

# **MEETING OF THE PARLIAMENT**

Wednesday 2 May 2001  
(*Afternoon*)

Session 1

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## Scottish Parliament

*Wednesday 2 May 2001*

*(Afternoon)*

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

### Time for Reflection

**The Presiding Officer (Sir David Steel):** We welcome Stephen Kerr of the Church of Jesus Christ of Latter-day Saints to lead our time for reflection.

**President Stephen Kerr (Edinburgh Scotland Stake of the Church of Jesus Christ of Latter-day Saints):** Thank you.

I do not think that we can underestimate the value of the census just taken. I find the idea of counting every single person by name quite inspiring. It brings to mind the earnest enquiry of the psalmist.

"When I consider thy heavens, the work of thy fingers,  
the moon and the stars, which thou hast ordained;

What is man that thou art mindful of him? ...

Thou madest him to have dominion over the works of thy  
hands; thou hast put all things under his feet."

Who among us can say that there have not been times in our lives when we have wondered who we are and why we are here on earth? There are answers in the words of a child's song:

"I am a child of God,  
And he has sent me here.  
Has given me an earthly home  
With parents kind and dear.

Lead me, guide me, walk beside me,  
Help me find the way.  
Teach me all that I must do  
To live with him someday."

Today, I wish to testify to a God who declares to us that, in his sight,

"the worth of souls is great."

God is our heavenly father. We are his children. He knows us individually by name and we are brothers and sisters.

Says the Apostle Paul:

"The spirit itself beareth witness with our spirit, that we are the children of God: And if children, then heirs; heirs of God, and joint-heirs with Christ".

May God—our father in heaven—bless us all to dignify, respect and treat kindly every brother or sister that we see. In the name of Jesus Christ, Amen.

May I invite you to pray.

Dear Father in Heaven,

We thank thee for thy beloved and only begotten son, even Jesus Christ. We thank thee for his infinite and eternal sacrifice, for the atonement that hath been made for all mankind.

We ask thee to bless the individuals and families of our country. Bless every father and mother and child with love at home. We ask thee to bless the lonely and the sick and the despairing. Comfort those that mourn.

We ask thee to confirm to our spirits by thy spirit that we are indeed thine and that thou art there and also that thou art just; thou art merciful and kind forever.

We ask thee to bless our dear land with healing, love and unity, that we might embrace one another as brothers and sisters and celebrate our differences—of race or colour or creed or party—and became enriched through friendship and fellowship.

I ask thy blessing upon these men and women who are here to do the business of the people of Scotland, that they may be filled with a spirit of fairness, understanding and wisdom; that they may be blessed accordingly to their desires.

This I say in the name of Jesus Christ, Amen.

## Crime

**The Presiding Officer (Sir David Steel):** Our main item of business today is a debate on motion S1M-1890, in the name of Mr Jim Wallace, on the subject of crime, and two amendments to the motion.

14:35

**The Deputy First Minister and Minister for Justice (Mr Jim Wallace):** I welcome the opportunity that the debate affords us to set out our progress in, and plans for, reducing crime. The Scottish Executive is committed to working with the police and others to create a safer Scotland—a Scotland where people are safer and feel safer. We are delivering that commitment.

Figures published last week show that recorded crime in Scotland fell by 3 per cent between 1999 and 2000—that is good news. In partnership with the police and others, we are delivering. Some begrudge the fact that the latest crime figures are still above 1997 levels—we may hear about that during the debate. I hope that such comments are not to belittle the hard work of the police and others who have been helping to bring the figures down. Let me put those figures in the context of a bigger picture.

The number of recorded crimes in Scotland in 2000 was less than 1 per cent higher than the 10-year low in 1997, but 26 per cent lower than the peak 1991 figure; but of course the Conservative party was in office then. In contrast with the fall last year, crime in Scotland rose by an average 2 per cent a year between 1979 and 1996. Compared with 1999, reported crimes are down across most categories, including robbery, housebreaking, motor vehicle theft and crimes of indecency. I know that violent crime is of particular concern to many people, so I especially welcome the 3 per cent drop in serious assaults.

The recent safer Scotland anti-violence campaign was an outstanding example of what can be achieved when the police take a co-ordinated approach to making our streets safer. The figures show a significant fall in the number of crimes of violence in the last three months of 2000, compared to the same period in 1999. The number of cases involving the handling of an offensive weapon increased by 3 per cent between 1999 and 2000. That reflects the sustained efforts by the police to tackle the culture of violence. More people were found to have an offensive weapon in their possession and were charged accordingly. A sustained drive to reduce the carrying of knives is an essential part of our strategy against violence.

While recorded crime has fallen, the overall clear-up rate increased to 44 per cent in 2000. That figure is a post-war record and backs our investment in the latest equipment, such as DNA testing. By funding the latest crime-fighting equipment, we are helping the police to catch more criminals. The recent Scottish crime survey also suggests that Scotland is a country where people are safer and feel safer. Since 1993, those identifying crime as an extremely serious problem fell from 50 per cent to 28 per cent and those feeling unsafe walking alone in their area after dark fell from 39 per cent to 28 per cent. Between 1996 and 2000, public concern about crime fell across all the survey measures.

Last month, I published figures to show that Scotland's police forces are at record strength. I want to deal with some misleading reactions. We have announced an extra £166 million over baseline in overall police funding over the next three years: £24 million extra this year, £59 million extra next year and £83 million extra in 2003-04.

**Mr Kenneth Gibson (Glasgow) (SNP):** Is that before or after inflation is taken into account?

**Mr Wallace:** Those are actual sums, but Mr Gibson will recognise that they are prospective, and that we cannot take inflation into account when it has not yet happened. If rates of inflation continue at much the same level, those sums are a considerable amount of additional money in real terms.

The police budget is now almost £900 million. The largest component of that is net grant-aided expenditure—the amount that local authorities spend on the police—which this year is £787 million. That is a new record level. To enter into the spirit of Mr Gibson's question, police funding is 35 per cent higher in real terms than it was 10 years ago.

In our second programme for government, we said that we would provide resources to increase police numbers to an all-time high by 2002. As a result, there are now 15,149 police officers in Scotland—99 more than the previous record.

**Phil Gallie (South of Scotland) (Con):** The minister referred to—

**The Presiding Officer:** It is all right—you started a bit too soon and the microphone was not on.

**Phil Gallie:** I am sorry, Presiding Officer.

**The Presiding Officer:** Start again.

**Phil Gallie:** Given his reference to the 35 per cent increase in real terms since 1990, could the minister tell us what increase in real terms there has been since 1997?

**Mr Wallace:** Off the top of my head, I could not

give members the increase in real terms since 1997, but I am sure that Mr Gray will be able to give that figure when he winds up the debate. However, that sum is rising quite considerably and it would be begrudging not to acknowledge the additional resources that have been put into the police.

I should emphasise that the police themselves have supplied the figures. There are those who accuse the Scottish Executive of spinning, but spinning would be possible only if the arithmeticians had got it wrong, because each force supplies the figures and the Scottish Executive compiles them and adds them up. The indication from the police themselves is that there are further increases to come.

**Tommy Sheridan (Glasgow) (SSP):** Would the minister care to comment on the point that the Scottish Police Federation made: that the number of employees may have risen, but the number of front-line police officers has not?

**Mr Wallace:** Support staff numbers have increased by around 5 per cent since 1997. That has freed up more officers for front-line duties. Of course, there is an issue surrounding how many police officers are literally on the beat, but we are comparing like with like. We are comparing the figures on 31 March 2001 with the figures that reached the previous peak on 31 December 1997, so we are comparing like with like.

I would not want to detract in any way from those who are not necessarily on the front line, patrolling the streets. Much of the work that they are doing is intelligence gathering, or other vital police work, which is essential if those on the beat are to do a good job. Likewise, those on the beat are required to implement much of the work that is done by those who work away from the front line. To pretend that police are somehow not to be counted if their feet are not tramping a beat is not doing a service to the valuable work that is done by police officers in many different roles.

**Ms Margo MacDonald (Lothians) (SNP):** Will Mr Wallace give way?

**Mr Wallace:** I would like to make some progress.

The precise numbers will fluctuate, but the Executive has committed the funding to maintain those higher levels. It is a matter for the police authorities to set appropriate budgets and for chief constables to determine their operational needs within the resources available to them. As I indicated, the number of support staff have also increased by around 5 per cent since 1997, which has freed up officers for front-line duties. Measures such as the £8.4 million capital investment in a new high-tech centre for Lothian and Borders police will free up the equivalent of 89

full-time police officers for front-line duties. Capital investment, as well as additional staff numbers, will free up more police for front-line duties.

Policing is about leadership, strategy and direction, not simply about money and technology. At local level, chief constables embody that leadership, but it falls to us to provide a national perspective and a cohesive direction to Scotland's police. That is why I am pleased to announce a range of targets for the Scottish police to achieve by the year 2003-04. The targets have been arrived at following detailed consultation with the Association of Chief Police Officers in Scotland and with the conveners of the police authorities. They do not interfere in local planning and policing, and they complement such local arrangements by highlighting areas of national concern. They also encompass existing national targets for road policing and drug enforcement.

We have deliberately set a long time scale, until 2003-04, to ensure that the best local solutions can be devised. We are setting targets in four areas: road policing, drug enforcement, housebreaking and racist incidents.

As far as road safety is concerned, we want an overall reduction of 18 per cent in the number of people killed or seriously injured in road accidents, including a 25 per cent reduction in the number of children killed or seriously injured, and a 4 per cent reduction in the slight casualty rate.

For drugs, we want a 25 per cent increase in the number of drug seizures and a 25 per cent increase in the detection of offences for supply or intent to supply.

**Ms MacDonald:** Will Mr Wallace give way?

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

**Mr Wallace:** I shall give way to Mr Raffan.

**Mr Raffan:** Although I welcome the minister's target, I have no doubt that he would agree that even a 25 per cent increase in seizures will probably represent less than 4 per cent of the £8.5 billion trade in illegal drugs in the UK. Does he agree that we have a major problem on our hands?

**Mr Wallace:** I do not think that anyone is diminishing or making light of the problem. The fact that there is a target is indicative of the high priority that is being accorded to the matter. The figures encompass decisions that have already been made. I do not pretend that those measures are going to resolve the drug problem. We can focus on other aspects of it and I will say more about drugs later.

**Ms MacDonald:** I will press Mr Wallace on seizures. Focusing on quality, not quantity, is likely

to show the best return in tackling the damage that drug misuse and abuse does to society. We should consider not only the number of people lifted or tonnes of drugs lifted, but which drugs are lifted, by whom and in what circumstances.

**Mr Wallace:** It is fair to say that much of the work of the Scottish Drug Enforcement Agency is directed at intelligence gathering, to ensure that efforts are focused on getting the Mr Bigs and making an impact that will hurt—in a big way—those who are responsible for the misery that is brought about by dealing in drugs.

We seek a 10 per cent reduction in housebreaking. In addition, we want to see an increase of 10 per cent in the detection rate for racist incidents.

The targets are challenging, but they do not encompass everything. We are continuing to work with ACPOS on targets for violence and public safety. I will make a further announcement on those targets as soon as possible.

The targets also involve commitments from local and central Government. For example, reducing serious road accidents is also about engineering and education; combating housebreaking may involve local authorities or other agencies in providing better security. Defeating crime is a co-operative venture, but I hope that the national targets give a clear lead about the Executive's priorities for the next three years.

The Scottish Prison Service also has an important role to play in making Scotland safer. Its vision is one of correctional excellence and it aims to help reduce reoffending after release. The service is also working to produce better value for money for taxpayers from the public services for which they pay. To achieve results in those areas, the SPS board is driving a major change agenda. Understandably, many staff find the changes challenging.

The chief executive has given three important commitments to staff. First, so long as the SPS continues to move steadily and purposefully in meeting the competitive pressures, the intention is that there will be no compulsory redundancies. Secondly, no one will be forced to take a cut in their cash pay. Thirdly, there will be no need to market test any existing SPS establishment. Those commitments ought to give a considerable degree of reassurance to the 4,500 civil servants in the prison service and demonstrate that the Executive, including the SPS, values the staff who work for it.

I understand that change is often perceived as a threat, but it is clear that no change is not a viable option. The service, through the commitments to which I have referred, has offered substantial safeguards and reassurances to support staff in

making the changes. It is important that the changes are secured, not for their own sake but to realise a vision of being viewed as world leaders in the provision of correctional services.

We are trying to put communities at the heart of our battle against crime. Without their support, we cannot deliver community safety. We already have an excellent relationship with local government, whose support is fundamental, and we are developing a multi-agency approach for the future.

A prime example is the local community safety partnerships established by all local authorities in Scotland. Those will involve the public—and private and voluntary bodies—in tackling the issues at local level. Strong partnerships will help to reduce crime and the fear of crime and improve the quality of life throughout Scotland.

Last November we published "Threads of Success", a report on the emerging shape of the community safety partnerships. We are discussing their implementation with the Convention of Scottish Local Authorities and ACPOS.

Whatever the precise detail, we need a more structured and cohesive strategy to ensure the active participation of the key players in community safety and a better-integrated and co-ordinated response from the public services. We will shortly establish a Scottish forum on community safety to help achieve that. It will enable outside agencies to work with the Executive, the police and COSLA to tackle crime and community safety in a more transparent and effective way. As a first step, we must identify issues likely to benefit from such a pooling of ideas and resources. We shall shortly be inviting relevant bodies to join the forum, which will meet for the first time in September.

We will deliver on our commitment to review the sentencing and treatment of serious violent and sexual offenders. The committee on serious violent and sexual offenders, which was chaired by Lord MacLean, reported to ministers last year. The report contained 52 recommendations for improving the sentencing and management of those offenders. As members will know, we have been consulting on those recommendations, and will publish a white paper shortly. We will introduce legislation as soon as possible thereafter.

We must also tackle the social causes of crime, and break the cycle of social deprivation and disadvantage. We must free our communities from the problems that result in high unemployment, poor health and poor educational attainment, because such factors promote cultures of crime and drug abuse. Furthermore, we must provide opportunities to ensure that our pensioners feel safe and secure and to build strong communities where we are tackling poverty effectively.



In November 1999, we set out a framework of clear targets and milestones to tackle poverty and social exclusion. Evidence shows that support in the earliest years of life is associated with later positive outcomes, including reduced criminality. To support early education, childcare and sure start Scotland, we are investing £524 million over the next three years, which will particularly benefit the most disadvantaged.

We know that our poorest communities are much more likely to be the victims of crime than more affluent ones. Vehicle crime, violent crime and housebreaking are all more prevalent on the poorest council estates; indeed, such crime is up to twice as likely compared to areas with high home ownership. To focus special effort on communities facing concentrations of deprivation and exclusion, we are investing £165 million in social inclusion partnerships over the next three years. SIPs are linking with community safety partnerships and drug action teams to join up efforts to tackle poverty, exclusion, crime and drug misuse.

Reducing crime is often about giving young people who have been caught up in a cycle of crime an opportunity to channel their interests and open up new opportunities. That is not a soft option; instead, it gets at the root causes of the problem. Delivering social justice requires more commitment than any traditional view of criminal justice from a range of partners, including young people, the police, social workers, voluntary agencies and the community.

Social justice is a key objective at the root of all the Executive's policies. By tackling social exclusion, we can begin to address some of the key factors that help to foster an environment in which crime develops. As a result, we are committed to measuring our progress and to reporting each year.

I am proud of the resources that we are making available for law enforcement. However, we must remember that allocating more and more money to enforcement without addressing the underlying problems poses its own dangers. By taking a total view of society's needs and problems, we help those in need, the police and society at large.

Our social inclusion policies must be aimed at young people in particular. They must have the education, training and values that will enable them to become full members of society, instead of drifting into crime because of a lack of skills, opportunity or a stake in society.

We must tackle youth crime, not just because of the damage it does to victims and communities, but because without urgent action the young criminals of today become the hardened criminals of tomorrow. We want young people to face up to

their offending behaviour. Furthermore, we want to promote reparation or mediation where that is desired or appropriate. Generally, we want to help young people move on to more responsible, productive and rewarding young adult lifestyles.

I do not wish to finish without mentioning drug misuse and its consequences. Our robust and positive response to drug misuse and drug related crime is a key part of our fight against crime. The police and the Scottish Drug Enforcement Agency have an obvious enforcement role, and also work with other agencies with responsibilities for drug education and harm reduction measures.

Together with the UK Government, we have published proposals for legislation to strengthen the existing powers of criminal confiscation and to introduce new powers for the recovery of the proceeds of crime and the taxation of income derived from criminal activity. We are also spending an extra £100 million over three years as part of the biggest programme of anti-drugs initiatives ever seen in Scotland.

We believe that it is important to work with the police, local communities and those in the justice system to deliver on our commitments on crime. Our record is good, but I am the first to admit that there is no room for complacency. That is why we are committed to a broader vision of social justice. We must foster a vision of vibrant and caring communities and reawaken a true sense of social inclusion. A sterile vision would seek only to impose law and order and to debate its price tag. Tackling crime is also about hearts and minds, and about winning our communities to the broader vision of a responsible, responsive, and transparent society. That is social justice; that is the way we are following. I commend the motion to the Parliament.

I move,

That the Parliament welcomes the reduction in recorded crime and notes the further steps being taken by the Executive to combat crime.

14:55

**Roseanna Cunningham (Perth) (SNP):** There is a real feeling of déjà vu about this debate. We had another such debate just over a month ago, and I suppose that it is a measure of the minister's exasperation at his inability to get everyone to accept the Executive's version of events that we are being put through our paces again. It raises the awful spectre of "Groundhog Day" between now and 7 June—just to pick a date at random.

Has the Executive got anything new and startling to bring to the debate? After listening to the minister, I think that the answer has to be no. The message that we take from this debate is that the Executive is frustrated by the fact that people

are not buying its spin. Perhaps it should ask itself why. The people of Scotland deserve better from the Minister for Justice than this continued self-congratulatory exercise. His Executive colleagues in the Labour party have even less scope for patting themselves on the back. Their party came to power in 1997 on the pledge that it would tackle crime and the causes of crime; however, recorded crime figures have risen consistently since 1997. Worse still, the incidence of violent crime has increased. The question is this: is the Executive doing better than the previous lot, who were not great themselves?

However tempting it may be, it is inappropriate to base assumptions on the difference between crime figures in a carefully chosen year and now. It is far better to consider the general trends over recent years. Even then, we run the risk of getting tangled up in statistics and losing sight of the reality for people in Scotland and the way in which their experience matches up with the numbers that we cite.

If the Executive wants to indulge in a statistical debate about the levels of crime, it must also recognise that the fear of crime is significant, despite the best efforts of our hard-working police officers. A System Three survey in *The Scotsman* revealed that people believe that there are now fewer officers on the beat, whatever the numbers might suggest. Of the respondents, 55 per cent thought that the crime rate had risen over the past five years and 59 per cent said that they felt more at risk now than they did five years ago. That fear of crime is even greater among more vulnerable groups, including our parents and grandparents. What a fine society we are presiding over for them.

The Scottish Executive's 2000 Scottish crime survey found that 82 per cent of people identified crime as an extremely or quite serious problem. Let us consider the figures that the Executive is so proud of today. In the category described as "Non-sexual crimes of violence", there has been a 22 per cent increase since 1997. Vandalism has increased by 5 per cent since last year, and instances of handling an offensive weapon have increased by 3 per cent since last year and a shocking 36 per cent since 1997. That is evidence of the growing violent culture that is blighting many of our communities and causing the climate of fear that imprisons our old people in their homes. If members are honest, they will own up to that as the reality in our communities and in their constituencies.

**Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** The member said that selective statistics are being cited. In 1991, more than a million crimes and offences were recorded in Scotland; that figure is now down to 922,000.

Between those same dates, the clear-up rate has increased from 29 per cent to 44 per cent. A raft of statistics, dating back as far as 1939, read favourably.

**Roseanna Cunningham:** Indeed, but the member will forgive me for selecting the year in which there was a change of Government at Westminster and the subsequent four years, especially as we presume that we are just a few weeks away from another Westminster election. We can choose to pick years at random; however, 1997 was not an entirely random choice of year, however uncomfortable it might be for the member to have to own up to that.

I have talked about the debilitating effects of the fear of crime. Members will also recognise the frustration that is felt when the offences that we are talking about are carried out by young kids who are perceived to be totally outwith the control of the system. A survey that was completed at the start of 2000 for England and Wales ascertained that some 22 per cent of school pupils had committed a criminal offence in the preceding year.

No doubt, many of those offences would not otherwise have come to the attention of the authorities. If we are honest, we would admit that it is highly unlikely that the figures for Scotland would be radically different. Clearly, there is a serious problem that has to be addressed. In Scotland, that will become increasingly important. Here, parents are already held directly responsible for their children's attendance at school. I think that it therefore makes sense at least to consider a further extension of the existing legal responsibility of parents for the actions of their children.

While it would not be appropriate to charge parents and take them through the criminal courts for actions committed by their offspring, it should nevertheless be possible to institute a form of compensation order on the parents when the activities of their child have resulted in physical damage to property or tangible upset to a victim, as happens in Italy, for example. Any provision for such orders would have to allow for judicial discretion in imposing them and the ability to take the financial and other circumstances of the parents into account. Nor does any compensation order have to be confined to monetary compensation. In that way, parents may be encouraged to take more direct responsibility for their children's offending activity and the children may come to understand more clearly the consequences of their actions.

There have been a great many noises off, Presiding Officer. I do not know which members would like to intervene.

**The Presiding Officer:** You have a choice between Mr Jackson or Mr Barrie.

**Gordon Jackson (Glasgow Govan) (Lab):** Roseanna Cunningham knows that the reality is that very many people whose children are causing the bother are single mothers who have their own problems, including having no money. Does she accept that her proposals would overburden people who already have problems? We are trying to help people. Putting that extra burden on them will get us nowhere.

**Roseanna Cunningham:** I hear what Gordon Jackson has to say and I will not get into a debate about how many single mothers raise delinquent children. I think that Gordon Jackson's comment was a little unfair on single mothers. I will point out, however, that the victim is just as likely to be a single mother as anyone else. We are in danger of ignoring the victim.

I know that systems that are broadly similar to the one that I am proposing are in place in a number of countries. Eight European states as well as Norway and one province of Canada have some form of victim compensation scheme and most of them make specific though varied provision in relation to parental responsibility for such payments. We have to think seriously about moving towards having such a system in Scotland as one more part of the jigsaw that is necessary for tackling the problems in our communities.

Of course, much of the success or failure of such initiatives depends on the ability of the police to play their part. Earlier, I mentioned the survey that found that a majority of people thought that police numbers had fallen. Indeed, in the Scottish Executive's figures, the numbers have only just climbed back to 1997 levels, which means that the recent perception that the numbers have fallen has been justified. We need to deal with the reality of people's experience rather than simply looking at the statistics and feeling smug. Such a perception fosters the fear of crime. If we are to tackle that fear, policing on our streets will have to become much more visible. That is not simply Opposition carping or the misplaced views of people who do not see the full picture. A succession of delegates at the Scottish Police Federation's recent annual conference in Peebles claimed that the Scottish Executive's published figures masked the truth of officers being taken out of front-line duties. The delegates passed a motion condemning the Scottish Executive's information on funding and officer numbers as "misleading and inaccurate"—their words, not mine.

The chairman of the Scottish Police Federation told his members:

"The basic policing functions are in danger of being devalued or ignored because the resources we have are severely stretched. People are being found to cope with the

requirements of new legislation, people are being found to handle the new bureaucracies established to monitor best value and the myriad of other requirements. And where are these people coming from? They are coming from the frontline, from the sharp end of operational policing."

As John Darcy, a chief inspector from Northern Constabulary, put it:

"The public will not be fooled by upbeat pronouncements from politicians. They know that the blue line is getting thinner."

While the Executive's spin doctors fail to make their chosen point, one ordinary police officer delivers himself of a devastating one-line soundbite. His one-liner is the reality behind the story that the Executive is trying to spin once more today.

We cannot even get the official statistics to agree with each other. The Office for National Statistics gives the number of police in Scotland as 14,300 in the last quarter of 2000—648 fewer than the Executive claims. According to the ONS figures, the number of police in Scotland has been falling steadily since the fourth quarter of 1998. We are owed an explanation from the minister as to why those figures portray such a radically different picture, when the ONS says that it gets its figures from the Scottish Executive.

When the minister says that the number of police is increasing, why does the Office for National Statistics tell us that the number is falling? Why, when both figures appear to originate from the same source, is the difference between them increasing at such a rate? Given that difference, is it any wonder that the minister's frequent pronouncements are greeted with such scepticism?

If the growing frustration felt by rank-and-file police is not enough, we can turn to the Scottish Prison Service for another example.

**Mr Jim Wallace:** Would Roseanna Cunningham please tell me which police force in Scotland she believes to have delivered a false return to the Scottish Executive?

**Roseanna Cunningham:** With respect to the minister, that is not the point. The point is that the Office for National Statistics gives one figure—which it claims that it gets from the Scottish Executive—while the Scottish Executive gives a different figure entirely for the same quarter.

I was much amused to note that, in the week following an almost unprecedented day of strike action by Scotland's prison officers, the Executive motion before us says nothing about that aspect of our criminal justice system. I dare say that the Minister for Justice would rather not be reminded of the problems over which he presides, but I think that even he has to accept that the situation has got out of hand. Morale among prison officers is at

rock bottom now, as even a cursory glance at press cuttings about events in our prisons will inform us. Prison officers on strike—that is unprecedented. The action could hardly have come as a surprise, yet the minister's silence on the matter is deafening.

The cause of the strike was new shift patterns, which are the prison service's way of trying to squeeze a little bit extra out of prison officers and make up for the staff shortages. Those same staff shortages are claimed to be behind the closure of the high-security unit at Shotts prison, which houses some of Scotland's most notorious prisoners—men who will not easily be integrated into mainstream prisons.

Just this week, I was advised of the refusal by the governor of Barlinnie prison to sign off a minimal upgrade, in other words electricity and in-cell sanitation—the dreaded slopping out—for B hall. Instead, he chooses to link that to an agreement on staff levels. The ending of slopping out is a humanitarian issue, and is a requirement under the European convention on human rights. It should not be used as a lever for macho management to put the squeeze on prison officers.

The Executive seems to want to create the impression that it no longer has responsibility for the prison service. That is an interesting thought, so I had a look at my copy of the "Partnership in Power" year 2 document, which is produced by the Labour party, to see what it had to say. It is probably not meant to be in the public domain, but we will not quibble about that. It said precious little in fact. The following was almost the sum total:

"The Prison Service will change. As it does, so too will the role of prison officers, which could evolve and expand ... We will modernise prison infrastructure."

What a masterpiece in non-speak. "Evolve and expand". I hear the sound of hollow laughter coming from hard-pressed prison officers.

In closing, I wonder whether the Deputy Minister for Justice—the document makes no mention of the Liberal Democrats in the partnership, so it is handy that Iain Gray, the deputy minister, is from the Labour party—would tell us how prison officers could take any comfort from the Executive's stewardship of the prison service.

As we are talking about crime, I note that the SNP recently reported a string of thefts. I deplore it when Labour takes on the Tory mantle, but we have become accustomed to welcoming Labour members as converts to SNP policies. Drugs courts were consistently argued for by the SNP and were just as consistently argued against by new Labour—until the point at which its members caved in and said, "Oh, all right then, you were right." Fair and honest judicial appointments were

argued for by the SNP for years and were ignored by Labour members for just as long—until the point at which they caved in and said, "Oh, all right then, you were right."

I remember that, when I first proposed that we should consider lifetime supervision for some sex offenders, that was pooh-poohed by the then Scottish Office minister with responsibility for justice, one Henry McLeish. That proposal is now one of those being advanced by Lord McLean. We were right there too. We have plenty more policies that we would be more than happy for the Minister for Justice and his colleagues to help themselves to, if they would only had the courtesy to acknowledge what they were doing.

How about the 1,000 more police whom the SNP would like to introduce? The cost of doing that amounts to only one sixteenth of the previous year's Executive underspend. Will the minister really tell the people of Scotland that such an amount cannot be afforded? Instead of tinkering around the edges, let us give the police the resources that they need to bring about a step change in police numbers.

**The Deputy Minister for Justice (Iain Gray):** Will the member give way?

**The Presiding Officer:** The member is in overtime.

**Roseanna Cunningham:** A thousand extra police officers around the country would mean a visible increase in front-line policing. Instead of simply setting targets, let us get crime in our sights. Let us take steps to bring about greater parental responsibility. Let us free our courts and our police from wasteful bureaucracy. Let us make real changes to tackle crime and address the fear of crime. Let us take a stand against crime.

I move amendment S1M-1890.1, to leave out from "welcomes" to end and insert:

"asserts that since 1997 the UK Government and the Scottish Executive have failed the Scottish criminal justice system and the Scottish people in (a) presiding over an increase in both the levels of crime and the fear of crime, (b) providing insufficient numbers of police officers at the front line, (c) failing to alleviate the serious public concern over the levels of youth offending and (d) overseeing a collapse in morale in the Scottish prison system and calls upon the Scottish Executive to bring forward a coherent programme which will both tackle the major problems currently being experienced across the Scottish criminal justice system and deliver a safer Scotland for everyone."

15:11

**Phil Gallie (South of Scotland) (Con):** I start by looking at the motion and amendments that are before us. In Mr Wallace's motion we recognise the complacency that seems to exist in all the Scottish Executive's recent motions. However, as this motion is based on fact, in my usual spirit of

consensus, I determined that our amendment would be moderately worded and would just expand a little on the facts that are behind the motion.

Crime figures rose from 1997, but have recently begun to fall. We welcome that reduction. but the Minister for Justice asks the Parliament to note

"the further steps being taken by the Executive to combat crime."

That is a weakness in the motion, as it is inadequate.

We cannot disagree with any part of the SNP amendment. I recommend that all members read it because it is based wholly on fact. We cannot dispute any point that it makes. It could be said to be a commendation of the Conservative Administration. Perhaps that is why we applaud and will support that amendment.

I will pick up on the crime figures. Despite what Mr Wallace says and the complacent motion that he moved, since 1997 crime overall has risen by 4 per cent, violent crime by 22 per cent, shoplifting by 22 per cent, drug crime—perhaps not unsurprisingly—by 8 per cent, robberies by 36 per cent and fraud by 35 per cent. That is indeed an indictment. I am surprised that Mr Rumbles is not jumping to his feet to point back to the 1991 figures—he is doing so now.

**Mr Rumbles:** The point that I made earlier seems to have been put to one side. In 1991, more than a million crimes and offences were recorded, but now the number is down to 922,000. Does Phil Gallie agree that there has been quite a reduction from the awful high point in 1991?

**Phil Gallie:** I agree entirely with Mr Rumbles. Right through the 1980s, crime figures exploded worldwide. Crime rose in the UK as in other countries, although perhaps it did so to a lesser extent in the UK. However, between 1991 and 1997 the crime figures came tumbling down. That is to the great credit of the Conservative Administration. Thereafter, crime figures increased. They built up until this year, in which there has been a marginal change. While we welcome that change, responsibility clearly lies with the Labour party after it came into Government in 1997 and, to a degree, with the Scottish Executive, which has still not fully grappled with this problem.

As we are looking at the crime figures, I will pick up on the figures on the level of offending by individuals on bail, which is of particular interest. In 7 per cent of convictions in 1998, the offender was on bail at the time of the offence. In just over half of those cases—55 per cent—no additional sentence was imposed to take account of that aggravating factor. The minister should address

that issue and I would be obliged if he would consider doing so in the not-too-distant future.

**Mr Jim Wallace:** Mr Gallie may recall that when I responded to Mr Lochhead during last week's question time, I indicated that the provisions on aggravated sentences for breach of bail conditions in the Criminal Justice (Scotland) Act 1995 are being reviewed. Therefore, the matter is being addressed.

**Phil Gallie:** I welcome the minister's comments. However, since 1997—and I go back to the days when Mr McLeish was responsible for home affairs in the Scottish Office—repeated pledges have been made about reviews and about what the Executive and the Government are going to do about these issues. Ultimately, nothing has resulted from those pledges. On this occasion, I hope that the minister's assurance will come to fruition. If so, he will get my whole-hearted support for whatever measures he may take to implement change.

**Tommy Sheridan:** I could not allow Phil Gallie to continue without commenting on what he said about the 1980s. Does Phil Gallie accept that members of his party contributed, sometimes indirectly but often directly, to the increase in crime figures, given our experiences with the likes of Jonathan Aitken and Dame Shirley Porter and of the Matrix Churchill affair?

**Phil Gallie:** Some of the issues raised by Tommy Sheridan actually came to light in the 1990s. I am quite sure that if we were to look back into the past of all the parties, we would find people who have a bit of a hairy past. Any contribution made by members of the Conservative party was minuscule in effect. In the 1980s, the Tories had a better record than other Governments throughout the world of tackling the problem of expanding crime figures.

I turn to the issue of police numbers. We must acknowledge that from 1997 to 1999, the number of police fell by about 400. A few days, or weeks, ago, I told the chamber that I would compliment the Executive when it reached the 1997 level of police numbers. The Executive now claims to have done so and I accept the figures given by the minister, although I have a number of questions that I will put to him.

The minister claims to be acquainted with police numbers and, over the past year or so, he has boasted about setting up the Drug Enforcement Agency and about an extra 200 officers. He has raised the prison budget, from which he took £13 million to fund those extra officers. If we are at the 1997 level of police numbers, what has he done with the money? He has not provided the extra 200 policemen for the DEA, despite his previous statements.

On the police figures as they stand, I ask the minister how many of the officers to whom he referred are fully trained? How many have reached only the early stage of induction? What is the fall-off rate of trainees who enter the police but drop out after the first five years? What level of retirement does he expect in the next five years? I believe that there is a bit of a bulge in retirement, which must be addressed. Revenue funding for the police must cover retirement, pensions and so on, which will impose additional burdens. The minister refers to his additional funding for the police, but that comes down to only about 3 per cent a year over the next three years. The minister will have to explain whether that will meet pension and replacement recruitment needs.

The minister boasted about the extra resources that he has put into the police. He boasted when John Orr accepted that police numbers had gone up. He referred today to the capital endowments made to the police force. In the 2 March 2001 edition of *Police Review*, the chief constable of Strathclyde police expressed his disappointment at the capital allowance decision and suggested that Strathclyde police will have to take money out of its revenue budget to support its capital spending. He referred to a drop-off in the police's standards and facilities, which was unacceptable to him.

**Iain Gray:** That quote has been raised before. I make the point that I made then. Sir John Orr spoke of Strathclyde police's share of a capital budget that had increased by 25 per cent. He complained that his colleagues got more than he did; he did not complain about global allocations to the police.

**Phil Gallie:** That is certainly not the way it reads in *Police Review*. Sir John Orr has suggested that his capital budget does not meet the needs of Strathclyde police. Perhaps the minister should have a closer look at Sir John Orr's statement.

Roseanna Cunningham addressed many of the points that I would have raised about Peebles. I have not time to go through all my quotes from people such as Norrie Flowers and John Finnie and on John Darcy's comments on the thin blue line. Those comments are worth much more than the comments of politicians, because they come from the people who are in the front line and who understand the problems.

It is shameful that the minister's motion does not address the situation of the prison service, because the Executive has more than played its part in creating the current low levels of morale. There are problems with the Crown estate and there is the robbery of £13 million from the prison budget. More recently, the Executive stated that it intended to close the special unit at Shotts, which I find incomprehensible.

The justice system has all kinds of problems. I suggest that there is a lack of resources in the Crown Office and Procurator Fiscal Service. Those are not only my words; they are the words of people such as Joe Beltrami. That may be a surprise to many, because he is seen to be a champion of those who are worst off in our society and I do not always agree with Joe Beltrami's statements. Other people such as Lord Reid and Lord McCluskey have expressed their concerns about the way that the justice system and the Procurator Fiscal Service are being operated.

I have not had time today to talk about what the Conservatives would do. We want to change sentences and make sentences mean what they say. People will be able to pick that up from the *Official Report* of today's Justice 1 Committee.

On other issues such as double jeopardy, driving while under the influence of drugs, drug dealing, victims and the Crown prosecution service, the Conservatives will put forward clear policies at the forthcoming general election and at the next elections for the Scottish Parliament. We look forward to presenting those ideas throughout the next couple of years. I ask that if members do not go the whole hog to support the SNP's motion, they support our modified motion.

I move amendment S1M-1890.2, to leave out from "welcomes" to end and insert:

"regrets the rise in crime that followed the change of UK government in 1997, welcomes the reversal of this trend recently recorded and notes the further steps, albeit inadequate, taken by the Scottish Executive to combat crime."

15:24

**Gordon Jackson (Glasgow Govan) (Lab):** Roseanna Cunningham complained about experiencing a sense of déjà vu. She had to listen only to the minister; I have had to listen to the minister, her and Phil Gallie, which is as much déjà vu as I can manage for the one day. That we are repeating the same debate is somewhat depressing. There is a sense in which debating generalities or statistical analyses has not a great deal of purpose—I hope the minister will forgive me for that wee criticism.

Here we are, doing the same thing we did a few weeks ago. That is somewhat depressing. Having said that, I have no doubt that the Executive is making progress in crime and policing. I would not argue with that. The figures are, I am sure, entirely genuine.

I was recently given the annual statement of G division in Glasgow, which covers the south side and part of East Renfrewshire. It was a positive and encouraging document. From a police perspective, real progress is being made. I accept

that and I believe that much more will be achieved. No doubt the Opposition will say otherwise, and both sides will use, and twist, statistics for their own advantage. That is not an especially edifying sight but, more important, I fear that that kind of statistical argument tends to prevent our focusing on real and important issues.

When we deal with crime—and the fear of crime, the effects of crime and the control of crime—we need the Executive to provide proper resources. That is the starting point, but it is not the whole or, indeed, the main answer. It is equally important, or more important, that we deal with crime issues and take the initiative at local community level.

Most members of this Parliament will be concerned about the levels of crime and the tackling of crime in their areas. That is where our first responsibility lies and where we all confront the issue daily. When a crime issue arises, I believe that the best way to improve the situation is by taking local initiatives, not by endless arguing with the Executive about whether its statistics are true or meaningful.

Many local initiatives exist and I am not for a minute suggesting otherwise. I want to emphasise my firm belief that real change in crime in an area does not come primarily from the top: it is driven from the bottom by community involvement. That is what I have found and I can go only by personal experience.

In the south side of Glasgow, we held a lot of meetings on crime and law and order. There were huge attendances—hundreds of people turned up—and I think we achieved real progress. In one area where we had a problem we now have a permanent police presence in the local library and a much increased police presence on the streets. Those initiatives were as a direct result not of the Executive's coming to us, but of local community feeling.

The other day, I met a local resident who happens also to be the chairman of a national victim support organisation. We see him at the Justice 1 Committee all the time. He quite properly has his own agenda, but he said that he had seen real improvements because the police now come to local meetings and because they are willing to respond to local concerns. In the G division report, it is absolutely clear that that kind of community involvement is on the police's agenda. That is genuine and I believe that it works in practice.

At the risk of creating even more *déjà vu*, let me mention closed-circuit television. We had a local community with a real problem with crime and anti-social behaviour. The community wanted CCTV and demanded it. With other elected representatives and with the support of Glasgow City Council and the local enterprise company, we

put together a detailed and professional proposal. We put it to the Executive, which gave us considerable funding. We are grateful for that.

A couple of nights ago, we met various representatives of the local business community to make clear to them that they have a part to play in reducing crime in the area. They have a duty to the local community where they work and make their money. They also have a real self-interest. Quite bluntly, we had the meeting to ask them to put their hands in their pockets and be of some assistance. I have no doubt that they are responding. I only hope that, in a more general sense, the business community will display that willingness in other places.

**Phil Gallie:** Does Gordon Jackson acknowledge that the successful CCTV projects and their funding were established under the previous Administration? Can he say whether the Executive is currently providing funds for the provision of such schemes at the level that the Conservatives provided them in 1997?

**Gordon Jackson:** In a way, Phil Gallie is making my point—that is just the sort of political knockabout that I do not want to get involved in. If the Tories provided it, that is all good and well, but I am interested in the current provision. The level of funding that the Executive put in is appropriate; the 50 per cent funding that it is giving to the area that I represent is of tremendous assistance. As elected people working with the whole community—business, community councils, residents associations, the police—we are able to come together to tap into a range of funding and make a difference in our own areas.

That is very parochial, yet we are here to talk about national statistics. The point is important. What the local community is able to drive forward is far more important than arguing all day about national statistics. Local communities must take the initiative. Put crudely, the Executive is not coming to Govan or anywhere else with a bag of money. Frequently, it will be for the local community to make proposals for change, to justify the need and to fight for the funding. That requires co-ordination at a local level, drawing together all the various interests in a community. Members of the Scottish Parliament are ideally placed to do that, but it does not matter whether it is us who does it because the point remains the same: local communities can bring about change in their areas in a way that no one else can.

I can only repeat the point that the police who are at the front line recognise that. The police, who understand the issue better than anyone else, are acutely aware that, nowadays, policing must be within the community, with the consent and co-operation of the community, rather than imposed on the community. I feel strongly that local

community initiatives make more change than everything else we can do.

Of course the Executive has a role to play. It will set strategies and targets and give out money where it is needed, but that does not contradict my point. I am saying that, in the fight against crime—as I said three or four weeks ago—in one sense, whether we like it or not, we are all on the same side and the Executive should do all that it can, and maybe more than it is currently doing, to encourage and facilitate local involvement.

Community safety strategy is of great significance and importance. I was delighted that Jim Wallace placed some emphasis on community safety partnerships and spoke about the national forum that is being organised. Those are all good things. My cynical plea is that they should not be more talking shops. Community safety strategies should not be a token gesture towards local involvement. Often, local communities say that they feel that lip service is paid to community involvement and community safety and that the reality is very different: their concerns and feelings are largely ignored. In that event, they begin to feel powerless and unable to make a difference.

My experience is quite straightforward. When a local community feels that it can bring about change, get together and improve the situation, there are many good people—in every community—who are more than willing to be a part of that. When they work together, things start to get better.

I know that the Executive has a real part to play nationally and statistically, but I am concerned about promoting local community involvement. The Executive should do everything it can to promote such involvement. That will do more good than all the national statistical analysis we can debate.

15:34

**Ms Margo MacDonald (Lothians) (SNP):** I agree with almost everything Gordon Jackson said, but far from persuading me to vote for this complacent little Executive motion, it confirmed my belief that the motion does nothing to reassure people who are afraid to leave their houses at night and who fear that their cars will be burgled. In no way does the motion touch on any of the points that Gordon Jackson addressed in his speech.

I am well aware of the view, as is everyone here, that the fear of crime is not warranted by the number of crimes that are reported and detected, but if as legislators we do not take on board the perceptions of members of the public to inform our policy making, we will not produce policies that reduce the number of crimes that make people

afraid to go out at night in their own areas. This is where Gordon Jackson got it absolutely right. It may be possible to point to a Scottish figure and say, “We have reduced it by 1 per cent”—which is the number we are talking about for some of the statistics—but if people do not see a genuine reduction, they will not believe that anything is being done to fight crime or to make the place a better place to live in and they will lose faith in the system of justice and policing.

We should not be too haughty about the importance of public perception. It may be that people do not always get the right end of the statistical stick, but they know what it feels like to live in their areas, and they know whether they have the confidence to report petty crimes, which can make their lives a misery, to the local community policeman who they know is run off his feet, or to the policewoman who is stretched by trying to do her best in the community.

The SNP amendment recognises the contract of reciprocal trust and respect between lawmakers, keepers of public order, those who dispense justice and the ordinary people who live in Scotland. That is why I am happy to support the SNP amendment rather than to go wholeheartedly into the breach behind Gordon Jackson.

In all fairness, the Executive has given the impression of trying to meet the criteria for a successful criminal justice policy, as was outlined by Gordon Jackson. For example, in Edinburgh, the Executive gave additional funding to the police. I am tempted to damn the Minister for Justice with faint praise by thanking him—a wee bit, anyway—for handing over the money that has allowed Sir Roy Cameron to set up the city centre policing unit. Previously, he was denied the ring-fenced money for the police in Edinburgh to provide the sort of capital-city policing—proportionately—that is provided by the Metropolitan police in London. It is reassuring, not just for tourists, but for ordinary people in Edinburgh, to see the 22 officers, two sergeants and chief inspector in and about the city centre. That is excellent. Seeing them there, residents also know that policemen and policewomen have not been drawn off their normal day-to-day duties.

However, that is still not good enough, because it is possible to go up to the south side of the city, for example Morningside—I will not excuse myself for being parochial here; not after what Gordon Jackson said—and find that all the shops have been broken into. They are not in a social partnership area. They are not in an area of tremendous need; the area is not targeted for help; but the people are losing faith in the natural order of a pleasant part of the city in which to live. They need more police. It is as simple as that. Even though more money has gone into the police



service, it is not enough to suit the genuine requirements of the people in that area. Although it is not an area of tremendous social deprivation, the people there are entitled to good policing and a feeling of security.

**Gordon Jackson:** The point I was making is that the Morningside community has to be asked what responsibility its members are taking to get together and come to the minister and fight for what they need. I am returning to asking what those people are doing as a community, because that is where the task begins.

**Ms MacDonald:** When I was a Morningside matron—I am now a Grange granny—I took the initiative and approached the shopkeepers to say, “Look, we’ll get together with the community police and work out a scheme.” As I said, I am very much in favour of what Gordon Jackson said. His basic idea is correct. The Executive would do well to set that as a strategic framework for improving policing in Scotland.

I am terribly sorry for taking more time, Presiding Officer, but I must say to the minister that he must not move money from the Scottish Prison Service’s revenue account to its capital account. That would make prison officers, who have been driven to industrial action, pay to end slopping out. That would be disgraceful.

I apologise for leaving now—I have a family emergency.

15:41

**Lord James Douglas-Hamilton (Lothians) (Con):** Before Margo MacDonald leaves, I should like to express my gratitude to her. Some years ago, when I had a home affairs brief, I asked her to lead a conference to wean young people away from drugs. She was effective in that role and I was glad to give her full support on that occasion.

At the Scottish Police Federation’s conference, Chris Mervin of the Grampian joint branch board stressed:

“The Police are the cornerstone of social justice. It does not matter how many resources this Executive puts into Education, Rehabilitation, Social Inclusion. The bottom line is that without the cops the whole system falls apart.”

I accept that premise.

The Labour Government and the Scottish Executive have allowed Scottish police force numbers to slip to almost 400 below the figure they inherited in 1997. At the conference, John Finnie said that

“striving to be in a position 3 years hence that you were in 4 years ago was hardly a lofty objective”.

David Ross said:

“The truth is that our members are becoming increasingly

more frustrated by ever decreasing officer numbers and resources being directed to front line operational policing ... Ever decreasing officer numbers on our streets are compromising the safety of our members and the public whom we serve.”

I accept the minister’s assurance that more police are in the pipeline, but many recruits are undergoing training. There are not enough police at the sharp end. There has been an upsurge in the crime figures, particularly those for violent crimes, serious assault and offensive weapons. A further increase over the 1997 police officer figures is necessary to ensure that there is no need for the Scottish Police Federation to censure the Executive, as it did, for “misleading and inaccurate information”.

Not only police numbers need attention. After police officer Lewis Fulton’s tragic murder, his widow and son were awarded merely £62,000 in compensation. Funds will never make up for the loss of a life and a great family tragedy, but in the words of Mr Flower, that award was “an insult”. Compensation to police officers who are injured and to their families in the event of a tragedy must be considered as a matter of urgency. After all, if someone can receive £400,000 in libel damages when merely their reputation is at stake, is not it preposterous that a human life should not be regarded as more precious than that award suggests?

I have several questions for the minister. Is the Executive paying 100 per cent of the costs that have been identified for the police officers who police the Parliament as a national service? If not, why not? When a service is provided for the nation as a whole, surely the Executive should pick up the whole bill.

**Iain Gray:** I have a simple answer to a straight question. The Scottish Parliament pays Lothian and Borders police for the policing of the Parliament.

**Lord James Douglas-Hamilton:** Does the Parliament pay 100 per cent? A little while ago, the most senior police officers informed me that only 75 per cent was paid. They were concerned about a shortfall. It would be a great help if the minister clarified that point.

**Iain Gray:** The difference between the two figures is the policing time for the periods that the Parliament is not meeting. The Executive is currently in negotiation on that matter.

**Lord James Douglas-Hamilton:** I am grateful to the minister for that information. May I make a plea on behalf of Lothian and Borders police that the minister look sympathetically on the matter, as that could make a considerable difference? It is sometimes the small issues that weigh most heavily on a hard-pressed police force.

Is the minister aware that Strathclyde police is concerned that it received only one third of the capital allowances it requested? Its chief constable said that the allocation fell "significantly short" of what he had expected and that that would have a significant impact on the force's plans to improve policing capability. He also made many other comments about how hard it is to provide the full range of services that he is obliged to provide and that he has to divert funds from other projects to do so.

**Iain Gray:** I will again give a straight answer to a straight question. Yes, we are aware of Sir John Orr's concerns. Is Lord James Douglas-Hamilton aware that the allocation was made on the basis of the formula agreed by Sir John Orr and his colleagues in the Association of Chief Police Officers in Scotland?

**Lord James Douglas-Hamilton:** It is a matter of continuing concern that the capital allocations appear to be very much higher south of the border than in Scotland. I very much hope that the minister will keep that thought in mind and go as far as he possibly can to meeting the chief constable's request.

I also want to ask the minister about the sex offenders unit at Peterhead prison. He will be aware that if that unit is broken up or removed, the chances are that reoffending levels could increase. I hope that the minister will consider sympathetically the prison officers' case in that connection.

The desire to save funds by closing prisons should not obscure the reality that the protection of the public and the public interest should remain paramount. It follows that prison and police officers should be very strongly supported.

15:47

**Pauline McNeill (Glasgow Kelvin) (Lab):** Scotland's police forces are officially at record strength. Crime is officially lower. The number of crimes in the indecency group has decreased by 4 per cent and the theft of motor vehicles is at the lowest level since 1992.

John Orr, the retiring chief constable of Strathclyde police said:

"crime is at its lowest and detection rates are at an all time high."

Andrew Cameron, chief constable of Central Scotland police said:

"more officers than ever are patrolling the streets."

Roy Cameron, chief constable of Lothian and Borders police said that there has been an

"excellent reduction in crime and a rise in detection."

If the Opposition has difficulty accepting Jim Wallace's word that we have good news on that front, surely it will accept the word of our senior police officers. The problem with the SNP amendment is that it neither reflects any of the good news nor pays any concessions to that fact. The difficulty that the Opposition has is that it does not want the Executive to be able to give a good news story.

I draw members' attention to the wording of the SNP amendment, which says that the UK Government and the Executive are

"presiding over an increase in both the levels of crime and the fear of crime."

That is an important distinction to make, as the phrase "levels of crime" is meaningless.

We have always measured crime in Scotland—rightly or wrongly—by the traditional means of the Scottish crime survey. I ask the SNP to address this question in its closing remarks: will it dump the measures by which we have always counted crime or will it simply have an assessment of how much we feel crime has increased?

The SNP must answer the charge. Even Phil Gallie recognises that the Executive has made some progress. In no sense is anyone patting themselves on the back.

Crucially, the figures show that the levels of fear have gone down dramatically. I suggest that that is the real test of whether our strategy is working. No one is complacent about that result. We all want to build a safer Scotland. That requires a range of measures, such as an increase in the number of police officers. We can report today that there is a record number of police officers.

It is right that we have police officers on the front line, but let us not forget that it is also important to have police officers in our specialised units—such as our female and child units—behind the front line, as well as detectives to address serious crime and a community officer core.

We want to consider a variety of measures to change the face of our criminal justice system. We want to address the way in which we deal with a range of issues, such as young offenders and alternatives to custody. We think that what matters at the end of the day is not the figures—although they are good news—but the effectiveness of our policies and whether people feel that they are working.

It is important to consider other measures for assisting the police in doing their job. I draw members' attention to some recent decisions in Glasgow on repeat offenders. It has been decided that rather than bring repeat offenders such as shoplifters to the district court, they will be brought to the sheriff court. That is a good decision

because it means that we can take more sanctions. We will give effect to restriction orders to tackle issues such as retail crime. The police will be able to use those measures to be more effective on the street, as they can lift criminals for breach of the restriction orders before any crime is committed. We should consider measures that will make the job of the police easier.

It is astonishing that Roseanna Cunningham has said that she would rather listen to the System 3 poll in *The Scotsman* than any official figures. Of course, that suits the SNP's argument. The SNP's policy on criminal justice is flimsy to say the least. It promises more police officers—that is fine—but it attempts to do that by asking the Treasury to return parking fines from offences that have not been committed. That is utterly astounding.

The Labour Government is set to be the first Government in nearly half a century for which crime is lower at the end of its first term than when it took office. It is the Scottish Executive that is tackling crime, driving forward the agenda on domestic violence and tackling the attitude—in a recent survey of young men—that it is acceptable to hit women. Let us recognise progress where it exists—no one is complacent about that—and let the Scottish Parliament make a joint effort to tackle crime.

15:52

**Richard Lochhead (North-East Scotland) (SNP):** I welcome the debate, because we are discussing one of the most important issues for our constituents.

Making our streets safer is perhaps one of the biggest challenges that is faced by the Parliament. During the two and a half hours of the debate, someone, somewhere in Scotland, will have had their house broken into and some lady somewhere will have had her handbag snatched, yet here we are, a few weeks before the general election, with the coalition lodging a self-congratulatory motion.

I can tell the ministers that the motion will not go down very well in Aberdeen, where the number of crimes per capita has been the highest in the country for the second year running. Crime is an enormous issue in Aberdeen. The latest statistics show that the index for recorded crime in Aberdeen was 175, compared to the Scottish average of 100—Aberdeen is 75 per cent above the average. Every year, 1,447 crimes are committed for every 10,000 people who live in the city. Housebreaking, personal assault and serious crimes are the main problems in Aberdeen—the level of housebreaking is three times the Scottish average. In last night's *Evening Express*, the headline was:

"Cruel daylight attack on frail city pensioner."

A couple of days before that, it was:

"Thieves target three homes in one day."

That article went on to state:

"Three homes in a block of flats were raided on the same day by thieves who kicked down the doors. The block of eight flats ... was struck just days after new statistics unveiled Aberdeen as the housebreaking capital of Scotland."

The minister's warm words will not go down too well in Aberdeen. Some elderly people are afraid to leave their homes. I know a man whose home was broken into so many times that he refused to leave his home until he sold it. It took years to sell his house because of the reputation of the area.

We must discuss funding today, especially in the case of Grampian police. It is no coincidence that Grampian has had the highest rate of recorded crime twice in a row, and the second lowest level of funding per capita in the country. We have brought that to ministers' attention time and again, but they refuse to recognise it. I was interested to hear that Lothian police get extra assistance because they police the Scottish Parliament. Grampian police do not receive any extra assistance for policing the North sea oil and gas installations and the royal family at Balmoral. It is not merely a question of employing more police officers; more hardware is also needed.

Tayside police, in conjunction with Fife constabulary, put in a submission to get cash from the Government for a helicopter, which would help greatly in fighting crime, but their submission was knocked back.

Police time must be used more effectively when it comes to citations. Police are often used as postmen. We could employ other people to deliver citations, which would allow police to do front-line duties. A case in which police time was wasted in court was brought to my attention by a Tayside police constable. He said that in a recent trial in Tayside, officers from the force spent 29 hours giving evidence in court, but an incredible 604 hours waiting to give evidence. Only 5 per cent of the time that was spent in court was spent giving evidence. That must be addressed. The same force experienced another example in which officers spent 14,025 hours over a three-week period delivering court correspondence and citations. That issue must also be addressed.

The Crown Office and Procurator Fiscal Service must get more resources. I am told that the 110-day rule for bringing serious crimes to trial is a particular problem at the moment. As law becomes more complex, the procurators fiscal must divert all the resources to dealing with serious crimes, which means that other crimes, such as housebreaking and drug offences, have to go by the wayside.

We have to address the root problem. Of course, we must educate our young people to have more respect for property and people and we must reduce the gap between the rich and the poor in society. However, facilities such as drug rehabilitation services must be provided. The police tell me that 80 per cent of crime in Aberdeen and Grampian is drug related, but that people who want drug rehabilitation must go down south to get it. There is a real gap in the provision of drug rehabilitation services. I am delighted that the Government now supports drug courts. That is a step forward, but we have to tackle the root cause of crime.

The one thing that must mark out the first session of our first Scottish Parliament in 300 years is a huge step forward in tackling crime, because it is one of the most important issues, if not the most important issue, in our constituencies.

15:57

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

I want to focus on drug-related crime. The statistics are stark, and on a scale that is difficult to absorb. The Office for National Statistics estimates that the UK trade in illegal class A and class B drugs is 1 per cent of national output, or £8.5 billion. The National Criminal Intelligence Service figure for drug seizures the year before last was £239 million. That appears to be a huge figure, but it represents less than 3 per cent of the total.

The National Criminal Intelligence Service figures show that the street price of the six main class A and class B drugs has fallen over the past five years. In the cases of both heroin and cocaine, the price has fallen dramatically, by between 20 and 25 per cent. That means one thing and one thing only: that, despite all the commendable efforts of the law enforcement agencies, more and more illegal drugs are coming into the country. As we discovered during the recent Social Inclusion, Housing and Voluntary Sector Committee inquiry, drugs are reaching rural and remote parts of Scotland that they never reached previously.

The profit margins in the illegal drug trade are massive—almost beyond comprehension. A kilogram of heroin that is bought for £850 in Pakistan is sold on the streets of Britain for £24,000. That represents a mark-up of nearly 3,000 per cent. That is what happens at the dealing end, but the crime figures are just as horrendous at the user-addict end. To finance their habits, our 40,000-plus problematic drug users here in Scotland steal and shoplift to the value of well over £400 million a year. Of that, £190 million is stolen in Glasgow alone. In several Scottish

prisons, upwards of 70 per cent of inmates are there for drug-related crimes.

The criminals who run the illegal drug trade are the so-called Mr Bigs. In the jargon of the NCIS, they are the core nominals, of whom there are an estimated 150 in the United Kingdom. What is most frightening is that the number of those major criminals has increased by one-third a year for each of the past five years. Immediately behind the 150 core nominals are their aides or deputies—the current nominals—who are estimated in number at 750. One chief constable said:

“These men do not commit crimes themselves; they manage criminal enterprises.”

Therein lies the problem and the challenge. Even if they have been under surveillance for years, the Mr Bigs are difficult to prosecute successfully, because they are invariably several stages, and several people, removed from the actual crime. Their organisational structures, communications capabilities, ability to evade surveillance and financial resources are far beyond those of national and international law enforcement agencies. Anybody who has seen the movie “Traffic”, which is an all-too realistic depiction of the illegal cocaine trade across the California-Mexico border, will realise how sophisticated and brutal that trade is.

Even the Federal Bureau of Investigation and the Central Intelligence Agency admit that they are being outgunned, outmanoeuvred and outspent. It is a dismal and depressing picture. To stem the drugs trade, let alone put a stop to it, will require a radical rethink. We must not only increase international co-operation; harness and apply the latest developments in technology; develop surveillance techniques and tighten the law on confiscation of assets. We must reconsider the admissibility of telephone tapping and wiretap evidence in court. That is crucial if we are successfully to connect those who give the orders with those who follow them and commit the crimes.

We must focus far more on cutting the demand for drugs. We must do that through drugs education in schools; through far more effective and widespread treatment; through rehabilitation and aftercare, not least in our prisons; through drugs treatment and testing orders and drug courts. In other words through treating drug addicts, rather than incarcerating them.

Roseanna Cunningham spoke of the need for new and startling ideas, but produced none. Mr Gallie—even worse—said that he did not have time to tell us what the Conservatives would do, but that whatever it was, it would be clear. We need a radical rethink, rather than their tedious

and tiresome flinging of statistics across the chamber. New ideas must be produced to tackle this most serious and intractable of problems and this most difficult of crimes to detect and prosecute, which causes misery and tragedy for thousands.

16:02

**Paul Martin (Glasgow Springburn) (Lab):** I welcome the Executive's motion. I also welcome the part of Roseanna Cunningham's amendment—S1M-1890.1—that asks for a more coherent programme that would tackle the major problems that are currently experienced throughout Scotland. That is what Roseanna is calling for from the Executive, so why have not we seen the SNP's programme for a more coherent criminal justice system? Why—instead of picking holes in every Executive motion—does not the SNP publish its coherent programme and let the real debate begin? We want to see the SNP's programme, so why is it not published on the SNP website? Where is it?

I am concerned that the debate has focused primarily on police numbers. Fighting crime is not only about police numbers. We must raise several issues. First, I will talk about the way in which police officers are allocated throughout our constituencies. Areas of high crime—such as Blackhill, Sighthill and Roystonhill—in my constituency receive the same placement of police officers as areas such as Bearsden. I mean no disrespect to anyone in Bearsden, or to the member for Bearsden, but that area does not have the high crime that is experienced in my constituency. We must consider the way in which police officers are placed in areas of high crime.

I will deal with another recently well-publicised issue that faces my constituency—racist attacks. The chief constable must take the issue seriously in relation to the way in which he places his police officers. I put on record that the attacks have been carried out by a minority and that 99.9 per cent of the people in my constituency are good, hard-working people. They are not criminals or drug dealers. They are decent people. They do not deserve to be included in the soundbites, which we hear in many parts of the media, that say that Sighthill is a drug-ridden community. I am very proud to represent Sighthill and will continue to be so. Sighthill needs the support of the local elected members, the local community and the authorities, such as the police and the housing authorities.

In order to deal with racist attacks, which are an unacceptable aspect of our society, we need additional resources. I ask the minister to address how we might raise additional resources to deal with racist attacks, which have become an issue in my constituency.

The Executive has also introduced a number of innovative programmes, particularly with regard to CCTV. Glasgow City Council should be commended for its initiative in exploring best value as far as the CCTV programme is concerned. That council is considering ways of reorganising the programme, including its base in the Blochairn depot, which is in my constituency.

Because of football grounds such as Celtic Park, Ibrox and Firhill, there are particular demands in Glasgow that require additional policing resources, and we must remember that community police officers are deployed to such areas. The chief constable must seriously consider how he deploys such resources to ensure that the community police officers do not continue to be the losers.

I welcome the Executive's statement and I certainly look forward to a reduction in crime figures.

16:06

**Mr Kenneth Gibson (Glasgow) (SNP):** First, I commend the Minister for Justice on his conversion to acceptance of the need for more police officers. If he recalls, in the debate on 25 November 1999, he said that

"in the 18 years of Conservative Government, crime rose in Scotland."

He said that I had

"also heard that—and no one is disputing the fact—at the same time, police numbers rose substantially. How does he square that with his view on the correlation between police numbers and crime?"—[*Official Report*, 25 November 1999; Vol 3, c 939.]

At that time, the minister did not appear to believe that police numbers have an impact on crime, and I am glad that the Executive now believes that that is the case. The SNP stands against crime and for 1,000 extra police officers.

I suppose that the issue is all about priorities. For the Executive, policing regrettably falls well down its list of priorities. For example, according to the *Sunday Herald* a few weeks ago, the number of spin doctors who are employed by the Executive to tell us how wonderful everything is has increased in two years from 59 to 81. That does not include the swollen ranks of the First Minister's own team of special advisers. For the Executive, the priority appears to be public relations, not policing.

In *The Scotsman*, the Executive was denounced for its

"mean-spirited parochialism, profligate spending and naked incompetence"—

a statement that was subsequently echoed by the Executive's own house magazine, the *Daily Record*.

However, at a time when the Scottish Police Federation is denouncing the Scottish Executive for “misleading” the public about police funding and numbers, the Executive says that Scotland apparently cannot afford the £25 million—less than one seven hundredth of the Scottish block—for the extra 1,000 police officers that would ensure that our streets are safe and that people are able to live without fear.

What did the SPF say last week at its annual conference in Peebles? Although many members have already touched on the issue, I would like to read out a few more quotes. According to the *Evening Times*, John Finnie

“claimed that Justice minister, Jim Wallace, had announced £165 million of extra funding”—

which was repeated this afternoon—

“when the true figure was just £80m.

He said: ‘The public are entitled to demand that politicians present accurate information on the criminal justice system.’

McKenzie Reid of Strathclyde Police, said: ‘The first qualification for being an MP is being economical with the truth.

‘We must start telling the public the truth, which is how many officers are actually carrying out frontline duties.’

Police Federation general secretary Doug Keil added: ‘The police force is not awash with new money or new police officers.’

Delegates highlighted a string of Executive announcements of ‘new’ money and ‘additional’ officers.

One release in March stated Strathclyde Police now had 7200 officers ... two weeks later the figure had risen to 7318 apparently with no extra officers recruited.

Another announcement trumpeted ‘400 new feet on the beat’ when referring to 200 new recruits.”

The police are justifiably angry at how the Executive apparently deceives the public, and I am sure that more people believe the police than the Executive on the issue.

What is the reality? Gordon Jackson mentioned G division. Figures from G division show that, in areas such as Pollok, the crime rate is 50 per cent higher than the Scottish average. Indeed, as Paul Martin pointed out, it is important that areas of social exclusion are given the extra resources that they require. A couple of weeks ago, I spoke to a chief superintendent in Pollok police station who said that, during the week, the division often has only four officers available to police its entire area. Last week, a housebreaker was caught after carrying out 36 break-ins in a new housing development in the Dalmellington Road area of Crookston. People who move into a new area, with new hopes for themselves and their families, have their homes broken into and wonder whether they should have moved there.

Keith Raffan eloquently highlighted drug crime as a major issue that must be dealt with. However, many burdens are now falling on our police force. For example, L division has reported that it needs 22 additional officers to police the sex offenders register. That is a very important task, for which extra officers and resources are required.

I and members of all parties have been out with police officers on Friday and Saturday nights, when the clubs close at 3 am. We have found out that the police are overstretched, and that antisocial acts such as urinating in the street or falling down drunk and virtually unconscious are ignored by the police, because they do not have the resources to deal with those people. If a fracas were suddenly to erupt, they would not have the officers to cope with it.

The Executive should be more ambitious in trying to reduce crime and it should be reducing crime to historic levels, rather than allowing the levels at which it has peaked in recent years. We believe that recruiting 1,000 extra officers will be a step in the right direction. That is where the SNP stands on crime.

16:11

**Bill Aitken (Glasgow) (Con):** It is important that we address the public perception of the argument, because the public do not regard the current position as satisfactory. Their perception—and, indeed, the reality in many instances—is of a harassed and frustrated police force, an under-resourced prosecution service, deceptive and inadequate sentencing and court disposals, and a juvenile justice system that is unable to deal with the more serious and persistent young offenders.

We should ask ourselves what happens when a member of the public reports a crime. If a 999 call notifies the police of a serious assault or a housebreaking in which the perpetrator might still be on the premises, there is a fast, effective and efficient response. However, other crimes and acts of disorder receive scant attention. How many police officers are on the streets of Glasgow when there is a major football match, for example? Very few—they are all at the football match. In some instances, while a game is being played at Celtic Park in the east end of Glasgow, there are only about six officers from C division covering that shift. The police are becoming more and more frustrated as they realise that the service that they are providing is inadequate, and that leads to further reductions in the police service.

What about the prosecution system? What happens when somebody is arrested? In many cases, the answer is nothing. Warning letters and conditional offers are sent. Conditional offers are a farce, because the initial payment of £5 negates

the whole matter—that situation is ludicrous—and one is driven towards the view that the decisions not to prosecute are based on financial expediency, rather than on the interests of justice.

What happens when somebody goes to court? Our system rightly operates on the premise that every effort should be made to prevent custodial sentences. However, at the same time that must be consistent with the wider public interest. Our sentencing system is fundamentally dishonest: if the sentence is six years, it should, arguably, last for six years. I am not saying that that is always appropriate or that judges should not consider remission, but the system should at least be honest about the length of sentences.

Furthermore, the community service system is a joke. It is utterly meaningless, because there are ludicrous alternatives to paying fines. In the event of non-payment of a £200 fine, somebody can be sentenced to two days' custody, which is hardly an incentive to pay. Why are fines not deducted from people's benefit payments? That would be feasible and should be done.

Jim Wallace is, however, correct in highlighting the importance of getting to the young offenders before they graduate to much greater crime. He said that we must persuade them

“to face up to their offending behaviour.”

However, what happens if they are not persuaded? What if they are unwilling to be reconciled with their victims? The children's panel system is woefully inadequate to deal with such people. The Social Work (Scotland) Act 1968, which introduced that system, dealt with the young offender of 1968, who is a quite different animal from the young thugs who are rather prevalent today. Something must be done to address that problem.

I invite Jim Wallace and Iain Gray to the real world that exists in many of our cities, and which features aggressive beggars, drug addicts—many of whom are more to be pitied than blamed—vandalism, pavements that are littered with windscreen glass, and general disorder.

Some of the points that have been raised are interesting. Gordon Jackson raised a number of issues regarding policing that I could not disagree with. However, I point out that the system that he describes has been operating for years and that, while it helps, it does not help to the extent that Gordon Jackson claims.

Pauline McNeill talked about the initiative that sees persistent shoplifters being taken to the sheriff court in Glasgow. I will tell her a rather amusing story. When misuse of drugs offences were dealt with at the district court, all persistent shoplifters carried with them a dod of cannabis so

that, if they were arrested for shoplifting, they would be taken to the sheriff court, where most of the disposals were much more lenient than they would have been in the district court. In Glasgow district court, before a stipendiary magistrate, a six-month sentence, plus add-ons, is possible.

I do not suggest that Jim Wallace and Iain Gray are detached from reality, but I am convinced that they do not realise the seriousness of the problems that are faced by many of our citizens. I invite them to address that. They should visit our cities at night—they might be surprised. There is a big problem that must be addressed.

16:17

**Maureen Macmillan (Highlands and Islands)**

**(Lab):** Everyone welcomes the drop in crime figures compared with last year, although I treat any statistics with a deal of scepticism as many factors are at play. For example, a fall in the number of reported cases of rape may be more to do with women's lack of confidence in the judicial system than with a genuine decline in the number of offences. What is more telling is the rise in detection rates. I note that, in the Northern constabulary area—the safest place in the country in which to live—crime figures have increased against the national trend, but the detection rate has increased by a greater amount. In the first quarter of this year, the detection rate increased to 62 per cent from 49 per cent last year. I congratulate Northern constabulary on those statistics.

The biggest statistical drop in the north has been in the number of drug offences. I hope that that indicates that we are getting to grips with the drug problem in the Highlands. The drug problem has caused great anxiety to communities, which have seen their youngsters sucked into the drug culture and have had seemingly untouchable dealers living in their midst. Any success has been due to partnership working among the police, the health boards and the local authorities, and to hard front-line police work, such as operation wedge, which netted, tried and convicted some of the big players in the drugs game.

Success has also been due to the communities, which decided that they had had enough. Drugs strategies can be imposed from the top down, but they must engage with communities at grass-roots level. That is what is happening in Highland towns and villages. The campaign by Alness mothers against drugs is a good example. Jim Wallace may remember meeting them at the recent anti-drugs march in Glasgow. They are working hard to rid their community of drug dealers and to offer support to addicts. Many of the mothers have family members who have been affected by drugs. None of them had any experience of being in the

public eye and it took a lot of courage and hard work to set up the group. They are working in close partnership with the police at community level and are making a difference. Other communities in the north wish to follow the example of Alness.

As the Northern constabulary's statistics show, drugs are perceived by the public to be more of a problem than they are. That concern is linked with people's general fears about unruly youngsters. In my experience, unruly youngsters are likely to be the worse for drink. When they gather in the centres of villages, small towns and housing schemes, they can be intimidating. All society has responsibility. Who sold them the drink? Why can their parents not cope? Some single mothers live in fear of their teenage sons. Why is there not something more constructive for them to do? What kind of school experience have they had? We are all responsible for our young people. Stopping crime, vandalism, under-age drinking and drug abuse is up to all of us in the Parliament and in society as a whole. We have to change the culture of our communities.

I have spoken about changing our culture in the context of the campaign for zero tolerance on domestic abuse. For me, this would not be a speech on crime without including reference to domestic abuse. The change in attitude to domestic abuse on the part of police and other agencies is to be welcomed, but we delude ourselves if we think that the problem has been solved. There are entrenched attitudes out there, which need to be addressed.

Women in their own homes and young men drunk on the streets make up the majority of victims of violence in our society. We are addressing the problem, not just with more police in the community, but by channelling more resources into youth provision. I think, for example, of the splendid Elgin Youth Café.

There are more resources for combating domestic violence—for example two additional refuges are proposed for the Highlands. We need resources also to educate young people about relationships. Building refuges and providing education do not immediately prevent crime, but they give a message to communities that domestic violence is a crime and is not acceptable.

There is much still to do, especially to ensure that young people do not fall into criminal habits. However, we have made a good start and, as Gordon Jackson said, working in the community is paramount, whether in Govan or in Caithness.

16:21

**Mr Gil Paterson (Central Scotland) (SNP):** The Executive's announcement of figures showing that

crime has reduced by 3 per cent may be applauded, but the stark reality behind that may not. The figures are for the number of reported crimes; they do not show the number of crimes that go unreported and the number of reported crimes that do not result in conviction. If the number of reported crimes is down, as the Executive figures show, that does not necessarily mean that fewer crimes are being committed. That is particularly true for crimes involving men's violence against women and children.

**Iain Gray:** Does the member accept that the indication of the incidence of crime, which includes unreported crime, has come from the Scottish crime survey and shows that we are moving in the right direction, with crime falling in the vast majority of categories?

**Mr Paterson:** I have a number of points to make in my speech. Perhaps the minister will make further interventions on the related matters that I will address.

The Scottish Executive figures show that the incidence of cases of assault with intent to rape and of indecent assault fell by 14 per cent last year and by 5 per cent in 1999. That sounds great, until we realise that women are assaulted, on average, 35 times before they contact the police. Only one in 10 incidents of domestic violence gets reported to the police.

When the crime of rape is examined in isolation, an even more unsettling reality is revealed. It is estimated that 90 per cent of rapes go unreported and that only one in five women who contact Rape Crisis Scotland ever contacts the police. The figures show that the number of cases of rape decreased by 5 per cent in 2001, compared with a 4 per cent decrease in 1999, but that is not the whole story. The decrease in the number of reported rapes could mask an increase in the total number of rapes committed. It could show fewer women coming forward because they are scared, or because they feel that they will not get justice. So many women do not report rape because of fear, because of the trauma they have already suffered and because they see that many rape cases do not result in a conviction. Only 6 per cent of the estimated 6 per cent of rapes that are reported result in a conviction.

When it comes to issues such as rape and domestic abuse, we cannot look at the figures and believe that the problem is becoming smaller. We must instead look at the reality beyond the figures: that a decrease might mean that fewer women are coming forward. It is that issue that we must address. We must consider all aspects of the criminal justice system, to make it easier, safer and more beneficial for women to come forward.

In the long term, we need a change of attitude in



society and far less tolerance of violence against women. In the short term, we should consider urgently training people at the coalface of the legal system. As we all know, the Abernethy ruling has set back organisations' work light years. How are women supposed to be encouraged that they will get justice if someone decrees that they have to be beaten as well as raped for the offence to constitute rape? After that fiasco, I would not be surprised—nor would anyone in the chamber—if the number of reported rapes fell even further next year.

Recorded crime figures are pretty much irrelevant to rape and domestic abuse, as it is what the figures do not tell us that is important. Members will remember the phrase, "Lies, damned lies and statistics." In this case, the interpretation of the statistics may not be the issue, but the choice of statistics is—they cover up a multitude of unreported crimes.

16:26

**Hugh Henry (Paisley South) (Lab):** The debate has had a depressingly familiar tone. Members have traded statistics—which sometimes become meaningless—and insults and have avoided the real issues affecting people in the constituencies that we represent.

I share some of Margo MacDonald's concerns about the Executive motion. I agree that the Parliament should welcome the reduction in the number of recorded crimes but, like her, I think that, rather than argue among ourselves, we should have used this opportunity to move forward and have a debate that is meaningful to people beyond the chamber. I fail to understand why the Opposition has not built on what the Executive has done by considering constructively what might be done to tackle crime.

All we have had is the yah-boo-sucks school of debate, which will make no impact on the public. We all know that crime is a concern. We all know that people become overwhelmed if statistics are thrown at them. Hearing that there are more police and record investment does not matter to the people suffering crime. Those people expect members to start examining meaningfully and in detail what can be done to improve their lot.

We need to recognise that, despite the increased numbers, the record investment and the surveys that show that the fear of crime is falling, there are still people who live in fear of crime. We must address that fact.

There are some fundamental issues. We need to consider parental responsibility. It is not just a question of putting more police on the beat. As Gordon Jackson said, we need to look at the responsibilities of communities and society.

Unless we turn around attitudes to breaking the law, it will not matter how many police we put on the beat, as we will be no further forward. Of course, if we put more police on the beat and they have more success, if we encourage a willingness to report crime, and if the judicial system supports the police, more crime will be reported and it will be supposed that more crime is being committed. As is sometimes glibly said, we must eradicate the causes of crime. Success in our society is not simply having policemen on every corner. The police cannot resolve the fundamental problems in our society.

If we tackle the problems of crime by investing in more police, we need to ensure that we have a judicial system that is able to support them. The Minister for Justice has received a number of letters from me on this issue. I am fed up with people in my constituency telling me about drug dealers on their streets who are let out on bail—the police oppose their release on bail, but they are let out and commit more crime while on bail, and the cycle continues. It does not matter how many police are put in, even if they are successful, because something is fundamentally wrong.

I can also give examples of paradoxes. People come to me and say, "We want more police on the streets. We've got to stamp out crime," but when, in co-operation with Strathclyde police, we try to get more police into particular areas, people from the same community tell us, "It's absolutely ridiculous—the police are harassing our youngsters. This has got to be stopped." There is no balance in that argument.

**Richard Lochhead:** I welcome the member's comments about bail breakers, which is an issue that I have pursued since the Parliament was established. I am sure that, like me, Hugh Henry welcomes the Minister for Justice's commitment to review the position of bail breakers. Does the member agree that a reason why there are now so many bail breakers is the presumption in human rights legislation that the courts will release accused persons on bail? We must keep close watch on the impact of human rights legislation on the Scottish justice system.

**Hugh Henry:** That is a point worth considering, but the fundamental issue is that we must accept the human rights legislation and work with it to ensure that it works effectively on behalf of all people in the community, not just the minority who cause problems.

Although we have been talking about more serious crimes, we should not neglect pernicious crime that is carried out at the local community level, which is equally distressing to hundreds if not thousands of people throughout Scotland. For example, some types of anti-social behaviour are crimes and have a debilitating effect on our

communities. I want an end to situations such as the one that a constituent of mine faced recently. My constituent's family had to be moved from their house, with the support of the police, because of anti-social behaviour. The family then found out that the tenant who had been causing the problems was on the police's wanted list. There was a warrant out for the tenant, who should never have been there in the first place.

The issue is extremely complex. What depresses me about this debate is that we are more concerned about politics and elections than we are about trying to benefit our communities by putting some meaning into the debate.

**The Deputy Presiding Officer (Mr George Reid):** We come now to closing speeches. As we are absolutely on time, I advise Mike Rumbles that he will have five minutes.

16:32

**Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** The motion that we are debating is straightforward, clear and, I must say, modest. It is in stark contrast to some of the more hyperbolic motions that have been presented to the chamber. I congratulate the Minister for Justice on his clear and succinct motion, which gives the Parliament the chance to welcome the reduction in recorded crime that was announced last week and the steps taken by the Executive to combat crime in Scotland.

That good news ought to be welcomed by all parties in the chamber. The Liberal Democrats certainly recognise good news when they see it. It is a pity that we had such a negative and condemnatory reaction from Roseanna Cunningham, who spoke on behalf of the SNP at the beginning of the debate. It is a bit rich to use selective statistics—to touch on only one issue that she raised. She quoted different quarters for the statistics that she used—she quoted the last quarter of 2000, rather than the first quarter of this year.

**Roseanna Cunningham:** No, I did not. Mike Rumbles is wrong.

**Mr Rumbles:** I always believe that the Opposition is far more effective when it welcomes good news, rather than being constantly negative. Unfortunately, the SNP's amendment shows us that that party is not simply wrong, but negative.

In the same vein as Roseanna Cunningham, Kenny Gibson chided the Executive for hype. Let us examine the hype in the SNP amendment, which is in contrast to Jim Wallace's straightforward motion, which simply says:

"That the Parliament welcomes the reduction in recorded crime and notes the further steps being taken by the

Executive to combat crime."

The SNP's amendment, says:

"The Scottish Executive has failed the Scottish criminal justice system".

The amendment goes on to refer to

"an increase in ... the levels of crime and the fear of crime ... providing insufficient numbers ... failing to alleviate the serious public concern ... a collapse in morale"—

The amendment is all negative and all hype.

**Mr Gibson:** Mr Rumbles will forgive me if the SNP does not accept his judgment on that matter. I recall that, during a debate on local government, Mr Rumbles crowed about how great the settlement was for Aberdeenshire Council, which is the local authority in his constituency. However, Aberdeenshire Council then raised its council tax higher than any other local authority in Scotland.

Does Mr Rumbles believe that 1,000 extra police officers would improve the fight against crime? Would the 14 extra officers that would go to his constituency allow his constituents to sleep more easily in their beds at night?

**Mr Rumbles:** I would certainly welcome an extra 1,000 policemen in Scotland. However, as usual, the SNP wants extra money for this and extra money for that. Where will that money come from? The SNP does not tell us.

I was talking about negatives. The Executive is not presiding over an increase in crime levels—as the SNP would have us believe—nor is it providing insufficient police officers. At least Phil Gallie had the good grace and honesty to accept both those points. I do not want to be churlish, but he said that he would congratulate the minister when we achieved that and I did not hear him congratulate him.

**Phil Gallie:** I did not congratulate the minister simply because he has claimed that there are an extra 200 officers in the Scottish Drug Enforcement Agency. He cannot have achieved that and equated police numbers with the 1997 level at the same time.

**Mr Rumbles:** There has been a 3 per cent decrease in recorded crime. Indeed, recorded crime is 26 per cent lower than the peak figure in 1991 under the Conservatives. While decisions on police numbers are ultimately a decision for individual chief constables, and therefore not within ministers' direct control, Jim Wallace has presided over police numbers increasing to an all-time record level of 15,149. I take Phil Gallie's points, but I do not necessarily accept what he is saying.

On the ridiculous claim that the police officers somehow do not count because they deal with paperwork, Jim Wallace, the Liberal Democrat

Deputy First Minister and Minister for Justice, nailed the myth. If part-timers, domestic cleaners and cadets are removed from the equation, the number of support staff has also increased dramatically, from 4,290 to 4,712. That is the highest-ever level. Let us get the facts right.

I want to address something that Richard Lochhead raised about the problems in Aberdeen city. There are problems. Grampian police has the lowest police numbers—funding is based on police numbers. I have raised funding with the chief constable, Andrew Brown. The two points raised by Richard Lochhead—about policing the North sea industry and the much-welcomed royal visits to Balmoral, which is in my constituency—are not the issue, although I thought they were when I originally raised the matter in 1999. Members know as well as I do that Andrew Brown said that the issue is the formula rather than those two points.

I thought at first that the Tory amendment was a subtle attempt to drive a wedge between the parties that support the Executive. The amendment says that the Parliament

“regrets the rise in crime that followed the change of UK government in 1997”

and

“welcomes the reversal of this trend recently recorded”.

That is good, but Phil Gallie spoils the amendment by being negative. The amendment then says that “inadequate” steps have been taken by the Scottish Executive to combat crime.

There is good news: crime is down 3 per cent on last year; the police are clearing up proportionately more crimes than they were a year ago; and there are more police officers and support staff in Scotland than ever before. Those gains are modest but important and we should recognise that.

16:37

**Mrs Lyndsay McIntosh (Central Scotland) (Con):** I do not propose to go over all the speeches, but a number of themes recurred in the debate. One was parental responsibility. I know that there has been a parliamentary debate on parental responsibility and responsible and reasonable punishment for children. I look forward to the Executive bringing forward the next part of that debate. The consensus on that might signal a change of heart from some parties.

Alternatives to custody were also mentioned, particularly by Pauline McNeill. During the recess, I took the opportunity to look at some of the alternatives that are in use. Tagging has a fairly reasonable chance of success in dealing with younger criminals and in ensuring that those

children whom we want to be dealt with more responsibly can be at home under the care and custody of their parents.

**Scott Barrie (Dunfermline West) (Lab):** Does Lyndsay McIntosh accept that a range of effective disposals, such as reparation schemes, already exists for young offenders? We should emphasise those more, rather than delve into things such as tagging under-16s.

**Mrs McIntosh:** I fully accept Scott Barrie's point that reparation and mediation can be useful. When I was examining the tagging system, I discovered that tagging often offers people their first chance to stop and think about what they have done. That was the evidence that I heard from the people who do the job. If mediation and reparation are part of the Executive's plan, I suggest that tagging could play a part too, to give youngsters that opportunity.

Partnership working has been mentioned. It is true that, if we want to make changes in society, we have to do so from the bottom up. The best ideas percolate up. There is no doubt in my mind about that.

Bail aggravations also came up and Richard Lochhead pursued the issue. We know the people who are repeat offenders; they are the same people who prey on our poorer communities. What makes things worse in the case of house-breakings is that, once goods that were stolen have been replaced, the people whose house was broken into become repeat victims. Why would people want to steal old material when they can get brand new stuff again?

I have one counsel for Gordon Jackson who, I regret, is not here. We heard two criticisms of the Executive's motion, which suggested that it was perhaps complacent. I counsel Gordon Jackson not to be too critical, or he is likely to jeopardise his political career. He is not a judge yet.

Margo MacDonald is not here either. I am sorry about that, because Phil Gallie was aghast when he thought he heard her say that she was a Grange great granny. It was just a Grange granny—only one generation away.

Kenny Gibson picked up on the problems in the new homes in Crookston. I go back to a point that was made earlier: it is easy to sit and trade statistics and insults, but that is not what it is all about. We have to consider the positive things that we can do. Backing our police will reassure the public. It will increase the detection of crime and act as a powerful deterrent to would-be criminals. We would then restore public confidence in the justice system and ensure that justice is swift, fair, punishes the guilty and protects the innocent. We want to ensure that the punishment fits the crime.

In government, the Scottish Conservatives

pioneered community involvement in the prevention of crime, through neighbourhood watch schemes and the use of closed-circuit television. I am glad that such things continue. We are determined to extend such schemes into areas that are not covered.

Victims must be at the centre of any system. If the accused is found guilty, we will allow victims to submit a victim impact statement before sentencing. If the victims wish, we will ensure that they are advised in advance of offenders' release dates. Nothing can be worse than coming upon someone in the street who has sinned against one's family.

We will make it an offence for those convicted of serious sexual offences to contact their victims without the prior consent of the victim.

I would say more, but I realise that I have exceeded my time.

16:43

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

It is only a few weeks since we were here having a debate on this very topic. On that occasion, Jim Wallace had hotfooted it from Hampden, where he had been inspecting all the new recruits to Strathclyde police. I do not know which football park he has been at today, or whether he plans to go to one after the debate. I recommend Firhill on Saturday, when Partick Thistle will lift the second division championship. We are expecting a bumper crowd and he will be able to see Strathclyde's finest operating well.

**Iain Gray:** Is it all-ticket?

**Michael Matheson:** It will be all-ticket, of course—but Gordon Jackson always has a couple of tickets.

It is clear that the Executive does not feel that its propaganda on police numbers is getting through—hence a further debate on the issue today.

It is interesting to note that there is no mention in the Executive's motion of the wider issues in our criminal justice system. The minister referred to those wider issues in his speech, but the motion does not refer to them at all. There are many parts of our criminal justice system of which we should be rightly proud, particularly as a result of the commitment of the staff. However, it would be wrong to judge any Government or Executive on a single component of the justice system and to ignore the views of those who are on the front line, particularly their views on policy direction. Over the past couple of weeks, we have heard criticism from the Scottish Police Federation about the Executive's use of statistics. That was coupled with industrial action in Scottish prisons.

It is clear that, since 1997, when the Labour Government came to power, the trend in crime has been increasing. It should come as no surprise that there are many people across Scotland who are imprisoned in their own homes because of their fear of crime—they are afraid to walk the street alone and afraid to open their doors at night. I imagine that every MSP, as several have mentioned, has had some representation from a constituent who is concerned about criminal behaviour in their local community and the fact that such behaviour appears to go unchecked. Often, when we go to the police and raise such issues, they come out with the old chestnut: "We don't have enough front-line officers. We have people training and on secondment and there are folk off sick."

Gordon Jackson made a good point about the police engaging with the local community in trying to tackle crime. However, as Margo MacDonald pointed out, if a community continually complains about criminal activity in its area, it will eventually lose faith. That is why we must ensure that, if we are to engage with local communities, there are sufficient police officers to take on that role and to address the issues that are highlighted by the local community.

**Phil Gallie:** Given some of Michael Matheson's comments about levels of criminal activity, does he accept that that situation comes about because criminals are being recycled through the system and are not serving the appropriate sentences? If he agrees with that point, why did he sit on his hands today in the Justice 1 Committee, when he had a chance to make sentences mean what they say?

**Michael Matheson:** In the context of this morning's debate on the Convention Rights (Compliance) (Scotland) Bill, the effect of Mr Gallie's amendment did not fit with its intention. There is a wider issue about people who continually commit crimes. To address the issue purely in terms of improving sentencing procedures is inappropriate. It is a wider social problem and various factors must be taken into account. As ever, the Tories have taken a simplistic approach to a complex and deep-rooted problem.

The Executive has repeated its desire to congratulate itself on police numbers. However, as usual, we must go back to those on the front line. Several members have quoted representatives of the Scottish Police Federation who have highlighted genuine problems in relation to police resources on the front line.

A key to good policing is the ability to plan resources. Over the past four years, the police have seen their resources being reduced and that has created difficulties in planning for the future.

Pauline McNeill and Paul Martin both criticised the SNP amendment. Pauline McNeill suggested that we would fund our extra 1,000 police officers by asking the Treasury for money that it has been paid in fines for crimes that have not been committed. I do not know whether Pauline McNeill was listening, but Roseanna Cunningham made it clear in her speech that the cost would be one sixteenth of the Executive's underspend last year. It is money that is in the pot to be used.

**Iain Gray:** Surely the member realises that if the officers were funded through the underspend, they would last for precisely one year?

**Michael Matheson:** That is not the case, as the minister is well aware. The minister has tried to raise the issue of how we could fund 1,000 officers out of £25 million. The criteria in the equation that was used to make that calculation are the same as those that were used by the Executive in calculating its 300 extra officers and the £8.9 million that that would require. That is the reality.

Several members mentioned the Scottish Prison Service and it is regrettable that the minister has not examined that matter in detail. The minister cannot have failed to notice that morale among prison officers is at rock bottom. There has been industrial action. There is low morale because of the delay in the results of the prison estates review, and concern about possible further privatisation and prison officers' working conditions, which—in places such as Barlinnie—are appalling. Anxieties have been expressed time and time again by an important part of our criminal justice system—the prison officers who work in Scottish prisons. The situation is not helped by senior members of the Scottish Prison Service stating in the national media that industrial action will just play into the hands of those who want to privatise the service when, often, some of those senior SPS members are the ones who want to privatise it, as—I suspect—do some ministers.

I am onside with Tony Blair on this matter. I do not normally align myself with right-wing people, but I am onside with what he said when he wrote to the Scottish Prison Officers Association when he was in Opposition:

"We remain firmly opposed to privatisation of prisons, driven as it is by dogma rather than a serious strategy to reduce crime".

The question for the Executive is whether its policy to deal with the real issues of crime in Scotland is based on dogma or a simplistic strategy.

Today, we have witnessed the Executive parading figures in celebration, when in reality we have not moved on since 1997. It is time that the Executive produced a strategy to tackle crime, because the real story is that the Executive has failed to deliver a safer Scotland for everyone.

### **The Presiding Officer (Sir David Steel):**

Before I call the minister to wind up, I appeal to members who have attended this excellent debate not to allow those who come in later to engage them in conversation and to disrupt the ministerial reply.

16:51

**Iain Gray:** A good number of speakers have queried why we have returned to the topic of crime relatively quickly after the recent criminal justice debate. I make no apology for that. It is simply a reflection of the priority that the Executive gives to fighting crime. Those who suffer crime, particularly those who live where crime is most common and where the fear of crime is greatest, do not have a choice. They live this debate on crime, and the fear of crime, day in and day out.

Roseanna Cunningham made a flippant comment about "Groundhog Day", but for many of those whom we represent, crime is their "Groundhog Day." Their sense of *déjà vu* is the fear of crime day after day, so we will return to the issue again and again, because it lies at the heart of creating and nurturing a Scotland that is at ease with itself, secure, confident and safe for all its citizens.

**Phil Gallie:** We in the Conservative party welcome continued debate on this issue, because we recognise its importance. Will the minister undertake to ensure that in future, when he comes to the chamber, he brings positive new ideas and pledges to ensure that crime is driven down and that people have peace in their homes?

**Iain Gray:** The police targets, which underpin the strategy that we are pursuing, are new to this debate. I will address Mr Gallie's points later.

It is exactly because we know that there is more to do that we give the chamber the opportunity to debate crime again. We celebrate the fact that the level of recorded crime in Scotland has fallen, and that additional investment last year and this year has ensured the highest number of police officers that Scotland has ever seen. We also bring those facts to the chamber to debate how we can build on that platform to make Scotland safer still. We do so not in a self-congratulatory manner—Mr Rumbles said that the motion is modest—but with a simple motion to allow an open and wide-ranging debate. However, that has been to no great purpose, as far as the Opposition is concerned. An open motion is just another reason to whinge. By and large, the Opposition has simply taken the opportunity to try to deconstruct the good-news headlines, to divert the debate into arcane claims about the small print, or to reconstruct its own amendments to somehow—anyhow—deny the progress that has been made.

The people of Scotland deserve a better-quality debate. We have to move the debate on crime beyond arguments about how many police officers dance on the head of which pin. There are 15,149 officers. Those are the police's figures. As for current police budgets, they are exactly that—police budgets. This year's budgets were developed by asking all forces to submit the budget that they needed to deliver policing in their areas. Every one of those budgets was delivered in full, or indeed was slightly exceeded. That is how the budgets that we are debating were developed.

Pauline McNeill is right. We should accept the good news, then begin to engage in the debate about what we want from our police and other criminal justice agencies. How can we best achieve a safer Scotland? Where should we place the emphasis in policing and other activities? We need to make choices about the benefits of targeting organised crime. We should discuss the use of targeted policing to disrupt some criminal behaviour. We must focus not only on what we can do to target crime and criminals, but on what more we can do to tackle the causes of crime.

I listened in vain this afternoon for positive speeches from Opposition members. Most of what we heard was negative, nit-picking and narrow. None of it was new.

**Mr Gibson:** Does the minister accept that much of what we said was focused on direct quotations from the Scottish Police Federation? Is not the federation angry with the Executive?

**Iain Gray:** I accept that SNP members read out many quotations from members of the Scottish Police Federation, but I note that they chose not to select the quotation in which we were given credit for delivering record police numbers in Scotland. That does not surprise me.

We must consider how the range of modern police activity contributes to the fight against crime. Some members spoke as if any police officer who was not out walking a traditional beat was not doing a worthwhile job. That is not true. The other officers are not doing office work, because we have provided for a record number of civilian staff to free even more officers for front-line work. Some officers are in the Scottish Drug Enforcement Agency, which has made more than 100 major arrests and seized drugs with a street value in excess of £15 million in the past year.

Other officers are in domestic abuse units or child abuse units and are targeting the crime that the Parliament has demanded should be a priority. Those officers are doing the work that Gil Paterson was right to say is desperately needed to address such crimes. Other officers are policing road traffic and saving lives, or undertaking a

range of prevention duties, not only with schools and clubs, but with many agencies. Many police officers are gathering the intelligence that allows front-line officers to be deployed to the greatest effect. Are not they also front-line officers? Some are undercover and are risking their lives to infiltrate criminal networks. They are not visible, but are not they on the front line? We owe them a debt of gratitude. We should not belittle them for not being bobbies on the beat.

It seems to suit some Opposition members to talk down Scotland as being in a "Blade Runner"-like nightmare of unfettered crime. They counterpoise to that a vision of the police that seems to be based on PC Murdoch in "Oor Wullie". We are funding the development of a 21<sup>st</sup> century police force with the Scottish intelligence database, the new control centre in Lothian and Borders, the DNA labs in Strathclyde and Tayside and the restructuring of common police services to make them more effective. A properly equipped modern police force is now delivering crime clear-up rates that have not been seen since 1940. We could be discussing priority choices, but only Richard Lochhead addressed that issue briefly when he talked about the helicopter bid from Tayside and Fife.

Sophisticated policing involves not just high technology. Grass-roots disruption of patterns of crime, problem-solving policing and partnership with other agencies are all crucial. That is why we seek ways of building community safety partnerships that know where the new lighting, closed-circuit television camera or youth drop-in centre will cut local crime. Those local partnerships place policing in a positive anti-crime framework and enhance and enable efforts. As Gordon Jackson described, they engage communities in reclaiming their own neighbourhoods. I accept that the elderly often feel more vulnerable than others. I am seeking ways of engaging older people more in our community safety work. That is important.

I accept what many members said—if we want lower crime rates in the future, we must nip future crime in the bud now. We do not deny that the matter of young offenders is of great importance. That is why, across the Executive, we are taking action to support young people. Last month I visited the Tayside working in new enterprises—TWINE—programme in Forfar, where the police are taking the lead in giving young offenders a fresh start by encouraging them to participate in training, education or employment. Three of the graduates that I was supposed to meet could not be there as they had already taken up their first jobs. TWINE is the kind of thoughtful activity that will stop longer-term offending and make our streets safer now and in the future.

Crime flourishes where communities are weak. That is why crime hit record levels in 1991. We had a Government then that sought to deny and undermine the value of society.

Do we need more police? Yes. Do we need better-equipped police? Yes. Do we need robust sanctions, such as anti-social behaviour orders and the seizure of criminal assets? Yes. However, the real debate must be about how we bind those together into the strengthening of our neighbourhoods to turn falling crime rates into a rising sense of security.

Roseanna Cunningham should not forget that the real message of "Groundhog Day" was that, if one goes round in circles long enough, one breaks through to a better future. On crime, because it is so important, we will be back.

## Decision Time

17:02

**The Presiding Officer (Sir David Steel):** There are no Parliamentary Bureau motions, so we move straight to decision time. Members should check that the light in front of their card has gone out and that they are therefore registered to vote.

The first question is, that amendment S1M-1890.1, in the name of Roseanna Cunningham, which seeks to amend motion S1M-1890, in the name of Jim Wallace, on crime, 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)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Davidson, Mr David (North-East Scotland) (Con)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Elder, Dorothy-Grace (Glasgow) (SNP)  
 Ewing, Dr Winnie (Highlands and Islands) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Fergusson, Alex (South of Scotland) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Gibson, Mr Kenneth (Glasgow) (SNP)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 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)  
 Johnstone, Alex (North-East Scotland) (Con)  
 Lochhead, Richard (North-East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)  
 McLeod, Fiona (West of Scotland) (SNP)  
 McLetchie, David (Lothians) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Mundell, David (South of Scotland) (Con)  
 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)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Ullrich, Kay (West of Scotland) (SNP)  
 Wallace, Ben (North-East Scotland) (Con)  
 Welsh, Mr Andrew (Angus) (SNP)

White, Ms Sandra (Glasgow) (SNP)  
 Wilson, Andrew (Central Scotland) (SNP)  
 Young, John (West of Scotland) (Con)

#### AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Canavan, Dennis (Falkirk West)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Gillon, Karen (Clydesdale) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lyon, George (Argyll and Bute) (LD)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 MacKay, Angus (Edinburgh South) (Lab)  
 MacLean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 McAllion, Mr John (Dundee East) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McLeish, Henry (Central Fife) (Lab)  
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, Tavish (Shetland) (LD)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (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)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### ABSTENTIONS

Harper, Robin (Lothians) (Green)

**The Presiding Officer:** The result of the division is: For 50, Against 63, Abstentions 1.

*Amendment disagreed to.*

**The Presiding Officer:** The second question is, that amendment S1M-1890.2, in the name of Phil Gallie, which seeks to amend motion S1M-1890, in the name of Jim Wallace, on crime, be agreed to. Are we agreed?

**Members:** No.

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

#### FOR

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

#### AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
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 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Canavan, Dennis (Falkirk West)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Gillon, Karen (Clydesdale) (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)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lyon, George (Argyll and Bute) (LD)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 MacKay, Angus (Edinburgh South) (Lab)  
 MacLean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)



McAllion, Mr John (Dundee East) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McLeish, Henry (Central Fife) (Lab)  
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, Tavish (Shetland) (LD)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (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)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### ABSTENTIONS

Adam, Brian (North-East Scotland) (SNP)  
 Campbell, Colin (West of Scotland) (SNP)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Elder, Dorothy-Grace (Glasgow) (SNP)  
 Ewing, Dr Winnie (Highlands and Islands) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Gibson, Mr Kenneth (Glasgow) (SNP)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Lochhead, Richard (North-East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McLeod, Fiona (West of Scotland) (SNP)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 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)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Ullrich, Kay (West of Scotland) (SNP)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)  
 Wilson, Andrew (Central Scotland) (SNP)

**The Presiding Officer:** The result of the division is: For 17, Against 65, Abstentions 31.

*Amendment disagreed to.*

**The Presiding Officer:** The final question is, that motion S1M-1890, in the name of Jim Wallace, on crime, 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)  
 Canavan, Dennis (Falkirk West)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Gillon, Karen (Clydesdale) (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)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lyon, George (Argyll and Bute) (LD)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 Macintosh, Mr Kenneth (Eastwood) (Lab)  
 MacKay, Angus (Edinburgh South) (Lab)  
 MacLean, Kate (Dundee West) (Lab)  
 Macmillan, Maureen (Highlands and Islands) (Lab)  
 Martin, Paul (Glasgow Springburn) (Lab)  
 McAllion, Mr John (Dundee East) (Lab)  
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McLeish, Henry (Central Fife) (Lab)  
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, Tavish (Shetland) (LD)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (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)

Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### AGAINST

Aitken, Bill (Glasgow) (Con)  
 Davidson, Mr David (North-East Scotland) (Con)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fergusson, Alex (South of Scotland) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Harding, Mr Keith (Mid Scotland and Fife) (Con)  
 Johnstone, Alex (North-East Scotland) (Con)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)  
 McLetchie, David (Lothians) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Mundell, David (South of Scotland) (Con)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 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)  
 Cunningham, Roseanna (Perth) (SNP)  
 Elder, Dorothy-Grace (Glasgow) (SNP)  
 Ewing, Dr Winnie (Highlands and Islands) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Gibson, Mr Kenneth (Glasgow) (SNP)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Lochhead, Richard (North-East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McLeod, Fiona (West of Scotland) (SNP)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 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)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Ullrich, Kay (West of Scotland) (SNP)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)  
 Wilson, Andrew (Central Scotland) (SNP)

**The Presiding Officer:** The result of the division is: For 62, Against 18, Abstentions 32.

#### *Motion agreed to.*

That the Parliament welcomes the reduction in recorded crime and notes the further steps being taken by the Executive to combat crime.

## Scotch Whisky (Water Framework Directive)

**The Presiding Officer (Sir David Steel):** This evening's members' business debate is on motion S1M-1390, in the name of Mr Brian Monteith, on a Scotch whisky industry opt-out from the European Union directive. I ask members who are not staying for the debate to leave quickly and quietly.

#### *Motion debated,*

That the Parliament notes with concern the possible impact of the EU's Water Framework Directive on the removal of water from rivers and water courses and its potentially damaging effect on the Scotch whisky industry; recognises that the industry is important to Scotland's economy and the many rural areas where distilleries are located; welcomes the efforts made by representatives of all parties to convince the EU to consider opt-outs for Scottish distilleries, and believes that the Scottish Executive should apply immediately the exemptions from the Directive in order to protect the jobs and livelihoods of those working in the industry.

17:06

**Mr Brian Monteith (Mid Scotland and Fife) (Con):** Before commencing, I declare a recreational interest, as I am a member of the Scotch Malt Whisky Society. Sadly, what I am taking a sip of now is not one of its bottlings.

First, I thank the Parliamentary Bureau for selecting my motion for debate. That came as a surprise—but a welcome surprise all the same. Secondly, I place on the record my thanks to those MSPs who have supported the motion and its predecessor on the same subject.

Members may faint when they hear this, but I am a supporter of the European Union and Britain's membership of it. Pause for astonishment.

**Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** Resign.

**Mr Monteith:** My view of what Europe should be may differ from that of other members, but I accept that from time to time regulations, in the form of directives, will be framed and introduced throughout the member states. I argue, however, that one of the reasons for the relatively poor perception of the European Union in the public mind is the apparent joy and ruthlessness with which directives are applied by officials and public servants in this country, which contrasts to the relatively liberal approach taken in other countries. While we have our cheese police, scouring manufacturers for any breach of regulations, it is not difficult in France or Italy to purchase unpasteurised cheese openly in a local market. That sort of example brings the EU into disrepute.

**Mr Stone:** I have never met a cheese policeman in my life and yet I know a thing or two about cheese. Where do I find these people?

**Mr Monteith:** I suggest that the member consults Humphrey Errington, from whom he will find out the great cost of the cheese police, or dines at Martins restaurant, whose proprietor will explain the problems.

Over the next 12 years, the European water framework directive, which aims to improve the quantity and quality of water available for consumption, will be applied. My fear is that, if we politicians are not vigilant, the hard-fought concessions that recognise Scotland's unusual position as a water-rich nation will be lost in officious and sanctimonious attitudes from faceless bureaucrats.

I hope that members will tonight be able to voice their concerns about the threats posed to the Scotch whisky industry from the water directive. I also hope that the Scottish Government will recognise that some flexibility is available to it in applying the directive and will opt for as liberal a regime as possible. It is worth repeating that the Scotch whisky industry plays a vital role in the Scottish economy. It is a key generator of wealth and jobs. Many of those jobs are to be found in rural Scotland, which, as we know, is experiencing a widespread crisis. In Mid Scotland and Fife, the region for which I am a list MSP, we have the distilleries of Deanston, Glenturret, Tullibardine, Edradour and Dumgoyne.

The whisky industry provides more than 11,000 jobs directly and supports a further 30,000 with suppliers and support services. It generates more than £2 billion in exports annually, accounting for 12 per cent of Scotland's exports and 20 per cent of the UK's food and drink exports. It is crucial therefore that we debate thoroughly any new regulations or laws that may place an undue burden on the industry.

Article 11.3(e) of the directive requires member states to establish a register of water extractions. I understand that there is no objection to that. It also requires the industry to apply for permission to withdraw water. That may make sense in countries where water is scarce, but it is largely unnecessary in sodden countries such as ours. Indeed, the Commission recognised that and eventually accepted a provision that allows member states to

"exempt from these controls, abstractions or impoundments which have no significant impact on water status".

The European Committee and the Rural Development Committee are both concerned about the situation. In its recent report on rural jobs, the Rural Development Committee said that the European water framework directive is a

"threat to rural employment" and that abstraction controls were largely superfluous to the areas of Scotland where the distilling industry is centred.

One fear is that a licence fee could rise substantially following the introduction of the directive. In effect, we are talking about what is a Trojan horse for introducing a new tax on water, if for no other reason than to pay for the Scottish Environment Protection Agency or whichever organisation undertakes the monitoring and licensing process. Indeed, the funding of the relevant agency and its powers to carry out the monitoring work are legitimate issues that the Deputy Minister for Environment and Rural Development should expand on. I hope that she will do so in her closing speech.

There are real fears about the impact of the directive. I look forward to hearing whether the minister accepts that the Scottish Government has the authority to exempt the Scotch whisky industry from this unnecessary new burden. My understanding is that it does have that authority; indeed, I would go further and say that there is nothing in the directive that says that whole industries cannot be exempted from the directive. By exemption, I mean that the onus of proof that a distillery should be brought within the scope of the directive should be on the authorities. To operate the directive the other way round, with distilleries having to apply for exemptions and prove that they should be exempt, is to ensure substantial costs to the industry with, at the very least, price rises and possibly the closure or mothballing of distilleries, leading to a loss of jobs.

I remind members who fear that I am being alarmist of some of the unintended consequences of the EU's urban waste water treatment directive, which came into force on 1 January this year. I am sure that some members who are present will be aware of my example, as it involves Islay.

When whisky is distilled, it leaves behind two liquid residues, known as potale and spent lees. Traditionally, those residues have been dispersed into the sea from coastal distilleries without any obvious harmful effect. Because whisky is produced in copper stills and traces of the metal can be found in the seawater, the potale has, since 1 January, been treated or dispersed by immersion into faster-flowing currents.

On Islay, six distilleries are currently in operation. Before the directive came into force, they dispersed their potale into the sea. Fish in the surrounding waters thrived on the nutrients contained in the potale, but that was not enough to prevent SEPA from forcing the distilleries to take the potale across the island by diesel tanker 50 times a week to a new outfall on the Sound of Islay, where tidal currents are much faster. Locals are understandably concerned about the

corresponding noise and the risk of accidents from that increased volume of traffic. The roads are built on peat bogs and are not equipped for heavy goods vehicles.

Implementation of that directive may cost one distillery alone £2 million a year, yet research suggests that the interaction between the sea and waste water such as potale results in the copper being condensed and dispersing to no toxic effect.

Examples such as that of the Islay distilleries cause me great concern and make me fear the worst about the latest directive on water. The Government's consultation leaflet ominously talked of "comprehensive controls for everyone", sending a sobering chill down the spine of whisky makers and drinkers throughout Scotland. If there was a serious problem with the whisky industry and water, I believe that controls would already be in place.

Water is probably our most plentiful natural resource and it is not in the interests of distilleries to damage their local water supply. Indeed, distilleries are usually in their present location because of the quality of the local water resource.

The Scottish Parliament can make a difference on this issue and ensure that any legislation that is implemented is appropriate to local conditions in Scotland. Ministers and the Parliament need to proceed with caution and common sense, bearing in mind the potential costs to one of our most successful indigenous industries. I hope that regulations will not be enacted simply for regulations' sake; I hope that ministers will be prepared to stand up for Scotland and ensure that the exemptions are applied in a sensible and unbureaucratic manner.

**The Deputy Presiding Officer (Mr George Reid):** We have until 17:35 for open debate; there will be no extension tonight. I doubt whether all members who have asked to speak will be able to do so, but the more three-minute speeches we have, the more members will be able to participate.

17:15

**Mrs Margaret Ewing (Moray) (SNP):** I will try to observe that.

On behalf of all the members who have stayed in the chamber for the debate, I congratulate Brian Monteith on bringing this issue before the Parliament. He said that he had six distilleries in the area for which he is a list MSP. I represent, as the MSP and MP for Moray, the most concentrated centre of whisky production and distribution in Scotland. Speyside and whisky certainly gang thegither—they are indeed synonymous.

I dispute the figures that Brian Monteith gave. The most recent figures that I have from the Malt Distillers Association is that whisky employs 12,000 people directly and supports another 48,000 indirectly. I agreed with the other figures that he mentioned. The smile could be wiped off the face of Prudence Brown if we did not have the £2 billion pounds of tax revenue that goes to the Treasury.

Not least important to the Scotch whisky industry and our rural economy is tourism. I recommend the Moray whisky trail to everyone. There is a wee deoch-an-doruis at the end of every tour of a distillery; sometimes it is better to go on foot.

This weekend, we are hosting a whisky festival in Moray. Everyone is welcome. I will have the pleasure of speaking, at 10.15 pm on Saturday night, at a Burns supper—in May—at which American and Japanese people who are at the whisky festival will experience real hospitality. A strange thing about Burns suppers is that men are usually looking for a lift home, which is why the reply to the lassies is always the last speech.

This is a serious issue. We joke about our love of the water of life—uisge-beatha—but water is a critical factor for the industry. The secrets of our famous products are as secret as the life of Nessie. No one can reproduce the mystery, but we all recognise that our water is critical to our industry.

The Scottish Parliament must make its voice heard on the water framework directive. It has been made clear that exemptions can be introduced. We would fail in our duty as a Parliament if we did not make our voice heard. We would fail this major industry if we did not register our concerns and give whole-hearted support to the need for exemptions.

We have a water abstraction scheme in Speyside, but we take only 0.09 per cent of the River Spey for inclusion in our secret whisky recipes. It is obvious that we do not need the directive, because whisky has for many years been associated with natural supplies and good-quality sources, with the pH factor guarded. Environmental factors have always been high on the industry's agenda.

My concern is that such a regulatory burden could damage already fragile rural economies. I often hear people say, "We must cut red tape." Let us not add to the red tape by applying the directive to our whisky industry. We have an abundance of water; we do not need the directive.

The Malt Distillers Association and the Scotch Whisky Association have produced constructive approaches to the directive. I hope that the minister, when she responds to the debate, will reply positively to their suggestions.

Article 11.3(e) of the directive states:

"Member States can exempt from these controls, abstractions or impoundments which have no significant impact on water status".

That is the most critical factor in the directive as it impacts on our industry.

Burns said:

"Freedom and Whisky gang thegither".

The Scottish Parliament should be saying that water and freedom, perhaps with a touch of whisky, certainly gang thegither. We should make our voice heard on the need for those exemptions.

17:20

**John Farquhar Munro (Ross, Skye and Inverness West) (LD):** I suggest that the Scotch whisky industry should be exempt from the abstraction regulations. As we all know, water is crucial to Scotch whisky, but only a tiny proportion ends up in the bottle—some would say too much. For example, although Speyside has the highest concentration of distilleries in Scotland, the industry takes only 0.09 per cent of the annual flow of the River Spey basin for its whisky. A further 1.3 per cent is borrowed for cooling, but that is returned to the water courses without any deterioration in its quality. Indeed, 90 per cent of the water used by the industry is purely for cooling purposes.

Historically, Scotch whisky distilleries sprung up beside rivers or streams that were good sources of water. The locations were chosen precisely because water was in plentiful supply. Furthermore, the majority of malt distilleries are located in the Highlands and Islands of Scotland where rainfall is among the highest in Europe. Abstraction controls are unnecessary in such water-rich areas, particularly when the quantity drawn by the industry is so small.

The reputation of the Scotch whisky industry is built upon natural ingredients and pure Scottish water. Distilleries have worked in harmony with their water sources for hundreds of years and abstraction has not led to environmental damage. Indeed, the industry has a very good environmental record; its discharges to inland waters and coastal waters are already regulated by discharge consents issued by the Scottish Environment Protection Agency.

Many malt distilleries have also purchased, often at considerable expense, the land containing their water source or the rights to use that water. Those titles are established in the Register of Sasines. Under existing property law, the distilleries are entitled to use the water and any diminution of that right could be a compensation issue.

Blanket controls would simply increase regulation, without delivering any real environmental benefit. Many economically fragile communities depend on the Scotch whisky industry and unnecessary regulation would threaten their long-term future. In its Scotch whisky framework, which was published in November 2000, the Scottish Executive pledged to keep regulation to a sensible minimum. As 40,000 jobs depend on the industry, great care should be taken to ensure that regulation is not imposed simply for regulation's sake.

The minister needs to clarify that abstraction controls will not be applied and that, due to their low environmental impact, many distilleries will not be subject to additional controls. We need the industry; we must support it.

17:23

**Dr Richard Simpson (Ochil) (Lab):** Presiding Officer, I will help you by making a fairly short speech.

I am slightly surprised to find that I am the only Labour back bencher present, although I am sure that that does not reflect my fellow back benchers' interest in this subject. On the other hand, members might be slightly surprised that I am here at all, given that there are no distilleries in my constituency.

**Mr Stone:** But the member is a doctor.

**Dr Simpson:** Being a doctor is a good reason for speaking: whisky is an excellent medicinal that I would thoroughly recommend.

I am speaking because two thirds of the world's whisky is stored in my constituency, which makes Clackmannanshire an area of vast importance to the whisky industry. The industry's survival is important to sometimes slightly fragile economies.

Although the EU abstraction directive is itself good and important, it will create problems if it is not applied sensitively to a number of industries. Instead of repeating other members' specific—and correct—points about, for example, the whisky industry's balance with the environment over hundreds of years, I will raise a general point. We charge SEPA with implementing directives in an often insensitive way.

I was recently involved with the paper industry's discharge of effluent. The problem was not the cleaning of the effluent, but its temperature, which is not allowed to rise by more than a couple of degrees, but the water temperature of the river into which the effluent flows changes by more than a couple of degrees. We should examine the rigorous application of these directives closely and ensure that SEPA applies directives sensitively.

In the case of whisky production, as in the case of other distilling, our natural advantages may put the industry in Scotland at a competitive advantage without affecting the environment adversely. I would support either exemption from or very sensitive implementation of the directive.

17:25

**Mr Jamie McGrigor (Highlands and Islands)**

**(Con):** When we debated the Scottish berry project, the SNP gave me some delicious raspberries. I am therefore extremely disappointed that John Swinney is not here tonight to hand out large drams.

I understand why the European directive may make sense in countries where water is scarce, but in Scotland the problem tends to be an excess of rainfall rather than drought. There is plenty of water in the Highlands. Unfortunately, the Executive seems to think that EU abstraction controls are a fait accompli. I hope that the minister will make it clear that that is not the case. I am sure that she will want to help the Scotch whisky industry by ensuring that it is not hampered by unnecessary and costly European blanket controls that are totally inappropriate for Scotland, where the industry takes only a tiny proportion of the water and has an excellent environmental record that is constantly checked by SEPA.

I invite members to consider how lucky we are to have the Scotch whisky industry. It generates huge revenues for the Exchequer and does a fantastic public relations job for Scotland, abroad and in the tourism industry here. In a country that does not have an over-supply of wealth-generating businesses, especially with the electronics industry looking distinctly wobbly, we should be wholeheartedly helping this age-old part of our heritage to go from strength to strength. Many distilleries are in marginal rural areas of low employment and many of the bottle companies are in urban areas such as Clydebank, where jobs are at a premium.

It infuriates me when people say that Scotch whisky is pollutive. That is rubbish. It is not pollutive. Many distilleries discharge into the River Spey, which is world famous for its salmon, and there is no problem there. Many Aberdeen Angus cattle, which produce the best beef in the world, are fed on draff, a distillery by-product. Brian Monteith is right—the fishermen in Islay have complained to me that the removal of the potale syrup discharge has badly affected fishing areas where it used to be discharged.

In 1909, Lloyd George tried to stop people drinking by increasing tax by 35 per cent. With respect, the question must be asked: why should the Scotch whisky industry continue to be

disadvantaged by the personal agenda of a teetotal Welsh Liberal Prime Minister 90 years ago? Only the Conservative party has reduced the duty on Scotch whisky in recent times.

In bars, 27.4 per cent of a measure of whisky is tax, whereas a glass of wine incurs only 19.3 per cent tax and a half pint of beer only 16.6 per cent. What must an Italian or a Spaniard think when he has to pay £12 for a bottle of whisky in Edinburgh although it costs only £5 in Milan or Barcelona? Considering the importance of whisky to Scotland, the Scottish Executive should, at the very least, press for parity of taxation between Scotch whisky and beer.

Tax is no longer used to stop people drinking. Prohibition has never worked. Let us therefore provide some true support for this excellent industry. Let us politely inform the EU that Scotland has no need of its water directive and that, in any event, the Scotch whisky industry should receive a derogation from it. Let all parties say a big slàinte mhòr to the Scotch whisky industry for playing such a major role in Scotland's identity and heritage. Let us remove obstructions from its path and encourage it to prosper.

17:29

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

I cannot compete with my wife in terms of the number of distilleries that are located in my constituency—at least, the ones of which HM Customs and Excise and I have been officially notified—and long may the variety continue. Royal Brackla, Dalwhinnie, Tomatin and Ben Nevis provide some of Scotland's finest whisky, as I found out when I revisited Andy Shand and his staff at Ben Nevis on Friday.

When asked what he thought of the prospect of drinking simply one whisky, Norman MacCaig said that it would be just a provocation. What we are debating is a provocation. I can find no justification whatsoever for the imposition of this system of a register of abstractions on the Scotch whisky industry.

All members from whom we have heard—John Farquhar Munro, Brian Monteith, Jamie Stone, Margaret Ewing and Richard Lochhead—have noted that we have the finest drinks industry in the world. We have heard how it operates and I shall not repeat that. There is no need whatsoever for the regulation and I wonder what on earth we are doing here discussing it.

I wonder why the Executive has not responded more seriously when it has had the opportunity to do so—such as when I asked S1W-14793—and announced that an exemption will be sought. All of us must want to join together to present a united front on this issue. There is no evidence that I am

aware of that whisky distilling poses any threat to our water supply. We have seen evidence of that from the Scotch Whisky Association and from the Malt Distillers Association, which have shown us figures such as the fact that the amount of water that is abstracted amounts to one part in 1,000. John Farquhar Munro has pointed out that water that is borrowed is given back. The borrowing of water is, therefore, of no relevance at all, nor is the water temperature, which is well controlled to 1.5 deg C.

Why has the Executive not made its position clear? Could it be that SEPA is imposing a dead hand on this issue? I understand that SEPA, in a letter to the convener of the Transport and the Environment Committee dated 1 May, said that it could see

“no reason why the Scotch Whisky industry should be exempt from the Water Framework Directive’s requirement for abstraction controls.”

SEPA also said that, at present,

“there is no monitoring of abstractions. SEPA believes that the majority of distilleries do not have a negative impact on the environment. However, anecdotal evidence suggests that around 20 % of distilleries do.”

SEPA admits that it has only anecdotal evidence, yet it has formed a conclusion—even though it has no evidence. SEPA is supposed to be a responsible organisation and this Executive is supposed to be against red tape. I hope that the minister will say on what basis SEPA has come up with the ridiculous statement that it can see no reason why the industry should be exempt when I detect that the cross-party mood in this Parliament is that there is no case for burdening the Scotch whisky industry with more costs and regulations. There is no appetite—or thirst—for that whatsoever.

**The Deputy Presiding Officer:** I call Robin Harper. If you can keep your speech brief, I will be able to fit in Nora Radcliffe.

17:32

**Robin Harper (Lothians) (Green):** I am a great supporter of the Scotch whisky industry. I have ordered a crate of the new Arran whisky, which will arrive at my house as soon as I have paid the rather large amount of tax on it. If members want to see a truly green and environmentally sensitive industrial operation, they should go to Arran, as the operation there is excellent. I know the difference between my Highland Park and my Lagavulin and between my Laphroaig and my Islay malts. However, I must sound one note of disagreement with this debate.

I have no problem with the idea of having a derogation for the whisky industry, but it must be based on facts. I have recently consulted the

British Geological Survey, which gave me a rough figure for the number of unregistered boreholes in Scotland—between 2,000 and 3,000—some of which may or may not be being used by the whisky industry.

We have to have sound facts on which to base our decisions in Parliament and on which SEPA can make decisions on whether parts of Scotland are being affected by abstraction. We must have a full register of all boreholes, however deep.

**The Deputy Presiding Officer:** That allows time for Nora Radcliffe, but I ask her to keep her speech brief.

17:34

**Nora Radcliffe (Gordon) (LD):** I will miss out all of the nice bits at the beginning of my speech, but I will thank Brian Monteith for securing the debate.

We must recognise the good work that was done by the Scottish members of the European Parliament in getting the water directive framed in such a way that it could be applied in a sensitive manner. I do not think that anyone has mentioned that yet. It is important to note the fact that they worked as a cross-party group in a concerted way to represent Scotland’s interests.

When talking about the water framework directive, we should bear in mind that the water industry is having to cope with the implications of the Competition Act 1998 and that regulation of water abstraction is quite important in that context. To pick up on what Robin Harper said, there is at present no control on water abstraction. We do not have reliable, comprehensive data on how much water abstraction is happening, where it is happening and how it is affecting—potentially damaging—the environment.

The whisky industry has a good record on the environment, particularly in recent years, and should have nothing to fear from the implementation of the directive. We need to consider carefully whether, given some of the wider issues, a blanket derogation for the whisky industry is the best or only way to ensure that implementation does not damage the industry.

I am sure that we are all agreed on the objective of not doing anything to affect adversely the whisky industry or the communities that it helps sustain, but we should give some thought as to how we achieve that objective. We want to look after the baby but, in the wider context, what happens to the bath water is also quite important.

**The Deputy Presiding Officer:** My regrets to Roseanna Cunningham and Murray Tosh, who have sat throughout the debate, but who were not called.

17:36

**The Deputy Minister for Environment and Rural Development (Rhona Brankin):** I could not agree with members more about the importance of the whisky industry. The motion relates to the possible impact of the new European Community water framework directive on that industry, and I believe that the key to the directive's successful implementation will be partnership. We want to work with the industry, with other interested parties and, most important, with the Parliament in order to implement it in a way that suits Scottish circumstances, and that is sensitive to the needs of Scottish business and of the Scottish environment.

Before I deal with the detail of the motion, I wish to reiterate the Executive's support for the Scotch whisky industry. Margaret Ewing will hear my statistics now: the industry employs around 10,000 people directly and supports as many as one job in 54 in Scotland; it is responsible for £2 billion of exports every year to more than 200 markets worldwide; and accounts for 20 per cent of all UK food and drink exports.

The Executive is justifiably proud of this unique Scottish industry. That is why, in November last year, we published, jointly with the Scotch Whisky Association, "A Toast to the Future: working together for Scotch Whisky". The document represents a partnership between the Executive and the industry, and is an expression of our shared goals for the future.

The continued availability of an abundance of excellent water is vital to the industry's continued success, and is crucial to its image across the world. The industry has committed itself to protecting the natural environment from which it draws its raw materials, and we in turn have pledged to support Scottish manufacturers in cases where EU policies affect their competitiveness, and to take steps to ensure that, in meeting the requirements of EC legislation, the regulatory burden on our businesses is kept to a minimum. It goes without saying that we will take that approach with the EC water framework directive, consistent with achieving its environmental standards.

**Mrs Margaret Ewing:** The minister has referred—and has done so clearly—to the European aspect. Has she considered the fact that water rights that are already held by distilleries are recorded in the Register of Sasines? Has she or the Scottish Executive rural affairs department examined protocol 1 of the European convention on human rights, and how that would impact on the position?

**Rhona Brankin:** We are entering a major consultation phase on the implementation of the

directive. Such issues will come up and will be considered in the course of that.

The directive came into force on 22 December last year and sets out a new approach to protecting and improving the water environment across the EU. We already have some of the best-quality waters in the whole of Europe. They are a vital resource, not only for whisky manufacturing, but for some of our other important industries, including hydroelectricity generation and agriculture.

The directive will help us take a step forward with how we manage those resources for future generations. It requires us to manage our water environment on the basis of sensible environmental units—river basin districts. A river basin district plan will set out where there are environmental problems and what will be done to tackle them. The directive also requires us to control all human impacts—physical and polluting—on the ecology of our rivers, lochs, estuaries and ground water so that we achieve "good" status within 15 years.

I welcome the Parliament's recognition of the directive's significance for Scotland by scheduling the debate. The Transport and the Environment Committee has also recognised its significance by earmarking it as a topic for inquiry.

True to its name, the directive gives us only a framework. It is up to us to fill in the details. The first step in its implementation will be the transposition of its provisions into Scottish law. Members will have an opportunity to engage fully in that process.

**Ben Wallace (North-East Scotland) (Con):** Will the minister assure members that, when the Executive transposes the directive to a statutory instrument or primary legislation, it will not seek to gold-plate it, as has happened so often in the past, so that we end up with a straitjacket and lose our competitive edge?

**Rhona Brankin:** Clearly, in implementing the directive, we have to take account of the environmental objectives of the directive while recognising the possible impact on manufacturers.

Members will have the opportunity to engage in the process because, as we have announced, we intend to transpose the directive through primary legislation, provided that space can be found in the legislative programme. It is important to engage all the interested parties, including the whisky industry, as early as possible. We published a consultative leaflet in February to kick-start the debate and will produce a more detailed consultation paper shortly. Indeed, my officials have already started to meet officials from the whisky and other industries.



I will now talk about abstraction controls. There can be no doubt that the water framework directive requires us to introduce comprehensive controls on water abstraction in Scotland. The motion suggests that the Executive should apply for an exemption from those controls for the Scotch whisky industry. I am afraid that there is no scope to do that.

The directive says:

"Member States can exempt from these controls, abstractions ... which have no significant impact on water status".

That requires us to assess individual abstractions to determine whether they are having a negative impact on the environment. Of course, if an abstraction does not threaten the environment, the abstractor will not need to change what they are doing.

**Bruce Crawford (Mid Scotland and Fife) (SNP):** Will the minister give way?

**Rhona Brankin:** No, I will finish this point as it is very important.

A general exemption for a whole industry or a particular geographic area is simply not possible. It goes without saying that, in general, we have more than enough water for everyone's needs in Scotland, but we cannot be complacent.

SEPA advises that over-abstraction by industry and agriculture causes environmental problems in some parts of Scotland at certain times of the year. We have more work to do in assessing and evaluating the impact of water abstraction in Scotland. That work will form the basis of the way in which we implement abstraction controls under the directive. I agree with Robin Harper that that work has to be done. We have to base our action on research and evaluations.

**Mr McGrigor** *rose—*

**Bruce Crawford** *rose—*

**The Deputy Presiding Officer:** The minister is now into overtime and must conclude without interruption.

**Rhona Brankin:** Our aim will be to design a system of abstraction controls that is proportionate to the degree of environmental risk, that takes industry needs into account and delivers the required level of environmental protection. We will consult on the detailed proposals in due course.

The Scotch whisky industry is dependent on the fact that we have some of the best-quality waters in the world. We have a responsibility to ensure that that important resource is used sustainably so that future generations can continue to enjoy it. The water framework directive will help us to do that.

Implementing the directive will be challenging and we cannot meet these challenges alone. The Executive is committed to working with the industry and other interested parties to ensure that the directive is implemented in a way that delivers the best for Scotland. I am sure that the whisky industry will work with us towards that end. I urge colleagues in the Parliament to do the same.

*Meeting closed at 17:45.*



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