no satisfaction in the fact that the SNP is discomfited by the changes. However, SNP members must look to their own ranks as they were the people who initiated the process.

16:07

**Mike Watson (Glasgow Cathcart) (Lab):** On Bill Aitken's last point, I do not know whether the SNP started this business; however, I very much regret that the SNP is the reason why we have division today. I take members back to the conveners committee meeting five weeks ago—attended, I think, by Kenny MacAskill—at which the SNP said that it would support the proposed plan for the revised committee structure only if there were unanimity across the parties. That unanimity did not exist at the time and when we came back to consider the matter—lo and behold—the SNP position had altered.

**Tricia Marwick:** Will the member give way?

**Mike Watson:** I have very little time. It is a fact that the SNP position has changed and Mr MacAskill can address that in his summing-up. I understand that the SNP has had internal difficulties. However, the irony is that the SNP is causing division when everyone else has sought to avoid it.

It is self-evident to anyone who has been involved in or given evidence to a committee—or who has simply observed one from outwith the Parliament—that there is not enough time for the committees, as structured, to take on all their work. We talk about the dual investigative and scrutinising roles of committees. In fact, committees have five roles, as they also have to

examine Scottish statutory instruments and consider petitions; they also have the ability to initiate legislation. However, not one committee was able to fulfil that fifth role until the Justice and Home Affairs Committee recently inaugurated its own legislation. I want more committees to have the time to do that, and the restructuring will give them that opportunity.

Another committee role has not been formally set out but was suggested in the CSG report. Wherever possible, committees should go forth of Edinburgh to meet, not just to visit or to hold fact-finding sessions. The current structure makes that extremely difficult. If such meetings can happen more often, the people of Scotland will welcome that.

The question of committee size is a bit of a red herring. I am sure that I am not the only MSP to have received a letter from Shelter Scotland urging MSPs not to adopt the plan as it will mean that the number of members on the Social Inclusion, Housing and Voluntary Sector Committee will fall to seven and it has the housing bill facing it. I have just come off that committee, and although I would have liked to have been part of the consideration of the housing bill, the members left on the committee will give the legislation more than adequate scrutiny. The restructuring is about quality, not quantity, as members have pointed out, and if the bill does not receive adequate scrutiny, that will be an issue for the Parliament. However, I do not think that that will be the case.

My final point concerns the idea of having substitutes, which has hidden pitfalls. I am already unhappy that, after some committees recently changed their membership, the new members voted on reports on lengthy inquiries with nothing more than cursory knowledge of what those reports involved. That may be constitutionally correct, and permissible under standing orders, but I do not think that that should happen. I am therefore also concerned about the idea of a substitute joining a committee—perhaps legitimately, because a member has fallen ill or is involved in other business—who knows nothing about a piece of legislation or a decision that has been made, but who can vote on that issue. I hope that the substitutes will be fixed, and that they will shadow their committee's work so that, if they have to join the committee, they will be able to do so on an informed basis.

With that proviso, I think that the proposed new committee structure represents an evolution. The Parliament must be a can-do Parliament, and if we feel that we cannot work best with the structure that we will vote on today, we should return to change it in future. The people of Scotland should expect no less from us.

16:11

**Donald Gorrie (Central Scotland) (LD):** Some members clearly feel under pressure because they have too much work, and that must be addressed by the Parliament. However, it is wrong for the Parliamentary Bureau to stitch up a convoluted solution to that problem. We must prioritise our work. Members will find that, as their staff gain more experience, they will be able to help more with case work, and their work load will differ.

The pressure is greatest, for statistical reasons, on Labour members. Labour members who are members of committees sit on an average of 1.9 committees. Since the summer recess, that has meant attending one and a half meetings a week and three meetings a fortnight. That does not seem unreasonable.

Wherever we go, we tell people that the committees are the greatest aspect of our Parliament. That has also been said in the debate. We are, however, demonstrating our support for the committees by reducing their membership by 23 per cent, from 164 to 126. What sort of message does that give out? Wherever we go, we say that education is the greatest thing. However, we are reducing the number of members who deal with education from 11 to seven. What sort of signal is that sending out? The number of members dealing with social justice is similarly being reduced from 11 to seven. The Local Government Committee, which will shortly deal with a very important bill, is being reduced from 11 members to seven members. The justice bills will each be considered by seven people.

I challenge any convener to say that his or her committee would work better with seven people than with 11. The committees work through the accumulated wisdom, skill and energy of their members. If their energy is reduced by a third, their results will be reduced by a third. That will demean and downgrade the committees, which are the great strength of the Parliament, and it will allow members to be rubbished by ministers.

Finally, I object strongly to the way in which the restructuring has been carried out. The Parliamentary Bureau has greatly exceeded its remit. Soon, members will not need to attend committee meetings at all: it will be necessary only for the Parliamentary Bureau to come along and fix everything up. I am not interested in that sort of Parliament. We are destroying the Parliament as we know it, and we should oppose the measure tooth and nail.

16:13

**Mr Kenny MacAskill (Lothians) (SNP):** I begin with two short questions. Is there a problem? Yes, there is. Is this the solution? No, it is not. That is

the position of the Scottish National Party.

Many things have been said that I and the SNP would agree with and, notwithstanding Johann Lamont's intemperate tone, I accept that there is a problem. The Minister for Parliament has not been trying to railroad matters; he has genuinely gone out of his way to reach a compromise. The problem is that this is not the right solution. It is being viewed as a quick fix and will create problems that will have to be addressed further down the line.

Other SNP members have commented on why we believe that the new system does not fit. We certainly believe that the idea of having two justice committees is not right, as that would cause a major problem. Having two justice committees might create a precedent for dealing with committees that have an overload of work in future. For example, if there were a problem in health, would we create two health committees? If there were a problem in social justice, would two committees be created to deal with that? There is a danger of setting a precedent here.

**Mr McCabe:** Mr MacAskill is correct when he says that we are setting a precedent today. We are setting a precedent that says that our structures should suit the work load of the Scottish Parliament, not just the political parties. I think that the Parliament will be stronger for the setting of that precedent.

**Mr MacAskill:** I do not believe that setting a precedent for having two Justice and Home Affairs Committees or two Health and Community Care Committees would be a good or sensible way to go. The real question is, where do we go from here?

I was not at the meeting to which Mike Watson referred, but I am advised that the position was that all committees would have seven members. There has been a fundamental change—what was before the conveners group five weeks ago is not what is before the chamber today. It is not as if the SNP is reneging on its word. There is a genuine acceptance that there is a problem.

What is the solution? I welcome what the Minister for Parliament said at the outset about how the committees came into existence. They did not come about simply because we voted them into existence, although we did so when we established their powers, but because the consultative steering group and others examined, analysed and discussed the issues and spoke to the people of Scotland—not only the great and the good but also the ordinary man and woman on the street—to decide what we required the committees to do. I believe that we need to follow that route now, as Lloyd Quinan and others mentioned.

We have reached a point at which there is no agreement and further discussion is useless. I can understand why the motion is before us today, but I do not believe that forcing this through Parliament is the best solution. We should do what we would do if we were another type of organisation. If the Scottish Parliament were a company with a similar problem, consultants would be instructed to investigate the matter and decide whether each committee could justify its existence, whether its work load was adequate, whether its remit was appropriate and whether it was delivering what it was created to deliver. A voluntary sector organisation would do the same thing, although it might not pay the same price for the same consultants. We should get an external person to examine the committees.

In 2003, the members in this chamber will be put to the test when they go back to the electorate. Political groups will be put to the test in the same way. I fundamentally disagree with the Minister for Parliament's suggestion that the members are best placed to decide the role, remit and size of the committees. I do not think so. The public, the people whom we are elected to serve, are best placed to do so. That is why I think that we should remit the matter to the CSG or some other organisation that is capable of reviewing and scrutinising the system before giving it back to us for us to implement.

16:18

**The Deputy Minister for Parliament (Tavish Scott):** I want to respond to as many points as I can in this short debate.

To Kenny MacAskill, I say that remitting the matter back will take us another seven months further down the line. No one who has been involved in the give and take of the issue, to use Lord James Douglas-Hamilton's words, would suggest that the process is perfect, but we have to move on.

Tricia Marwick was quite right to point out that change is necessary and that members of all parties should be involved in thinking of ways in which that change can be made. She made a fair point about work load, which was repeated by other members. Work load is the reason why this debate is taking place.

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

**Tavish Scott:** I want to make some progress.

The main cause of concern today appears to be the situation with regard to the Justice and Home Affairs Committee. I cannot conceive of the circumstances in which two conveners would not be able to talk about their work load. To Alasdair Morgan, I say that for the Parliamentary Bureau to

have to consider what will be the lead committee on an item is not unprecedented. That happens at the moment.

**Alasdair Morgan:** On the issue of inquiries, which are not in the gift of the Parliamentary Bureau, how would a situation be avoided in which two committees decided to undertake inquiries on the same topic, or a similar one, because the topic appeals to both conveners and both sets of members?

**Tavish Scott:** I cannot see why two committees would not be able to work out a sensible working relationship. It is somewhat bizarre to suggest that two committees in this Parliament would spend time conducting an inquiry into exactly the same issue.

**Phil Gallie:** Will the minister give way?

**Tavish Scott:** No, I want to finish this point first. On work load, it has been suggested—Christine Grahame made a point about this in an intervention—that the Justice and Home Affairs Committee's work load is declining considerably. I am sure that Christine—as well as Phil Gallie and others—is aware that three of the nine substantial bills in next year's programme are justice measures. The committee also has its own bill, promoted by Maureen Macmillan, and there is the Leasehold Casualties (Scotland) Bill. That work is additional to any other issues that may arise. I cannot conceive that the Justice and Home Affairs Committee—or rather two justice committees—will not be extremely busy.

**Phil Gallie:** The minister is missing the point. The committees do the work of bill committees—the standing committees, to make a comparison with the House of Commons. They do the detailed scrutiny of major legislation. Quite honestly, to say that seven members rather than 11 members could carry out that level of scrutiny better is wrong. There is a shared role among members, and the minister is missing that.

**The Deputy Presiding Officer:** Before Mr Scott replies to that, I would point out that I have been very generous in allowing an overrun, but that this debate cannot be open ended, because there is another debate to come before decision time.

**Tavish Scott:** Let me deal with the question of the size of committees. The logic of Phil Gallie and of my colleague Donald Gorrie is that the Westminster model, in which there are reams of members sitting in the committee rooms, is the correct way of doing things. However, as a former researcher, having walked into those committee rooms to deliver pieces of paper to members, I can say that, when members are attending standing committees to scrutinise legislation, they are also doing their constituency mail. Are we suggesting that we have lots of people all sitting in

a committee room, not paying attention and not doing the work that we want them to do?

**Donald Gorrie:** Will the minister give way?

**Tavish Scott:** There are two ways of looking at the issue. I want that to be taken—

**Donald Gorrie:** Will the minister give way?

**The Deputy Presiding Officer:** Order.

**Tavish Scott:** I think that the Deputy Presiding Officer is suggesting that I—

**The Deputy Presiding Officer:** Yes, we must make progress. Otherwise, the other debate will be so tight as to be impossible.

**Tavish Scott:** The primary function of a committee is to scrutinise the policies and administration of the Executive. The new arrangements being proposed today will enable committees to pursue a range of other matters besides Executive legislation. The proposals involve change, but however and wherever possible, it seems sensible to take them forward on a consensus for change.

A range of options has been explored. The proposals have a wide measure of support, as well as offering the minimum that is required to achieve improvements in critical areas. As I have already pointed out, the system—

**Ms Margo MacDonald (Lothians) (SNP):** On a point of order, Presiding Officer. I seek the guidance of the chair on whether, under the standing orders of the Parliament, it is possible to extend this debate by extending today's sitting.

**The Deputy Presiding Officer:** That falls within the discretion of the chair, and I am not prepared to accept that proposal.

**Tavish Scott:** I believe that the Parliamentary Bureau's motion, without major disruption to the overall structure and roles of the committees, and without affecting the overall balance, makes a considerable change. The proposals follow careful analysis of where change is necessary. Important points were made by members through the conveners group, chaired by Mr George Reid, which has an important role in this process. Lord James Douglas-Hamilton also made that point about the effects of the proposals when he spoke. This is an evolving process. Careful reform can continue as the Parliament seeks to strengthen and build the committees of our continually evolving institution.

**The Deputy Presiding Officer:** I understand some of the views that have been expressed on this, but everyone who originally asked to speak was included in the debate. Those who tried their luck later failed, I am afraid.

## Ferry Services (Northern Isles)

**The Deputy Presiding Officer (Mr George Reid):** The next item of business is a debate on motion S1M-1467, in the name of Sarah Boyack, on a draft undertaking by the Scottish ministers under section 2(1) of the Highlands and Islands Shipping Services Act 1960. I ask all participants to keep their remarks tight.

16:24

**The Minister for Transport (Sarah Boyack):** I thank the parliamentary authorities for agreeing to let us present this draft undertaking for debate today. I should explain to those members who have not been involved in the consideration of an earlier draft of the undertaking why we had to present a new version. This is the final parliamentary process for awarding a subsidy for the future operation of passenger ferry services to the northern isles from 2002. It is the culmination of a long tendering process, which contained many complex issues that we have had to resolve. I thank all those who have been involved in ensuring that we could debate this today.

On 6 October, I announced that NorthLink Orkney and Shetland Ferries was the preferred bidder for the subsidy award. NorthLink is the joint venture of Caledonian MacBrayne and the Royal Bank of Scotland. Our negotiations with the company were concluded at the end of November when we brought forward an earlier draft undertaking.

A problem arose late on Monday 11 December with the collapse of NorthLink's plans to build one of three new vessels at Fergusons. On Tuesday, I expressed my disappointment about that development to the Transport and the Environment Committee, and explained that plans were being made to find an alternative yard.

I am pleased to say that NorthLink has agreed terms and a price with an alternative yard, on the basis of the same specification. A letter of intent has been issued to Aker Finnyards, which is the Finnish yard that will supply the other two vessels for the routes.

However, we have had to take account of the effect of the new price for the Pentland firth vessel—the 100m vessel that Aker will supply—in the grant agreement. An adjustment to a clause in the agreement has been required, which in turn has meant that we have had to introduce a new undertaking. The change that is required is in clause 3.8 of schedule 1 to the draft undertaking. It reflects a sharing of the extra costs of providing the new vessel by the Executive and NorthLink. If funds are needed for the final price, the effect will

be to increase the subsidy by a maximum of £400,000 per year above the average annual subsidy, at April 2000 prices, of just less than £10 million per year.

On the time scale, we have been working to the target of securing parliamentary approval by the end of the week. That allows the other contracts that are involved to be finalised, and the timings for the shipbuilding intervention funds to be met. We plan to be in a position to sign the relevant agreements next week.

We do not have the scope to delay the timetables past the target dates of 1 October 2002, because at that date the current vessels will not be able to continue under the international safety requirements for all passenger ferry services.

**Trish Godman (West Renfrewshire) (Lab):** Given what the minister said about Fergusons shipyard, which is in my constituency, will the minister give an assurance that the decision that Fergusons took, which is regrettable, will not rule that yard out of consideration for future orders of this kind?

**Sarah Boyack:** Of course, that decision does not rule Fergusons out of consideration for any future ferries that might be commissioned. The Scottish Executive is keen to ensure that all our ferry services in Scotland have boats that are fit for purpose. Although the decision was regrettable, it will not stand in the way of future contracts.

I will emphasise some of the key benefits that the contract will bring to people in the northern isles. It is a good deal for people. This is a major opportunity to make improvements in the services. I set out many of the details to the Transport and the Environment Committee. I apologise to members of that committee who are present and will have already heard these points, but I think that it is important to make other members aware of them.

There will be three new vessels on the routes. They will be the first new vessels serving the routes since the early 1970s. I know from members for that area just how important that is for people who rely on these services. There will be services and timetable improvements. There will be improvements to the Pentland firth crossing time and additional journeys; an increase in the number of Shetland services and improved departure and arrival times in Shetland; and an increase in the number of services from Aberdeen to Orkney. Lower fares are planned. There will be a reduction in average passenger fares from April 2000 prices of 18 per cent. There will be a lower subsidy. At present, the Executive subsidy is £11 million; in future, the average subsidy at April 2000

prices will be just over £10 million per year.

Many of those improvements reflect detailed consultation with the local communities, councils, and others who rely on the services. We made a commitment on that at the start of this process and it was important to follow it through.

This has been a fair and open process. We have closely followed the relevant procurement and competition requirements under European Commission rules. We have also gone to significant lengths to have separate arrangements in the Executive for dealing with the contract and the sponsorship of Caledonian MacBrayne and its role as joint venture partner in NorthLink.

Overall, this represents a good deal for the islands and I hope that everybody who is concerned will welcome it. I pay tribute to P&O Scottish Ferries, which has served the islanders on these routes for many years. It is right for Parliament to recognise that.

The fundamental issue is that we are delivering on our key policy of supporting lifeline ferry services. That policy is delivered by the undertaking that we are considering, which represents a good deal and value for money.

I move,

That the Parliament approves the Draft Undertaking by the Scottish Ministers under section 2(1) of the Highlands and Islands Shipping Services Act 1960.

16:30

**Bruce Crawford (Mid Scotland and Fife) (SNP):** I welcome the minister's statement. The SNP welcomes the improved levels of service and the new services that are being brought to Orkney and Shetland. We share the minister's views on P&O. The northern isles passenger ferries, which are the subject of the draft order, are a vital lifeline for Orkney and Shetland. The present operator, P&O, carries about 239,000 passengers a year.

No one in the chamber should be in any doubt about the impact on those services if we do not pass the draft order today. The Parliament must give its approval to ensure that the undertaking can be signed at the eleventh hour. However, that does not mean that we are entirely happy about the processes that led to today's rushed business. That rushed process creates a perception of panic.

I have three questions. First, how can we better ensure that work for the construction of new ferries is won by Scottish yards in future? Given that the process was started two years ago, surely it was not beyond the capacity of Government to ensure that the appropriate advice and guidance was made available to those yards in Scotland that may have been able to bid. For example, surely

the problems related to the lack of design capability in the industry could have been foreseen.

That design capacity shortage was created by the high level of work that is going to yards across Europe as the end of the subsidy round is reached. Given proper advice and guidance, perhaps Fergusons at Port Glasgow would have been able to develop coping mechanisms to secure the necessary design capacity at an earlier date. With a bit of joined-up government, perhaps Fergusons would have secured the contract and the prospect of new jobs. Two ferries are being built in Finland—

**Mr Duncan McNeil (Greenock and Inverclyde) (Lab):** Will the member give way?

**Bruce Crawford:** I will accept a limited intervention, as time is tight.

**Mr McNeil:** I think that I am being misled by Bruce Crawford. Is he suggesting that it is the Government's fault that Fergusons took a commercial decision to hand back the order, as a consequence of which the order is going to Finland? I have never heard of such a situation in 30 years.

**Bruce Crawford:** No, but I shall come to that point. I am talking about the delay between the beginning and the end of the tendering process. If we had entered and completed the process earlier, perhaps Fergusons would have been in a better position to secure the design capacity that it was looking for.

Now three ferries are going to Finland, which provides an interesting comparison with Scotland. It has a similar size of population and a tradition of shipbuilding. The difference is that Scotland has five yards, which employ 10,000 people, while Finland has 11 yards, which employ 30,000 people. With greater input from the Government, I hope that we will be able to develop an industry that matches that of Finland.

Secondly, if the tendering process was started two years ago, why did the contractual difficulties come to light only at the eleventh hour? I understand that the original timetable for the process was for a final decision on the preferred bidder to be made in or around July. What on earth went on between July and the beginning of October? What caused such a lengthy delay?

Yesterday, I spoke to ferry operators, including companies that had submitted bids, who used the words "fiasco" and "shambles". While their reaction might have been more to do with perception than reality, the minister should reflect on that and explain what caused the delay. Otherwise, it might be reasonable to conclude that, had the delay not occurred, Fergusons would

have had a greater breathing space in which to develop the design capacity that the yard needed. Given the apparent timetabling difficulties, would it not be appropriate for the minister to review the Executive's tendering and contracting procedures to ensure that, next time, they will be more robust and reliable and will contain built-in earlier warning mechanisms?

Thirdly, and finally, if, as a result of the change of shipbuilder, the level of subsidy is to increase, what impact will there be on fair competition? I know that the minister mentioned that earlier, but I seek further assurances. Do the other ferry operators that were involved in the process not have a legitimate argument that the original ground rules have been altered? Can they not claim, with some justification, that they entered into a tendering process in good faith? Had they known that the terms of the contract were to be different, they might have submitted tenders on a different basis. Does that not open up the Executive to—

**Sarah Boyack:** Will the member give way?

**Bruce Crawford:** I am just coming to my final point. The minister will have the chance to sum up the debate.

**Sarah Boyack:** I was going to answer Bruce Crawford's questions.

**Bruce Crawford:** The minister can answer my questions later. If she had taken interventions in earlier debates, she might find members easier to deal with on occasions like today.

Does the minister agree that the situation opens up the Executive to the threat of litigation from an aggrieved ferry operator?

These issues are serious and deserve serious answers.

I see the Presiding Officer is telling me to hurry up, but I am now five seconds ahead of schedule.

16:35

**Mr Murray Tosh (South of Scotland) (Con):** I regret that this matter had to come before the Parliament, but I realise that the urgency of coming to a decision this week meant that the matter could not go back to the Transport and the Environment Committee. In its discussion on Tuesday, the committee accepted that that was fair.

I have no points to make about the tendering process or decisions. I wish to comment only on the financial issues. As far as I can see, once a preferred contractor has been designated, the Government becomes locked in, the shipyards become locked in and the ultimate customers for the services become locked in, even though

detailed negotiations with the contractor may result in changes to the terms that were originally offered.

I deeply regret the loss of the order for Fergusons shipyard and I want to register my concern for both the potential loss of employment and the loss of potential employment. I am sure that the minister will respond to the points that Bruce Crawford made. I hope that she will guarantee the Parliament that, if there are lessons to be learned about procedural or tendering matters, those lessons will be learned.

This Parliament's principal concern must be to approve the necessary financial arrangements to ensure that the orders can be issued and to ensure in turn that the new ferry services can be in place in late 2002 when the new European regulations will come in. The viability and accessibility of the communities in Orkney and Shetland must be our first concern.

I will support the minister's motion. I am satisfied that all has been done that needed to be done to ensure that the new ferry services will be in place and I am satisfied that this afternoon's motion will lead to funding being available. I am also satisfied that the Executive, at the Transport and the Environment Committee this week, was able to outline its contingency arrangements in the event that reallocating contracts caused any of the desperately tight time scales to be missed. Having made those comments, we intend to support the motion.

16:37

**Tavish Scott (Shetland) (LD):** As the MSP for Shetland, I welcome the minister's announcement; I know that the MSP for Orkney will welcome it too. When we have the new ships, I look forward to Mr Andy Kerr and his committee arriving on one of them. When I was on the Transport and the Environment Committee, I used to suggest to Andy, Kenny MacAskill and Murray Tosh that they travel north. They should come up on the new ship, and I will meet them at the other end, having flown up earlier in the day.

I welcome the minister's announcement of new ships, improved frequency and lower fares. I have a number of questions that I hope will be dealt with in the summing up. Delaying the initiation of the contract until 1 October was the sensible decision. However, I am sure that the minister recognises that some practical issues will have to be resolved. For example, 1 October is in the middle of the livestock shipping season.

Will the new arrival time for the ships allow adequate time for the training of new crews? What pressure is the minister applying to ensure that we get sensible decisions on European funding for

port facilities? I know that that is also a concern of my friend and colleague Mr Jamie Stone at Scrabster. The right decisions must be taken on European moneys for causeways in the Western Isles. That applies also to the facilities that the minister is aware of at Kirkwall, Scrabster and Lerwick.

I met representatives of Lerwick Port Authority last Friday, and I would like the minister to pick up on the points that they put to me. Not only is there a need for an extension to the quay because the new ships are larger, and not only is there a need for a covered walkway to allow people, especially those with disabilities, to access ships without having to go up lots of stairs, there is also the issue of the moving of the terminal. The package of measures that the port authority wishes to put in place will cost some £3 million. Given the lifeline nature of the service, what is the minister doing to ensure that that package of measures can be put in place and that the new ships can arrive and berth securely in October 2002?

16:40

**Mr Andy Kerr (East Kilbride) (Lab):** I would like to place on record my disappointment with the way in which the Transport and the Environment Committee was involved in the draft order. We did not play our full or usual role because of the difficulties that the Minister for Transport outlined. I hope that in her summing up she will reflect on that and ensure that it will not happen again. The loss of work for the Scottish yard is sad. Bruce Crawford and other members of the Transport and the Environment Committee have covered that.

The members of the committee showed a mature and responsible attitude when the matter was brought to the committee. We took the view that because of the strategic importance of the service the procedure we are discussing was the only way to deliver what is needed. We will get the three new vessels and the timetable improvements that the Minister for Transport spoke about—the reduction in journey times and increased frequencies. Lower fares will be very welcome. The committee felt that the best decision we could take was to allow the minister to bring the matter to the Parliament in this way. I say to Tavish Scott that I look forward to using the ferry and to an evening in the very salubrious mansion house accommodation that I understand he has on the island.

16:41

**Colin Campbell (West of Scotland) (SNP):** I represent the West of Scotland, where Fergusons is situated. I speak in bewilderment rather than with the experience of members of the Transport and the Environment Committee. After a visit to

Fergusons on 19 June I placed a parliamentary question asking when a decision was to be made on the award of the NorthLink ferry contract. The reply on 4 July said:

“Costed bids for the Northern Isles Contract were received on 23 June, and a decision on preferred bidder status is planned for July.”—[*Official Report, Written Answers*, 4 July 2000; Vol 7, p 320.]

I have on file the fax that I sent to the managing director of Fergusons on 1 November.

“I see that Ferguson Shipbuilders has won the Northlink contract for the roll-on roll-off ferry.”

I said that I was delighted.

I want to know why there was a four-month delay between the date given in the Minister for Transport’s reply to my parliamentary question and the placing of the order at Fergusons. Who was responsible for that? Were there circumstances beyond our control? Did someone drag their feet and, if so, who was it? Were there technical reasons for the delay and, if so, what were they? Were there political reasons for the delay? I am fairly sure that there should not have been.

Was the Minister for Transport aware that there would be a rush of orders throughout Europe to meet the deadline for intervention funding on 31 December 2000? If she was aware, was she also aware of the shortage of design capacity in Europe? If she did realise that, did she instruct—

**Mr McNeil:** Why did Fergusons accept the order and then only in the last few days say that it could not complete it? Why did Fergusons take the order if there were all those problems?

**Colin Campbell:** It appears to me that Fergusons was confident that there was sufficient design capacity in Europe to come up with the design—

**Mr McNeil:** We should not let Fergusons off the hook here.

**Colin Campbell:** I am not letting anybody off the hook here, but I think that there are other people responsible. Fergusons consulted Harland and Wolff and BAE Systems at Govan, which recently had 60 people working on roll-on-roll-off ferries who are presumably not doing that now, and two Norwegian yards and one Finnish yard. No one in Europe could be found to do the design. Did the Minister for Transport realise that there was a shortage of design capacity? Did she instruct those who were placing the contract to speed up the process?

My final question was, where are the ships being built? Now I know the answer and it is a matter of deep regret.

16:44

**Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** In Caithness, we rely on our transport links, whether road, rail, air or sea. I want to put on record my thanks to the Minister for Transport for her work on this matter. I know how hard she and her team have been working to put all this together. It is about new ships and new facilities and that will mean that a lot of good can be done. The Minister for Transport mentioned lower fares, improved sailings and so on. Those will mean a considerable boost for the economy of Caithness, Orkney and Shetland and will lead to the concept of the islands as a string of pearls. Many people—including Andy Kerr—will come to visit us in future on the splendid new service.

The Minister for Transport mentioned delays, as other members have. Some delays have been beneficial. I understand the move to 1 October which, at least, took the change to the service out of the tourist season. However, people in Scrabster and other places are increasingly concerned about delays. There is an impression, particularly in respect of decisions that must be taken in the next few days, that those issues are not being addressed as quickly as they should be. That is not the minister’s fault.

It would be helpful if the minister could use her good offices to bring pressure to bear on NorthLink to address certain questions, such as the deal with Scrabster harbour. My point is simple—this will be a great achievement, and I am very grateful for it, but it would be a pity to lessen that achievement merely for the want of the niceties of administration. I know that the minister is a busy lady, but if she could bring that pressure to bear, that would represent a belt-and-braces approach to the completion of something of which she will one day be very proud.

16:46

**Rhoda Grant (Highlands and Islands) (Lab):** I, too, welcome the debate. It is helpful to have had the debate at short notice—it shows that the Parliament can react to current events. I am disappointed that Fergusons has pulled out of building one of the ships, but I am glad that that does not mean that there will be a delay to the service. I welcome the improvements in the service—the new vessels and the improved timetable.

I welcome especially the fact that the new vessels will be safer and will fit the purpose for which they were designed. However, I want to know whether the minister has ensured that the new ferries have good disabled access. The lack of disabled access has been a problem on many of the older ferries that serve the coast of Scotland. It is important that we ensure that any

new ferries that are built have good disabled access.

The increased services will be welcomed, especially by the people of Orkney, who have a long journey up the A9 to get to Scrabster to catch the ferry. The increased services will mean that the people of Orkney can use that route with more confidence. However, will the minister ensure that there is integrated public transport? I have often heard people in Orkney complain that they sail into Scrabster harbour, only to see the bus leave. It is important to ensure that there is a dedicated ferry bus, which would encourage people to use public transport on that route.

I also welcome the lower fares. Will those fares be extended to haulage and tractors on the ferries? Many crofters and farmers in the northern isles have told me about the increased costs that they face for feedstuffs and transporting livestock. Lower fares would help them at a time when they are struggling to make ends meet.

I congratulate the minister on the consultation exercise that was carried out for the service. Many people in the northern isles appreciated that. I know that the people of Scrabster appreciated the minister's visit earlier this year.

I would like to comment on the P&O road haulage services between the northern isles. Although I understand that that does not fall within the minister's remit, I ask her to monitor the situation to ensure that those services are not affected.

**The Deputy Presiding Officer:** I thank members for their co-operation during the debate.

16:48

**Mr Kenny MacAskill (Lothians) (SNP):** The SNP appreciates the gravity and urgency of the situation. We are discussing vital services. We have never agreed with the use of the term "lifeline services". It appears to us that—irrespective of someone's geographic peripherality in Scotland—they are entitled to various rights as a citizen, including taking part in the social and economic fabric of society, which means that transport should be affordable and accessible. That is everybody's right and it is Parliament's duty to the people of Scotland to ensure that we achieve that.

We have had a good debate and several important points have been made, but I would like clarification from the minister on two further points of detail. I turn members' attention to schedule 2 of the agreements that are before Parliament. Clause 1.1(b) talks about an appropriate lessee as an organisation that "is sufficiently financially robust". Would the minister tell us whether NorthLink is viewed as being "sufficiently financially robust"? If

not, who is to be the guarantor of the contract? Will it be the Royal Bank of Scotland? If—because NorthLink is insufficiently financially robust—the guarantor is to be the Royal Bank of Scotland, can the minister assure members that that is proper and correct?

The second matter relates to page 9 of schedule 1 of the agreement between the ministers and NorthLink Orkney and Shetland Ferries Ltd, which refers to "Return on Capital". That is the grant that is payable, which may be "retrospectively increased" in various circumstances. Is it the case that the return on capital was not mentioned in the invitation-to-tender documents? If so, is not that a fundamental change in circumstances that might have resulted in other bidders, such as Serco-Denholm or P&O Scottish Ferries, putting in different proposals and financial bids, had they known that there could be a variation in the return on capital?

Is the minister satisfied that full information was made available to all those who were interested in tendering? Did the information indicate that there was the possibility of variation and, indeed, an increase in the return on capital, with an increased grant, if the capital return was not met? If not, might we in due course face litigation from companies that were interested in tendering, but which are now disappointed and disaffected? That is a worry, because we wish the ferry service not only to be up and running, but to provide an improved service.

16:51

**Sarah Boyack:** There are a number of detailed points to which I wish to respond in winding up. It is important that I clarify that the process has not been rushed through unfairly. It has taken nearly two years to get to this stage. I am aware that colleagues feel that the process has been lengthy, but the detailed specifications and the importance of the routes are such that it was important to get the new tendering process and the construction of the new boats right.

On Bruce Crawford's point about design capacity, ferry yards throughout Europe are applying for European intervention fund support. Hindsight is a wonderful thing, but with regard to those particular proposals, we have been able to get the third vessel secured by a yard that has appropriate design support.

**Mr McNeil:** It has been established that the problem with Fergusons is that it does not have the design capacity. Is it possible to use the good offices of CalMac to ensure that the steelwork capacity that is available at Fergusons is used, so that the required delivery time is met and the boats are put into service? Presumably, the design team

in Finland will require a lead-in time, which could delay the delivery of the vessels.

**Sarah Boyack:** The contracts will contain a detailed commitment on the timing and delivery of the new vessels. It is not possible to extend that time scale without invoking the other clauses in the undertaking that members have in front of them. The contract is being signed between the Executive and NorthLink—it is up to NorthLink to sign appropriate contracts to demonstrate that it can deliver on the contract, so that we do not have a direct relationship with Fergusons, Akers or any other shipyard.

We are aware that, prior to conferring preferred bidder status on 5 October, there was a great deal of discussion with relevant yards. Quotations had already been sought from different yards by NorthLink, to determine the different bids that were available. At that stage, Fergusons would have made a bid in good faith as a business proposition.

Time scales have been pressing, but all bidders were aware of that from the start. It is important that we meet the obligations of the international convention for the safety of life at sea, and the Stockholm requirements that were introduced after the tragedy of the sinking of the Estonia, so we cannot hang about. It is important that we get moving.

As Bruce Crawford rightly identified, we need to make sure that the Finnish Government secures its intervention support so that the two larger vessels receive that support to the full.

Bruce Crawford asked me about one matter in particular that I must respond to, which is the price of the tender and the level of subsidy. I reassure the chamber that there is considerable headroom between the price in the tender and the tender bid of the next tender. Therefore, there is no question of that being a problem.

Kenny MacAskill asks whether NorthLink is financially robust. Its plans have been thoroughly scrutinised by CalMac, the Royal Bank of Scotland and the financial arm of that bank, which is funding the new vessels. The Scottish interest is with CalMac. All parties are confident that NorthLink is financially robust.

Tavish Scott asked several questions, one of which covered training for operation of the vessels. We have time for training the new crews, and that issue will be studied when the implementation plan is produced, after the contracts have been signed.

The points that Tavish Scott and Jamie Stone made about harbours are extremely relevant. NorthLink has had detailed discussions with the relevant harbour authorities about access to

harbour facilities and the dues that must be paid for those facilities. Some significant improvements will be required. Jamie Stone mentioned that, as did Tavish Scott.

**Mr MacAskill:** Will the minister give way?

**Sarah Boyack:** No, I am well on the way, and I am four and a half minutes into my speech.

Satisfactory agreements about the need to progress the work have been reached with the harbour authorities. I look forward to future applications and discussions. I am sure that there will be hardball discussions in the future. The Scottish Executive has told the relevant harbour authorities that it will consider applications for grant funding to part-fund necessary improvements. That commitment is important.

Rhoda Grant and Jamie Stone both mentioned the Scrabster Harbour Trust. An offer of £13.8 million in pier and harbour grant support has been made and accepted. The Executive will consider the need for additional capital consent for the Orkney Islands Council. Those matters will be dealt with at future dates, but the work is well in train.

Rhoda Grant asked about disabled access. I can assure the chamber that the design for the new vessels takes full account of that issue.

The contract will not subsidise freight. Extensive arrangements for freight are already in place, which were not brought about by the contract.

Kenny MacAskill suggested that substantial changes have been made that could have changed the nature of the tendering process, but I am not aware of any such changes.

I thank all members—their questions have been relevant. We look forward now to ensuring that the contract is signed and that the services come into play from 2002, when all those in the area will be able to benefit from the new vessels, the new fare arrangements and the new opportunities to maximise tourism, which Jamie Stone mentioned.

## Parliamentary Bureau Motions

16:57

**The Presiding Officer (Sir David Steel):** We come now to Parliamentary Bureau motions. I hope that Mr Tavish Scott is listening.

*Motions moved,*

That the Parliament agrees that the following instruments be approved:

the draft Producer Responsibility Obligations (Packaging Waste) Amendment (Scotland) Regulations 2000;

the draft Education (National Priorities) (Scotland) Order 2000;

the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No 5) (Scotland) Order 2000 (SSI 2000/409);

the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No 6) (Scotland) Order 2000 (SSI 2000/428); and

the draft Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulations 2001.

That the Parliament agrees the following designation of Lead Committee—

the Transport and the Environment Committee to consider the Financial Assistance for Environmental Purposes (Scotland) Order 2000 (SSI 2000/430)—[*Tavish Scott.*]

**Phil Gallie (South of Scotland) (Con):** In line with standing orders, I wish to oppose the draft Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulations 2001. I understand that I have three minutes to give reasons for my objection.

**The Presiding Officer:** I do not think that you have three minutes, because I am bound to take decision time at 5 o'clock. However, you have what time is left.

16:58

**Phil Gallie (South of Scotland) (Con):** I will be as brief as I can.

I oppose the regulations because they are premature. The way in which legal aid will be provided is exclusive rather than inclusive, because of means testing and the one-sided approach to the availability of legal aid for individuals. I think that there should be a wider review of the issue, but I recognise and accept that there are cross-border implications.

There are differences between employment tribunals in Scotland and those elsewhere. For example, the proceedings of such tribunals are not recorded in Scotland. Additional legal involvement would put the cart before the horse.

The make-up of employment tribunals is based on individual circumstances and takes account of practical involvement in the workplace. The tribunals comprise people with some experience. A legal mind chairs the tribunal, and is joined by someone from industry and a trade union representative.

The current balance of solicitor involvement runs at 21 per cent on each side of an argument. We do not need more solicitors to become involved in issues such as this—issues that can affect badly the interests of small businesses, among others.

**The Presiding Officer:** I will give Mr Wallace 30 seconds to reply.

16:59

**The Deputy First Minister and Minister for Justice (Mr Jim Wallace):** Obviously, I want the regulations to go through. They represent a significant extension of the provision of legal advice and assistance in Scotland. As a result of the affirmative orders, people who attend employment tribunals in which a case is arguable and in which it is reasonable that the legal aid board should grant assistance by way of representation—because a case is complex or the individual would have difficulty presenting it—will receive such assistance.

While that is a significant extension of the provision of legal advice in Scotland and helps us to become compliant with the provisions of the European convention on human rights, it is also worth doing in its own right.

## Decision Time

17:00

**The Presiding Officer (Sir David Steel):** There are nine questions to put to the chamber.

The first question is, that amendment S1M-1461.2, in the name of Sarah Boyack, which seeks to amend motion S1M-1461, in the name of Bruce Crawford, on transport, be agreed to. Are we agreed?

**Members:** No.

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

**FOR**

Aitken, Bill (Glasgow) (Con)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Fergusson, Alex (South of Scotland) (Con)  
 Finnie, Ross (West of Scotland) (LD)  
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)  
 Gallie, Phil (South of Scotland) (Con)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Harding, Mr Keith (Mid Scotland and Fife) (Con)  
 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)  
 McLeish, Henry (Central Fife) (Lab)  
 McLetchie, David (Lothians) (Con)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)

McNulty, Des (Clydebank and Milngavie) (Lab)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, Mr John (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Scott, Tavish (Shetland) (LD)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Iain (North-East Fife) (LD)  
 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)  
 Wallace, Ben (North-East Scotland) (Con)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)  
 Young, John (West of Scotland) (Con)

**AGAINST**

Adam, Brian (North-East Scotland) (SNP)  
 Campbell, Colin (West of Scotland) (SNP)  
 Canavan, Dennis (Falkirk West)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Elder, Dorothy-Grace (Glasgow) (SNP)  
 Ewing, Dr Winnie (Highlands and Islands) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 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)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McLeod, Fiona (West of Scotland) (SNP)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Quinan, Mr Lloyd (West of Scotland) (SNP)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Salmond, Mr Alex (Banff and Buchan) (SNP)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

**The Presiding Officer:** The result of the division is: For 78, Against 31, Abstentions 0.

*Amendment agreed to.*

**The Presiding Officer:** The second question is, that motion S1M-1461, in the name of Bruce Crawford, on transport, as amended, be agreed to.

Are we agreed?

**Members: No.**

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

**FOR**

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)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Fergusson, Alex (South of Scotland) (Con)  
 Finnie, Ross (West of Scotland) (LD)  
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)  
 Gallie, Phil (South of Scotland) (Con)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Harding, Mr Keith (Mid Scotland and Fife) (Con)  
 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, Etrick 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)  
 McLeish, Henry (Central Fife) (Lab)  
 McLetchie, David (Lothians) (Con)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, Mr John (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)

Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Scott, Tavish (Shetland) (LD)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Iain (North-East Fife) (LD)  
 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)  
 Wallace, Ben (North-East Scotland) (Con)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)  
 Young, John (West of Scotland) (Con)

**AGAINST**

Adam, Brian (North-East Scotland) (SNP)  
 Campbell, Colin (West of Scotland) (SNP)  
 Canavan, Dennis (Falkirk West)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Elder, Dorothy-Grace (Glasgow) (SNP)  
 Ewing, Dr Winnie (Highlands and Islands) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 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)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McLeod, Fiona (West of Scotland) (SNP)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Quinan, Mr Lloyd (West of Scotland) (SNP)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Salmond, Mr Alex (Banff and Buchan) (SNP)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

**The Presiding Officer:** The result of the division is: For 79, Against 31, Abstentions 0.

*Motion, as amended, agreed to.*

*Resolved,*

That the Parliament notes the progress being made by the Scottish Executive to build a sustainable, effective and integrated transport system which provides genuine choice and delivers a safe, accessible and expanding Scottish rail system as an integral part of the GB rail network.

**The Presiding Officer:** The third question is, that amendment S1M-1453.1, in the name of Malcolm Chisholm, which seeks to amend motion S1M-1453, in the name of Nicola Sturgeon, on health and community care, be agreed to. Are we agreed?

**Members: No.**

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

**FOR**

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 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)  
 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)  
 McLeish, Henry (Central Fife) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, Mr John (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, Tavish (Shetland) (LD)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Iain (North-East Fife) (LD)  
 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)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

**AGAINST**

Adam, Brian (North-East Scotland) (SNP)

Aitken, Bill (Glasgow) (Con)  
 Campbell, Colin (West of Scotland) (SNP)  
 Canavan, Dennis (Falkirk West)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Elder, Dorothy-Grace (Glasgow) (SNP)  
 Ewing, Dr Winnie (Highlands and Islands) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fergusson, Alex (South of Scotland) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Gibson, Mr Kenneth (Glasgow) (SNP)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Grahame, Christine (South of Scotland) (SNP)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Harding, Mr Keith (Mid Scotland and Fife) (Con)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Johnston, Nick (Mid Scotland and Fife) (Con)  
 Johnstone, Alex (North-East Scotland) (Con)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McLeod, Fiona (West of Scotland) (SNP)  
 McLetchie, David (Lothians) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Quinan, Mr Lloyd (West of Scotland) (SNP)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Salmond, Mr Alex (Banff and Buchan) (SNP)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Wallace, Ben (North-East Scotland) (Con)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)  
 Young, John (West of Scotland) (Con)

**The Presiding Officer:** The result of the division is: For 63, Against 47, Abstentions 0.

*Amendment agreed to.*

**The Presiding Officer:** The fourth question is, that amendment S1M-1453.2, in the name of Mary Scanlon, which seeks to amend motion S1M-1453, in the name of Nicola Sturgeon, on health and community care, be agreed to. Are we agreed?

**Members:** No.

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

**FOR**

Adam, Brian (North-East Scotland) (SNP)  
 Aitken, Bill (Glasgow) (Con)  
 Campbell, Colin (West of Scotland) (SNP)  
 Canavan, Dennis (Falkirk West)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Elder, Dorothy-Grace (Glasgow) (SNP)  
 Ewing, Dr Winnie (Highlands and Islands) (SNP)

Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fergusson, Alex (South of Scotland) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Gibson, Mr Kenneth (Glasgow) (SNP)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Grahame, Christine (South of Scotland) (SNP)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Harding, Mr Keith (Mid Scotland and Fife) (Con)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Johnston, Nick (Mid Scotland and Fife) (Con)  
 Johnstone, Alex (North-East Scotland) (Con)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McLeod, Fiona (West of Scotland) (SNP)  
 McLetchie, David (Lothians) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Quinan, Mr Lloyd (West of Scotland) (SNP)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Salmond, Mr Alex (Banff and Buchan) (SNP)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Wallace, Ben (North-East Scotland) (Con)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)  
 Young, John (West of Scotland) (Con)

#### AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 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, Etrick and Lauderdale) (LD)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lyon, George (Argyll and Bute) (LD)  
 Macdonald, Lewis (Aberdeen Central) (Lab)

Macintosh, Mr Kenneth (Eastwood) (Lab)  
 MacLean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 McAllion, Mr John (Dundee East) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McLeish, Henry (Central Fife) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, Mr John (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, Tavish (Shetland) (LD)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Iain (North-East Fife) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

**The Presiding Officer:** The result of the division is: For 47, Against 62, Abstentions 0.

*Amendment disagreed to.*

**The Presiding Officer:** The fifth question is, that motion S1M-1453, in the name of Nicola Sturgeon, on health and community care, as amended, be agreed to. Are we agreed?

**Members:** No.

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

#### FOR

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 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, Etrick and Lauderdale) (LD)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lyon, George (Argyll and Bute) (LD)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 MacLean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 McAllion, Mr John (Dundee East) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McLeish, Henry (Central Fife) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, Mr John (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, Tavish (Shetland) (LD)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Iain (North-East Fife) (LD)  
 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)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### AGAINST

Aitken, Bill (Glasgow) (Con)  
 Canavan, Dennis (Falkirk West)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fergusson, Alex (South of Scotland) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Harding, Mr Keith (Mid Scotland and Fife) (Con)  
 Johnston, Nick (Mid Scotland and Fife) (Con)  
 Johnstone, Alex (North-East Scotland) (Con)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McLetchie, David (Lothians) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Wallace, Ben (North-East Scotland) (Con)  
 Young, John (West of Scotland) (Con)

#### ABSTENTIONS

Adam, Brian (North-East Scotland) (SNP)  
 Campbell, Colin (West of Scotland) (SNP)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Elder, Dorothy-Grace (Glasgow) (SNP)  
 Ewing, Dr Winnie (Highlands and Islands) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)

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)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McLeod, Fiona (West of Scotland) (SNP)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Quinan, Mr Lloyd (West of Scotland) (SNP)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Salmond, Mr Alex (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

**The Presiding Officer:** The result of the division is: For 63, Against 18, Abstentions 29.

*Motion, as amended, agreed to.*

*Resolved,*

That the Parliament notes the fact that the NHS in Scotland is treating more patients than ever before and welcomes the fact that funding for the NHS in Scotland is being increased by record amounts over the period 2000-2004, and looks forward to further modernisation and change in the interests of patients.

**The Presiding Officer:** The sixth question is, that motion S1M-1462, in the name of Tom McCabe, on committee restructuring, be agreed to. Are we agreed?

**Members:** No.

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

#### FOR

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)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Fergusson, Patricia (Glasgow Maryhill) (Lab)  
 Fergusson, Alex (South of Scotland) (Con)  
 Finnie, Ross (West of Scotland) (LD)  
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)  
 Gallie, Phil (South of Scotland) (Con)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Harding, Mr Keith (Mid Scotland and Fife) (Con)  
 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)  
 McLeish, Henry (Central Fife) (Lab)  
 McLetchie, David (Lothians) (Con)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, Mr John (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 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, Iain (North-East Fife) (LD)  
 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)  
 Wallace, Ben (North-East Scotland) (Con)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)  
 Young, John (West of Scotland) (Con)

#### AGAINST

Adam, Brian (North-East Scotland) (SNP)  
 Campbell, Colin (West of Scotland) (SNP)  
 Canavan, Dennis (Falkirk West)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Elder, Dorothy-Grace (Glasgow) (SNP)  
 Ewing, Dr Winnie (Highlands and Islands) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Gibson, Mr Kenneth (Glasgow) (SNP)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grahame, Christine (South of Scotland) (SNP)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)

McGugan, Irene (North-East Scotland) (SNP)  
 McLeod, Fiona (West of Scotland) (SNP)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Quinan, Mr Lloyd (West of Scotland) (SNP)  
 Radcliffe, Nora (Gordon) (LD)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Salmond, Mr Alex (Banff and Buchan) (SNP)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

#### ABSTENTIONS

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

**The Presiding Officer:** The result of the division is: For 75, Against 34, Abstentions 1.

#### *Motion agreed to.*

That the Parliament agrees that resolution of the Parliament S1M-37, agreed on 8 June 1999, shall be amended with effect from 8 January 2001 as follows—

Name of Committee: European

Remit: Unchanged

Maximum number of members: 9

Name of Committee: Equal Opportunities

Remit: Unchanged

Maximum number of members: 9

Name of Committee: Finance

Remit: Unchanged

Maximum number of members: 7

Name of Committee: Audit

Remit: Unchanged

Maximum number of members: 7

Name of Committee: Health and Community Care

Remit: Unchanged

Maximum number of members: 9

Name of Committee: Justice and Home Affairs be renamed Justice I

Remit: to consider and report on matters relating to the administration of civil and criminal justice, the reform of the civil and criminal law and such other matters as fall within the responsibility of the Minister for Justice

Maximum number of members: 7

Name of Committee: New Committee to be established and named Justice II

Remit: to consider and report on matters relating to the administration of civil and criminal justice, the reform of the civil and criminal law and such other matters as fall within the responsibility of the Minister for Justice

Maximum number of members: 7

Name of Committee: Education, Culture and Sport

Remit: to consider and report on matters relating

to school and pre-school education which fall within the responsibility of the Minister for Education, Europe and External Affairs; and on matters relating to the arts, culture and sport which fall within the responsibility of the Minister for Environment, Sport and Culture

Maximum number of members: 7

Name of Committee: Social Inclusion, Housing and Voluntary Sector be renamed Social Justice

Remit: to consider and report on matters relating to housing and the voluntary sector and such other related matters as fall within the responsibility of the Minister for Social Justice

Maximum number of members: 7

Name of Committee: Transport and the Environment

Remit: to consider and report on matters relating to transport which fall within the responsibility of the Minister for Transport; and matters relating to environment and natural heritage which fall within the responsibility of the Minister for Environment, Sport and Culture

Maximum number of members: 9

Name of Committee: Rural Affairs to be renamed Rural Development

Remit: to consider and report on matters relating to rural development, agriculture and fisheries and such other related matters as fall within the responsibility of the Minister for Rural Development

Maximum number of members: 11

Name of Committee: Local Government

Remit: to consider and report on matters relating to local government and which fall within the responsibility of the Minister for Finance and Local Government

Maximum number of members: 7

and calls upon the Procedures Committee to bring forward amendments to the standing orders to allow substitutes with voting rights to be nominated for each of the Committees.

**The Presiding Officer:** The seventh question is, that motion S1M-1467, in the name of Sarah Boyack, on Highlands and Islands shipping services, be agreed to.

*Motion agreed to.*

That the Parliament approves the draft Undertaking by the Scottish Ministers under section 2(1) of the Highlands and Islands Shipping Services Act 1960.

**The Presiding Officer:** The eighth question is, that motion S1M-1458, in the name of Tom McCabe, on the approval of statutory instruments, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** I hope that members realise that the motion is to approve all the statutory instruments en bloc.

**Phil Gallie (South of Scotland) (Con):** Tough.

**The Presiding Officer:** Order. 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)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Campbell, Colin (West of Scotland) (SNP)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ewing, Dr Winnie (Highlands and Islands) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)  
 Gibson, Mr Kenneth (Glasgow) (SNP)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grahame, Christine (South of Scotland) (SNP)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 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)  
 Lyon, George (Argyll and Bute) (LD)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 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)  
 Marwick, Tricia (Mid Scotland and Fife) (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)  
 McLeish, Henry (Central Fife) (Lab)  
 McLeod, Fiona (West of Scotland) (SNP)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, Mr John (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Quinan, Mr Lloyd (West of Scotland) (SNP)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)

Russell, Michael (South of Scotland) (SNP)  
 Salmond, Mr Alex (Banff and Buchan) (SNP)  
 Scott, Tavish (Shetland) (LD)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Iain (North-East Fife) (LD)  
 Smith, Mrs Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### AGAINST

Aitken, Bill (Glasgow) (Con)  
 Canavan, Dennis (Falkirk West)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Harding, Mr Keith (Mid Scotland and Fife) (Con)  
 Harper, Robin (Lothians) (Green)  
 Johnstone, Alex (North-East Scotland) (Con)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McLetchie, David (Lothians) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Wallace, Ben (North-East Scotland) (Con)  
 Young, John (West of Scotland) (Con)

#### ABSTENTIONS

Elder, Dorothy-Grace (Glasgow) (SNP)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Neil, Alex (Central Scotland) (SNP)

**The Presiding Officer:** The result of the division is: For 87, Against 16, Abstentions 3.

*Motion agreed to.*

That the Parliament agrees that the following instruments be approved—

the draft Producer Responsibility Obligations (Packaging Waste) Amendment (Scotland) Regulations 2000;

the draft Education (National Priorities) (Scotland) Order 2000;

the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No.5) (Scotland) Order 2000 (SSI 2000/409);

the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No.6) (Scotland) Order 2000 (SSI 2000/428); and

the draft Advice and Assistance (Assistance by Way of Representation) (Scotland) Amendment Regulations 2001.

**Robin Harper (Lothians) (Green):** On a point of order. I pressed my button at the same time as Mr Gallie did to make my one-line speech.

**The Presiding Officer:** I am afraid that there is no such thing as at the same time. One or the

other comes up on my screen.

**Robin Harper:** Well, just after he did.

**The Presiding Officer:** I am sorry, but we just ran out of time. That is not really a point of order.

**David McLetchie (Lothians) (Con):** On a point of order.

**The Presiding Officer:** Is this the same point of order?

**David McLetchie:** I just want to ask for guidance. When a member has indicated opposition to a specific statutory instrument, is it really appropriate that they should all be taken en bloc? Would not it be more appropriate for the issues to be separated?

**The Presiding Officer:** I shall ask the Parliamentary Bureau to consider that. At the moment, however, all I can say is that there was one motion and I had to put the question to the chamber. I take your point and it is something that we will look into.

The ninth question is, that motion S1M-1459, in the name of Tom McCabe, on the designation of lead committees, be agreed to. Are we agreed?

**Members:** Yes.

**The Presiding Officer:** Harmony at last.

*Motion agreed to.*

That the Parliament agrees the following designation of Lead Committee—

the Transport and the Environment Committee to consider the Financial Assistance for Environmental Purposes (Scotland) Order 2000 (SSI 2000/430)

**The Presiding Officer:** That concludes decision time.

**Alasdair Morgan (Galloway and Upper Nithsdale) (SNP):** On a point of order. In view of the passing of the motion on committee restructuring, will you reflect on rule 9.6.1 of the standing orders and tell us how you see it operating in relation to committees with precisely the same remit? It occurs to me that that rule is by no means clear.

**The Presiding Officer:** You have asked me to reflect on it and I shall do so.

The next item of business is a debate on Fergus Ewing's motion on shinty. As there is to be at least one speech in Gaelic, I shall now invite Mr Reid to take the chair.

## Shinty

**The Deputy Presiding Officer (Mr George Reid):** The final item of business today is a members' business debate on motion S1M-808, in the name of Fergus Ewing, on shinty. The debate will be concluded, without any question being put, after 30 minutes.

### *Motion debated,*

That the Parliament recognises the importance of shinty as Scotland's indigenous sport; notes that, whilst it is especially popular in the Highlands, it is played throughout Scotland; acknowledges that it makes a significant contribution to Scotland in terms of social inclusion, citizenship, healthy living, community development, volunteering and economic development; welcomes the comprehensive presentation made by the Camanachd Association to MSPs on 3 May 2000, and supports the Association's case for enhanced funding from sportscotland.

17:10

**Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** I would like to begin by thanking the business managers for this opportunity to put in the Scottish Parliament for the first time the case for shinty. I draw members' attention to the fact that the president and executive officer of the Camanachd Association, Donnie Grant and Alastair MacIntyre, are with us in the public gallery. They may be slightly embarrassed if I point out that Donnie was a member of the winning Kingussie team of 1961, while Alasdair was a member of the winning Kilmallie team of 1964. They are now involved in more sedentary pursuits.

Shinty's Gaelic name, *camanachd*, identifies it as perhaps the oldest organised team game in Europe that is still played by virtually its original rules. In 563, St Columba left Ireland for Scotland in the wake of a quarrel that is supposed to have broken out during a game of *camanachd*. Shinty was brought to Scotland in that year, if not before. It was first introduced to north-west Scotland along with Gaelic and Christianity, as Alasdair Morrison will know.

The heartland of the sport remains in the Highlands. However, it is played throughout Scotland, especially in universities. It is played in the central belt, where teams include Glasgow Mid Argyll, Tayforth and Edinburgh East Lothian, formerly Musselburgh. I believe that at least one parliamentary researcher plays regularly for the last-named team, when chosen. There is even a team in England, based in Staffordshire, known as The Highlanders. I thought that members might be interested in those facts.

Shinty is a vigorous game. It has been described

as a form of legalised mayhem. There are fewer rules in shinty than in hockey, but more rules than in politics. There is now an international fixture—first played in 1924, resumed in the 1970s and now staged annually—between Scotland and Ireland. It involves a hybrid of shinty and hurling. This year there was some controversy because finances were so straitened and cash was so limited that, at the end of the game, which unfortunately Scotland lost, the Scottish players were not permitted to swap jerseys with players from the Irish team—despite the fact that the game was watched by an audience of some 70,000 people.

Today I want to make the serious point that shinty has been underfunded for a long period. I argue—and I hope that this will be supported by all parties—that there are very strong reasons for providing shinty with a fairer financial deal. On Tuesday this week I had the pleasure of meeting Mr Robson and colleagues at sportscotland, with whom I discussed the financial support that shinty now receives. Since 1994, it has received a core support grant of only £15,000. That is a very small amount by any standards. Shinty receives some other support, but that is hypothecated to funding youth development officers and to other specific purposes.

Four years ago, the Camanachd Association—the governing body of the sport—was asked to submit a development strategy, which it did. As members can imagine, that took a great deal of time and effort. All sports governing bodies find reaching an agreement that is supported by all clubs and participants a slow and time-consuming process. It did, however, submit a detailed plan two years ago. The response from sportscotland's predecessor, the Scottish Sports Council, was that it did not have sufficient funds. The Scottish Sports Council said, "Go away and argue with the politicians that we should have more money. If we can get more, we will be able to give the Camanachd Association more."

Shinty has made great efforts to obtain commercial sponsorship. It has had long-standing and loyal support from Glenmorangie, with which I expect some members—probably all—will be familiar

**Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** Myself.

**Fergus Ewing:** I am not sure whether Mr Stone was trying to stand up or asking me to give way. I certainly would not disagree with Jamie Stone, if his intervention was a sedentary one. As well as Glenmorangie, Marine Harvest is a loyal commercial sponsor.

Commercial sponsorship will be slightly reduced this year. That strengthens the case for a fairer

deal from the state. Commercial sponsors are more interested in major headline sports such as football. That is where most of the commercial sponsorship money tends to go.

The sport minister announced at the beginning of November that sportscotland's budget would increase by no less than £6 million over the next three years. That is an increase of around 20 per cent. If its budget is being increased by 20 per cent—around £2 million a year—the request that the Camanachd Association has made in its development plan, of core funding of around £50,000 for each of the next four years, is relatively modest.

The Camanachd Association argues that for it to achieve its goals of youth development, coaching, club development, recruitment and training of volunteers, it needs the flexibility of having the funding that is sought in its plan. It specifies those goals in detail.

I do not want to look back in anger; I want to look forward in hope. I understand that the minister has taken a keen interest in this topic. I hope that he will pledge his personal support for shinty and that he will come to the Camanachd cup final this year. Core funding that has been pegged at £15,000 for the past six or seven years is not ideal, satisfactory or fair. I urge that all parties and all members who participate in this debate join me in urging the minister to use his persuasive abilities with Mr Robson to attract a fair deal for the sport of shinty from Mr Robson and his colleagues.

**The Deputy Presiding Officer:** Tha mi a-nis ag eubhach air Iain Fearchar Rothach, a tha a' dol a bhruidhinn 'sa Ghàidhlig. Tha goireasan èisdeachd air chothrom dha na buill.

*Following is the simultaneous interpretation:*

**The Deputy Presiding Officer:** I now call John Farquhar Munro, who will speak in Gaelic. Earphones are provided for those who require translation.

**Mgr Iain Rothach (Ros, an t-Eilean Sgitheanach agus Taobh an Iar Inbhir Nis) (LD):** Tha mi toilichte gu bheil deasbad againn mu dheidhinn camanachd anns a' Phàrlamaid againn ann a sheo, agus tha mi toilichte gum beil cothrom againn a bhith deasbad mu dheidhinn.

Tha grunn rudan a bu chòir dha sportscotland agus an Riaghaltas a dhèanamh anns a' bhad. Anns a' chiad àite, bu chòir dhaibh an £15,000 a tha iad a' toirt do Chomunn na Camanachd mar core grant, àrdachadh gu suim a tha reusanta agus ciallach. Bu chòir dhaibh gabhail cho luath's a ghabhas, ris an iarrtas a tha mun coinneamh anns a' phlana ùr a fhuair iad an t-seachdain seo fhèin bho Chomunn na Camanachd. Cha tug iad

sgillinn do Chomunn na Camanachd mu choinneamh a' phlana a chaidh a dhealbh roimhe seo—plana a chaidh a tharraing ri chèile a chionn is gu robh sportscotland ga iarraidh. Chan fhaod an aon rud tachairt a-rithist.

Chan eil an-dràsda aig Comunn na Camanachd ach dà choidse a tha a' frithealadh na dùthcha uile gu lèir. Dà choidse. Cia mheud a th' aig rugbaidh? Tòrr; agus iad uile a' draibheadh air feadh na dùthcha ann an four-by-fours mòra spaideil. Tha an dìthis a tha ag obair dhan chamanachd a' cur seachad fada cus ùine ann an càraichean a' frithealadh na dùthcha gu lèir. Tha feum aca air taic agus cobhair agus bu chòir dha sportscotland gluasad sa bhad agus taic airgid a chur ris an sgeama. Tha co-dhiù trì coidsichean mu thuath agus trì eile mu dheas. An-dràsda chan eil sportscotland ach a' cur £16,000 ri tuarasdail an dà choidse a tha sin. Sia mìle deug not uile gu lèir agus tha na h-ùghdarrasan ionadail agus LECs a' cur a' chòrr ris. Agus nam biodh barrachd choidsichean ann, cha bhiodh sgoil bheag anns an sgìre agam fhèin, mar eisimpleir as aonais camanachd, dìreach a chionn is gu bheil am poileasman a bha gan teagasg a' fàgail gu sgìre eile. Nuair dh'fhalbhas am poileasman, cha bhi camanachd aig a' chloinn idir. Feumaidh sinn barrachd choidsichean a chuidicheas na sgiobaidhean agus na sgoiltean.

Nuair a thig e gu bhith a' dèiligeadh ri goireasan, bu chòir dha sportscotland dèanamh cinnteach gu bheil na goireasan sin gu feum dha na coimhearsnachdan gu lèir. Tha mi a' cur fàilte air an naidheachd an t-seachdain seo gu bheil faisg air £5 millean ga chosg air goireasan ann an coimhearsnachdan. Dè an dearbhadh a th' aig sportscotland ge-tà gun gabh na goireasan sin cleachdadh airson camanachd. Dè an dearbhadh a tha iad ag iarraidh nuair a tha iad a' dèiligeadh ri plana gu bheil pàircean mòra gu leòr airson camanachd? Agus mur eil, dè feum a th' ann a bhith a' cosg an airgid orra ann an sgìrean camanachd mur eil na pàircean sin mòr gu leòr? Agus a thaobh nan academies airson ball coise, carson nach bi iad nan academies spòrs airson coimhearsnachdan gu lèir, seach dìreach sgiobaidhean ball-coise.

Tha feum cuideachd air barrachd raointean far am faigh daoine cluich fad na bliadhna—all-weather pitches mar a chanas sinn. Bheireadh sin an cothrom do chloinn a bhith a' cluich fad a' gheamhraidh agus iad an-dràsda air an glasadh le droch pàircean is cion ghoireasan.

Tha sinn a' cluinntinn mòran bho sportscotland mun fheum a th' ann a bhith toirt air clann na dùthcha a bhith a' gabhail spòrs. Uill, ciamar a thèid aca air a bhith a' gabhail pàirt ann an camanachd mur eil na tidsearan air an trèanadh anns a' gheama? Bu chòir do sportscotland agus

an Riaghaltas a dhèanamh cinnteach gu bheil camanachd—.

*Following is the simultaneous interpretation:*

17:18

**Mr John Munro (Ross, Skye and Inverness West) (LD):** I am grateful that we have the opportunity to debate this matter.

Sportscotland and the Executive should take several measures as an immediate priority. They should increase the £15,000 that they give as a core grant to the shinty society, Comunn na Camanachd, to a sum that is reasonable and sensible. They should accept as soon as possible the request that is before them in the new plan that they received this week from Comunn na Camanachd. They did not give a penny to Comunn na Camanachd in respect of the plan that it prepared previously. That plan was compiled because sportscotland wanted it. That must not be allowed to happen again.

Comunn na Camanachd has only two coaches, who look after the whole country. How many rugby coaches are there? Quite a lot—and they all drive about the country in their big posh four-by-fours. The two shinty coaches spend far too much time in cars serving the whole country; they need support and sportscotland should act immediately to give financial assistance to a scheme that would allow three coaches to serve the northern part of the country and another three to serve the south. At the moment, sportscotland contributes only £16,000 towards the salaries of the two coaches, and local authorities and local enterprise companies make up the rest.

For example, if there were more coaches, a small school in my area would not have to miss out on shinty. The local policeman who currently coaches the pupils is being moved to another area; when that happens, there will be no more shinty for the children. There must be more coaches to help the teams and the schools.

Sportscotland must also ensure that any facilities assist the entire community. I welcome this week's news that nearly £5 million will be spent on community facilities. However, what evidence does sportscotland have that such facilities will benefit shinty?

Furthermore, what evidence does it require when dealing with a development plan for enough big parks to accommodate shinty? If there are no facilities, what is the good of spending money on them in shinty-playing areas if the parks are not going to be big enough?

Furthermore, why can there not be sports academies for the entire community instead of simply for football teams? We also need more all-

weather pitches to enable people to play the whole year round. That would give children the opportunity to play through the winter, whereas they are currently restricted by poor playing areas and a lack of facilities.

We hear a lot from sportscotland about the need to ensure that children in this country are encouraged to play sport. How can they participate in shinty if their teachers are not trained to teach them how to play it?

**Iar Mhinistear airson Iomairt, Foghlam Leantainneach agus Gàidhlig (Mgr Alasdair Moireasdan):** Tha mi uamhasach taingeil gun tug am ball cothrom dhomh tighinn a-staigh. Tha e a' bruidhinn mu dheidhinn a bhith a' leudachadh na cothroman airson an spòrs a chleachdadh. An aontaicheadh Maighstir Rothach rium gu bheil gu dearbha sin mu thràth a' tachairt air feadh na Gàidhealtachd gu h-àraidh leis an adhartas a thathar a' dèanamh leis na fèisean, agus barrachd chloinne a-nis a' dol an sàs anns na fèisean?

*Following is the simultaneous interpretation:*

**The Deputy Minister for Enterprise, Lifelong Learning and Gaelic (Mr Alasdair Morrison):** I am most grateful to the member for giving me the opportunity to intervene. He is talking about developing opportunities to use the sport. Does Mr Munro agree that that is already happening throughout the Highlands, particularly in relation to progress with the fèisean movement, with more and more children now involved in fèisean?

**Mgr Rothach:** Tha. Tha mi ag aontachadh leis an rud a tha Alasdair Moireasdan a' cantainn. Mar as trice, ma tha fèis a' dol air adhart, bitheas a' cho-fharpais eadar sgioban camanachd, agus tha fios agam bho chionn beagan bhliadhnaichean air ais, gun deach feadhainn dhe na luchd-teagaisg a-mach chun na h-eileanan agus thòisich camanachd ann an sin a-rithist, agus tha mi a' tuigsinn gu bheil e beò, slàn anns na h-àitean sin agus tha mi toilichte sin a chluinntinn.

Bu chòir dha camanachd a bhith na phàirt dhen churriculum aig an luchd-teagaisg fhèin, agus mar phàirt de chlasaichean PE. Ach mura tèid na tidsearan a thrèanadh chan urrainn dhaibh an geam a theagasg. A thaobh nan sports co-ordinators cuideachd, dè mar tha sinn a' cumail sùil air sin? Co tha a' dearbhadh gu bheil iad a' teagasg camanachd far a bheil feum air?

Agus mu dheireadh, bu chòir dha sportscotland gabhail ris gur e geama eadar-nàiseanta a tha Alba agus Eirinn a' cluich aig camanachd. Mur a gabh, chan eil sin ach a' dearbhadh cho aineolach 's a tha daoine air eachdraidh na dùthcha seo agus na ceanglan cudromach a tha sinn a' leasachadh le Eirinn. Cha bu chòir dhuinn a-rithist leigeil le sgioba a' riochdachadh Alba a dhol a-null thairis le cho beag goireasan 's a chaidh fhàgail

aig sgioba chamanachd na h-Alba air a bhliadhna seo.

Tha am ministear againn airson spòrs, Ailean Wilson; tha àrd oifigear ùr airson sportscotland, Ian Robson. Tha mise an dòchas gun tèid aca le chèile air cothrom na Fèinne a thoirt dhan chamanachd agus do Chomunn na Camanachd, dha na boireannaich a tha an-diugh a' cluich a' gheama agus gu h-àraidh dhan chloinn. Tha mòran aig camanachd ri thairgse do sgìrean dùthchail agus do bailtean mòra na dùthcha agus tha mòran daoine an sàs anns a' gheama a tha a' cur gu mòr ri cultar, slàinte agus foghlam na dùthcha tron gheama. Ach tha na sgiobaidhean an còmhnaidh a' strì ri cion airgid, dìth ghoireasan agus cosgaisean siubhail.

Chan eil Comunn na Camanachd ag iarraidh anns a' phlana ùr aca ach timcheall air £50,000 anns gach bliadhna son grunn bhliadhnaichean. Tha an Riaghaltas agus an crannchur nàiseanta an-dràsda a' dòrtadh còrr is £100 millean a-steach do spòrs anns an dùthaich seo. Tha fhios gun tèid againn air an airgead sin a lorg airson geama a tha cho cudromach na phàirt de chultar na h-Alba a chumail beò agus a leasachadh.

Tha mise deònach mo làn thaic a thoirt dha na molaidhean a tha mar coinneamh an-diugh. Mòran taing.

*Following is the simultaneous interpretation:*

**Mr Munro:** I agree with the minister. Quite often there are shinty competitions at fèisean. Several years ago, some tutors went out to the islands and encouraged the playing of shinty. I am glad to hear about those developments.

Shinty should be part of the curriculum and physical education classes, but if teachers are not trained, they cannot teach the game. Furthermore, how are we monitoring the situation with sports coordinators? Who checks that they are teaching shinty where there is a need for such teaching?

Finally, sportscotland should accept that the game that Scotland and Ireland play is international. If it does not do so, that will only prove how ignorant people are about this country's history and the important developmental links that we are establishing with Ireland. We should not allow a side that is representing our country to go overseas with so few facilities as were available this year to our shinty side. I hope that the new minister, Allan Wilson, and the new chief executive of sportscotland, Ian Robson, will give every opportunity to shinty and Commun na Camanachd; to the ladies who now play this game; and especially to children. Shinty has much to offer Scotland's rural areas and major cities and many who are involved in the game contribute to culture, health and education through it, but the teams always struggle through lack of funding,

lack of facilities and travel costs.

Comunn na Camanachd has asked for only about £50,000 per annum for a few years. The Government and the lottery currently plough £100 million into sport. Out of that £100 million, we can surely find that money to keep alive and develop a game that is such an important part of our Scottish culture. I fully support the motion.

17:25

**Mr Brian Monteith (Mid Scotland and Fife) (Con):** I welcome this debate and I am happy to lend my support to Fergus Ewing. I appreciate the sentiments that are expressed in his motion, although I notice a slight difference in emphasis from the briefing that was so well prepared by the Camanachd Association regarding the difficulties that it is experiencing. The association talks about shinty being the only indigenous team sport that is confined to Scotland, whereas Fergus Ewing's motion calls shinty "Scotland's indigenous sport". I am sure that he does not intend to be guilty of Gaelic cultural imperialism, but knows that sports such as golf, cricket and curling can equally lay claim to being Scottish indigenous sports.

Sportscotland has a difficult job. I am going to play good cop/bad cop with Jamie McGrigor—as members might guess, Jamie will be the good cop—and I shall put the issue in context. Fergus Ewing has put forward a good argument, but it is important to understand the context, which would emphasize his case. From the information that is available to me—as I was born and bred in Porty, it is not a sport that I enjoy playing, although that chance may yet come—I gather that there are some 40 shinty clubs. That should be compared with the fact that there are some 34 women's rugby teams and 99 cricket clubs in Scotland. I do not say that to demean shinty in any way; I am simply trying to put the issue into the context of the differences in the scales of sports that sportscotland has to deal with when making decisions about giving support.

Fergus Ewing makes his points well. It is wrong that a sport such as shinty, which is indigenous to Scotland, is played by many people and—in many ways differently from other sports—is part of the social fabric of many rural communities, thereby taking on a greater importance than other sports that are played by more people, should have enjoyed static funding of £15,000 since 1994. If the argument is that the sport should bid for overall funding to be increased before more can be allocated, sportscotland has not been doing its job. It is sportscotland's responsibility to determine the priorities for the money that it receives, not to allow funding to become static.

I wish the Camanachd Association well and I

wish Fergus Ewing well in pursuing this issue. It is important that their claims are heard. I hope that the funding for shinty can be increased from £15,000 and that someday not only shall I be able to play, but that I shall be able to go with Allan Wilson to the Camanachd cup final.

17:29

**Maureen Macmillan (Highlands and Islands) (Lab):** I thank Fergus Ewing for securing this debate and I fully support what he has said. I also appreciated John Farquhar Munro's speech, which was wide ranging.

I declare an interest in the issue as a supporter of Oban Camanachd—I always have been and always will be. I was brought up practically in Mossfield Park, as my father was a great shinty fan. I remember being taken there in my pushchair as a small child.

**Mr Monteith:** When?

**Maureen Macmillan:** Ah, that would be telling.

Oban Camanachd always had the best dancers in the town and all the girls wanted to go out with the boys who played for Camanachd. I am not going to say whether I did.

**Mr Stone:** Oh, so coy.

**Maureen Macmillan:** Shinty was and is important in Oban. It is important in other areas of Scotland, such as Badenoch and Strathspey, the Kyles of Bute and Skye. In other areas, the game has died back because of a lack of funding and coaching of young people. What John Munro said about the desperate need for funding for coaching is true.

My brother played shinty for Glasgow Kelvin. The last time I visited the Camanachd Association, the people there gave me a book on the history of shinty. I was terribly pleased to see his photograph in that book. I passed it on to him and he was delighted to see himself again as a young man.

In the summer, I was at the Marine Harvest finals at An Aird, at which the people who would represent Scotland were being chosen. That was the first time that I had seen women's shinty—I would rather call it women's shinty than ladies' shinty because the two teams that were playing were tough. I was glad to see how well the Argyll women did.

Women's football and women's rugby have been mentioned and I think that there is a great future for women's shinty. It is a skilful game. The women's stick work was skilful and, boy, could they run. *[Interruption.]* I ask Jamie Stone to stop laughing. I will see him later.

The sport desperately needs funding. The

Camanachd Association work their hearts out for the game and need the support. Shinty is as much a part of Highland culture as Gaelic and music. I support the motion.

17:31

**George Lyon (Argyll and Bute) (LD):** I congratulate Fergus Ewing on securing this debate on shinty. I welcome the balanced approach that he took to the debate.

I thank the minister for meeting me, Donnie Grant and Duncan Cameron on Tuesday to discuss the issue of funding. I thank him for giving up some of his valuable time to listen and learn. I hope that some action will come out of that meeting.

It is disingenuous not to recognise the substantial amount of investment that has taken place. Bute Shinty Club and Kyles Athletic are good examples, although I should declare an interest as most of my relations play for Bute and two of my cousins play for Kyles—indeed, one of them plays for Scotland. In the past four or five years, Bute has got a new pitch and a new dressing room and Kyles Athletic's pitch has been improved. There has been investment but, on Tuesday, the Camanachd Association made the case to the minister for core funding. The game has grown and investment has been made in pitches and new players, but we need core funding if the game is to develop further. There are 3,800 players of shinty. It is vital that we have a support system that can ensure that the game flourishes and grows in areas in which it has died away.

17:33

**Mr Duncan Hamilton (Highlands and Islands) (SNP):** I am delighted to support Fergus Ewing's motion. I support the idea of there being a vital cultural exchange aspect to shinty, as other members said. If Scotland wants to be an outward-looking country, that kind of exchange should be promoted. I should declare an interest—with a girlfriend from deepest Cork, I am used to competition between Scotland and Ireland and the shinty-hurling match is only marginally more physical.

Funding remains crucial. Fergus Ewing, not content with making his own speech, has added something to mine. He has asked me to make the point that the case for securing core funding is bolstered by the fact that around 15 per cent of the 3,800 shinty players are women and that the involvement of both sexes is one of the criteria that sportscotland considers when allocating funding.

I want to talk about how shinty competes with

other sports. It does not exist in a vacuum. The challenge is that the same young people who might get involved in shinty might also get involved in football, rugby, cricket or the other sexy, glossy sports that get promotion from television companies and that are heavily advertised. Core funding is important so that we can do something about the image of shinty to enable it to be accessible not just to my generation, but to an even younger generation, if that is possible. Image in this modern, instant world is vital.

I support the remarks of John Farquhar Munro—indeed, those of the interpreter—who said that getting shinty into the school curriculum is vital for the throughput of players in the future. That was an important point. Along with action on the points made by Fergus Ewing on core funding, such a measure would take us to a new level.

17:35

**Mr Jamie McGrigor (Highlands and Islands) (Con):** I am a native of Argyll and I am delighted to contribute to this debate on shinty, which is certainly the most important game to the people who live there and in other parts of the Highlands and Islands, particularly in and around Fort William, Newtonmore and Kingussie. My local team is Glen Orchy and there is another team nearby, in Inveraray. Many years ago, Inveraray was considered to be the best team in Scotland. The tradition of shinty is strong in that part of Scotland and is part of the social network. Many followers of the game turn up to support the local teams.

Shinty can be played in all weathers, which is essential in an area of Scotland where the rainfall is more than 100in. The game epitomises hard fighting spirit and sportsmanship. Sportscotland should review the criteria by which it judges sports and should give shinty more recognition. I believe that it should consider a significant increase on the rather paltry £15,000 of funding that the sport receives at present.

Shinty has endured for a long time without much Government help. I feel that the Scottish Parliament must show its support for this uniquely Scottish game. If it does, it will convey to people in the Highlands and Islands the fact that they are receiving attention; any other action would have the reverse effect. I take my hat off to the current sponsors, including Glenmorangie and Marine Harvest. Their help is invaluable.

Sportscotland's budget is increasing by £6 million. I agree with Fergus Ewing, who said that £50,000 a year for shinty is a modest request. Shinty does a great deal for young people—at a time when we are all trying to find ways to give our youngsters hope—and provides an escape from

the drug culture.

Why does sportscotland recognise hockey as a key sport, but not shinty, which is a similar but better game, simply because it is insular? At least the big-name players and teams in shinty tend to be Scottish, which is more than can be said for some of Scotland's top football teams, whose top players are more likely to be from Croatia than from Scotland.

I agree with John Farquhar Munro that the teams struggle because of a lack of funding. The price of fuel in the Highlands has made things much worse—I am surprised that Fergus Ewing did not mention that.

I thank the Camanachd Association for its excellent briefing and ask the Scottish Executive to give shinty, this wonderful Scottish game, much more recognition and more funding. That would be greatly welcomed in the Highlands and Islands.

17:37

**Irene McGugan (North-East Scotland) (SNP):** The principal justification for increased funding for shinty is to acknowledge the part that it plays in communities, particularly in rural areas, where it exemplifies the partnership that can exist between sports clubs and the communities that they help to build and preserve.

Beaully shinty club is a good example of that. It suffered the closure of the local secondary school, from which many of its future players would undoubtedly have come. However, the club has survived, thanks to the efforts of the local community, and is thriving once again. That surely fits with the priorities of sportscotland and the Executive—social inclusion and community regeneration—not least because many small businesses rely on their local shinty teams, particularly on match days, when the visiting teams and their supporters come to town.

The Camanachd Association has put a great deal of work into development of the sport. I particularly commend its youth work. It is estimated that 1,500 schoolchildren now participate in first shinty. It would be an extremely regressive step if the association were unable to continue to employ its two full-time first shinty development workers. People are required to keep young people involved in the sport in the face of competition from more mainstream sports, such as football and rugby.

The Camanachd Association believes that it needs about £50,000 to implement its development programme, while continuing with the everyday running of the leagues and cups. It does not want to receive that money at the expense of other sports, but the dilemma is that

there is only so much to go round. The Camanachd Association feels that it has a better case than most, because of shinty's particular role in Scottish culture and identity. That on its own should be justification enough for obtaining funding to ensure not just the survival of shinty, but its development.

17:39

**The Deputy Minister for Sport and Culture (Allan Wilson):** I hope that members will not need a simultaneous interpretation of my speech, but who knows?

I congratulate Fergus Ewing on securing this debate. I am sure that we can settle our differences amicably and civilly, without resorting to the legalised mayhem to which he referred. He will recall that, when I replied to the debate on sport in November, I assured him that I would endeavour to meet the organisations that are involved in shinty. Earlier this week, George Lyon and I met the Camanachd Association and I have met sportscotland, whose chief executive has also met the Camanachd Association since the sport debate.

I do not want to become embroiled in the question of Gaelic cultural imperialism, but I recognise that shinty is an indigenous sport and that, as such, it has additional value as part of our heritage. However, what, in many ways, can be seen as its strength is also its weakness. The fact that it is valued as part of our heritage does not always lead to the best image for this fast and exciting game.

Shinty does not have the mass appeal enjoyed by other sports I could mention. However, I will readily listen to the needs and aspirations of those who are involved in it, as I did earlier this week. I am fully aware of the importance of shinty and am grateful for regular updates from my colleagues from the Highlands. In fact, only last week the minister with responsibility for the Highlands, Alasdair Morrison, was telling me about the revival of shinty in his native North Uist, where it is played regularly by up to 60 children. That revival, after 70 years, is down to the fèis movement, to which he and John Munro referred.

I also thank the Scotland Office, which last night facilitated a discussion with Government colleagues from the Republic of Ireland. Brian Wilson—Minister of State, Scotland Office—Alasdair Morrison and I discussed many aspects of the sporting links that exist with Ireland, and, in particular, matters relating to the shinty-hurling match, to which Fergus Ewing referred.

As Brian Monteith said, this debate, like many others in the gallery of the art of the possible, is about the scarcity and distribution of resources. I

sympathise with those who are involved in shinty who feel that their sport is underfunded. Shinty is not alone in that respect, nor is it the only sport whose core funding from sportscotland has remained the same over the past five years—the same applies to the core funding of all sports funded by sportscotland.

As has been recognised in the debate, considerably more than the £15,000 that has been mentioned goes into the sport. As George Lyon ably demonstrated, with reference to his constituency, the Camanachd Association has received a total of £500,000 for youth sport since 1991 and more than £500,000 from the lottery capital programme since 1995.

**Fergus Ewing:** We recognise that the lottery funds have made a substantial contribution, but does the minister agree that most of that money has gone into improving grounds and stands? Those grounds and stands are used by many sports other than shinty and, in many parts of the Highlands, they are a community resource. They also play a significant role in tourism through events such as Highland games. Lottery funds should be regarded as a contribution not to shinty alone, but to the culture and economy of the Highlands.

**Allan Wilson:** We will not disagree on that. However, Fergus Ewing will acknowledge the valuable contribution that lottery funds make to shinty, which must be taken into account in any calculation of the financial contribution that is made to the sport. Fergus Ewing acknowledged that we recently announced a major increase in Exchequer funding for sportscotland. Sportscotland has been asked to deploy additional resources in the key area of developing sport and physical education in primary schools. All sports, including shinty, benefit from sportscotland's generic development work, which includes the TOPs programmes in primary schools and the school sport co-ordinator programme. I make no commitment about extra money being made available specifically for shinty or any other sport.

**Mr Stone:** Before the minister moves on to his next point, I want to press him on commercial sponsorship. There have been several references to Glenmorangie, which is my home town whisky. Would not it be constructive for the Executive to encourage commercial sponsorship? I fully appreciate Fergus Ewing's argument—I take nothing away from what he said—but, if there were a co-ordinated approach, it might help the minister's budget. Before the minister replies, I must tell him that when one goes to the Camanachd cup, it is a taxi job.

**Allan Wilson:** I am anxious to ensure a greater commercial input into shinty and sport generally. We are involved in discussions with sportscotland

to develop a commercial strategy.

The annual hybrid shinty-hurling match between Scotland and the Republic of Ireland does not qualify for funding under either the major events or the talented athletes programmes, because shinty has no international federation under the auspices of which international competition could take place. Quite simply, shinty is not played in other countries. I say to Fergus Ewing that we are not literally taking the shirts off the backs of our shinty players. Apart from football and rugby, most sports, including table tennis, volleyball, hockey and basketball, require players to return their shirts.

However, I accept that the sport is frustrated at the fact that it does not qualify for the major events or the talented athletes funding programmes, because it lacks an international status and framework. At the same time, the hybrid match does not qualify for sportsmatch funding, because the match against the Republic of Ireland is not an international match. My officials have written to sportscotland for clarification on that, but I make no commitment.

**Mrs Margaret Ewing (Moray) (SNP):** What a surprise.

**Allan Wilson:** I advise Margaret Ewing that 19 of the 23 applications that shinty has made to the sportsmatch programme have been successful, securing £43,200 for the sport.

**Fergus Ewing:** That money goes to clubs, not to the international event.

**Allan Wilson:** I understand and accept that point—that is why I am seeking clarification.

I recognise that shinty does well in other respects. In particular, it receives good publicity from the BBC and from independent radio. As I know from my meetings with other sports associations, many sports that have more participants and regular international competitions would welcome shinty's profile.

I am happy that, at the most recent meeting between sportscotland and the Camanachd Association, sportscotland agreed to consider the association's new development plan. Sportscotland received the plan only recently and, until it has had time to consider and discuss it with the association, is unable to give any assurances on resourcing its implementation. However, I am confident that the association will receive a response when the two organisations next meet in January.

We have had a useful debate and I am pleased to be making progress on the matter by giving the Camanachd Association the opportunity to work with sportscotland. That will ensure that the progress achieved in the sport, to which the

association referred during our meeting earlier this week, is maintained.

*Meeting closed at 17:47.*

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