

EDUCATION COMMITTEE

Wednesday 29 October 2003
(*Morning*)

Session 2

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EDUCATION COMMITTEE

7th Meeting 2003, Session 2

CONVENER

*Robert Brown (Glasgow) (LD)

DEPUTY CONVENER

*Lord James Douglas-Hamilton (Lothians) (Con)

COMMITTEE MEMBERS

Ms Wendy Alexander (Paisley North) (Lab)

*Rhona Brankin (Midlothian) (Lab)

*Ms Rosemary Byrne (South of Scotland) (SSP)

*Fiona Hyslop (Lothians) (SNP)

*Mr Adam Ingram (South of Scotland) (SNP)

*Mr Kenneth Macintosh (Eastwood) (Lab)

*Dr Elaine Murray (Dumfries) (Lab)

COMMITTEE SUBSTITUTES

Brian Adam (Aberdeen North) (SNP)

Mr Richard Baker (North East Scotland) (Lab)

Rosie Kane (Glasgow) (SSP)

Bill Aitken (Glasgow) (Con)

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)

*attended

CLERK TO THE COMMITTEE

Martin Verity

SENIOR ASSISTANT CLERK

Peter McGrath

ASSISTANT CLERK

Ian Cowan

LOCATION

Committee Room 2

Scottish Parliament

Education Committee

Wednesday 29 October 2003

(Morning)

[THE CONVENER *opened the meeting at 09:32*]

The Convener (Robert Brown): Good morning and welcome to this meeting of the Education Committee. Before we move to the agenda, I wish to raise an issue that is not on the agenda.

I have received representations from Rhona Brankin and others regarding the report that came out during the recess into the death of Caleb Ness in Edinburgh. Although it is too late to put that matter on the agenda for today, I have spoken to Executive ministers about it. I understand that it is their intention to write to the committee about the implications for child protection and social work services arising from that case. I will put the matter on the agenda for a future meeting, so that we can have a full discussion about it. We are not allowed to have a discussion about it this morning, as it is not a formal agenda item, but we will come back to it in a week or two, when we know the Executive's position on it.

Item in Private

09:34

The Convener: The first item on the agenda is the question of taking item 4 in private, according to the usual process. Item 4 is consideration of our draft report on the budget. Can I have the committee's agreement to do that?

Fiona Hyslop (Lothians) (SNP): No. I feel strongly that, unless there is a very good reason to consider committee reports in private, the presumption should be that they will not be considered in private. I sat on the Procedures Committee in the previous session of Parliament, and its report recommended that the parliamentary committees and their conveners should think seriously about whether the drafting of committee reports desperately needs to be done in private. I do not think that there is anything contentious or of concern in the budget report that we have before us that would mean that we could not discuss what we wanted to discuss in public.

I recommend strongly that, in this case, we consider the draft report in public, because I do not see any good reason for considering it in private.

The Convener: I am interested in members' views. I understand that the practice of all committees has been to take discussions on committee reports in private. The evidence is taken in public and consideration of the report is done in private. There are good reasons for that, one of which is to try and get the view of the committee without too much party-political interface and without members having to grandstand on the issues. I would be happy to raise the issue formally and seek the views of the Procedures Committee, but that is my understanding of how we have worked up to now. Unless there is a particular reason to depart from that convention for this item, I would be reluctant to change the procedure. There must be consistency in, and standardisation of, committee practice across the Parliament. I would appreciate hearing the thoughts of other members.

Mr Kenneth Macintosh (Eastwood) (Lab): I was on the Procedures Committee with Fiona Hyslop. We recommended that there should be a presumption that committee meetings are held in public. However, we also had a full discussion of the subject and we agreed that sometimes it is good to have discussions in private because otherwise the focus of attention is on the areas of contention rather than on agreement.

This is a good example of a case in which committee members have had some input into the draft report but, effectively, it is not our document.

There is nothing contentious in the report, but there is a presumption that we will discuss it in private. There will be no difficulty with the committee agreeing the report and we should stick to established practice until we have agreed a new procedure. I have sympathy with Fiona Hyslop's point of view, but we should stick to established practice for now until we have agreed that we want to conduct all such meetings in public.

We want to ensure that the committees have a culture of meeting in public where possible. However, the Procedures Committee also agreed that there is nothing secretive about meeting in private. The process can still be transparent and open if a committee meets in private. That should not hinder any understanding of the process.

Ms Rosemary Byrne (South of Scotland) (SSP): I am new to the Parliament and its committee system, but I believe that the people who elected us would want us to be as transparent as possible. Meetings should always be open and transparent, whatever we are discussing. I do not see that there is a need to close the doors and do something in private when the rest of the meeting is open. I would like there to be transparency across the board.

Lord James Douglas-Hamilton (Lothians) (Con): I agree with Kenny Macintosh. There should be a presumption that meetings should be held in public. However, the detailed drafting of a complex report and deciding whether a certain paragraph should go in one place or another involves intricate work on the part of the clerks. To my way of thinking, a discussion on the details of drafting does not involve the principle but is about the mechanistic way of presenting that principle in a way that takes account of all the different points that are raised by the committee. That process is so detailed that it does not have to take place in public, but discussion of the principles and policy and the direction in which the committee is going certainly should be discussed in public.

The Convener: I do not think that the committee is divided on the issue, but the established practice is that committees deal with draft reports in private. It is the only significant issue where that is the case. I would be reluctant to depart from established practice without some guidance on the general views of the Procedures Committee and the Parliament.

Having put down a marker, and accepting that on this occasion it is not a big issue, would Fiona Hyslop be content if we asked the Procedures Committee for guidance on its current views?

Fiona Hyslop: I appreciate the comments that have been made by colleagues. I am happy that you want to reflect on the matter, but the presumption should be that business is taken in

public. You should look closely at the Procedures Committee's report on this matter, which had cross-party agreement. If you want to take the item in private, members might want to reflect after we have had the discussion whether we really had to have it in private, or whether it could have been held in public. A culture change is needed. The fact that the practice has been established in the past does not mean that it is right.

The Convener: I do not think that anybody is suggesting that. I am suggesting that it is desirable that the practice of the parliamentary committees across the board be broadly the same on such matters. There are common reasons why things are done in one way or the other, whether it is in the Education Committee, the Health Committee or wherever. It is not desirable for one committee to depart from the practice that has been established hitherto. That is why I say that if the committee has issues about the matter, we should ask the Procedures Committee for guidance. I do not have the Procedures Committee's report to hand, but I did not understand it to suggest that draft reports should routinely be considered in public. I am subject to guidance from members who were on the Procedures Committee, but I do not think that that was the committee's recommendation.

Fiona Hyslop: The recommendation was to presume that, unless there is good reason to do otherwise, business should be taken in public. Consideration should be given to whether it is appropriate to take business in private. The committee should not automatically assume that things should be taken in private.

The Convener: I accept that. Would it be acceptable for us to seek the advice of the Procedures Committee on that matter, and say that the issue has been raised and we would like to know the Procedures Committee's position, specifically on the practice of parliamentary committees considering draft reports in private? I appreciate that issues can arise on other matters. I do not think that we have met in private on anything else, so it has not otherwise been an issue.

Fiona Hyslop: That is fine.

The Convener: Having said that, does the committee agree to take item 4 in private?

Members indicated agreement.

Youth Organisations

09:41

The Convener: The next item is youth organisations, which we dealt with at our meeting on 8 October. The clerks have produced a note of some of the issues that emerged. When we heard from the panel of uniformed and non-uniformed youth organisations, we were conscious that we were unable to give a full inquiry's consideration to the matter. Nevertheless, colleagues will agree that many interesting and important issues arose from the representations that we heard. Subject to the committee's agreement, I am minded to ask the Executive for its observations on a number of the issues that arose.

The relevant issues include training and the resourcing of headquarters; they should be viewed against the background that the uniformed organisations in particular are proud of their independence and their long-standing ability to fund themselves. Other issues were raised—is there anything that colleagues would like to take forward?

Rhona Brankin (Midlothian) (Lab): I was struck by the statistic that showed the number of youngsters who are involved in uniformed organisations. Like you, convener, I believe that those organisations very much value their independence, but there were a couple of areas in which they felt that the Executive could take some action. The first such issue was the organisations' place in the scheme of things. The Executive is developing a youth strategy, and it is important that the role of those organisations in the community is recognised.

Another issue was the changes and challenges that face those organisations, such as the increased need for training and volunteer development, especially with all the disclosure work and the additional requirements for adults who work with young people. The organisations would like to have some sort of support, especially in the areas of training and volunteer development and support.

I had not realised that funding was going from the Ministry of Defence to uniformed organisations, such as the sea cadets and the combined cadet force. We need to get a handle on where that money is being spent. I know that the combined cadet force is only a small part of the uniformed organisations, but for the Ministry of Defence money to be spent virtually exclusively in private schools in Scotland is a bit of an anomaly in this day and age. I would like the Executive to answer questions about where that MOD money is being spent.

The Convener: The MOD money is not specifically a matter for the Executive. Perhaps we can take up the matter elsewhere, but it is not for the Executive to respond to such questions.

Rhona Brankin: I disagree with that. Colleagues in Westminster could raise the issue, but it is absolutely an issue for the Scottish Executive to deal with where, for example, that money is used as part of devolved areas of responsibility—in schools or youth work in our communities. That information should be held by the Executive.

09:45

The Convener: There is an overarching strategy in the youth programme that will be presented by the Executive. We should ask when that programme will be available and whether we can have input in the form of a committee inquiry. Training in volunteer development and insurance are issues that have emerged from a number of the organisations. In addition, there is the point that Rhona Brankin made about the combined cadet force.

Dr Elaine Murray (Dumfries) (Lab): Although Wendy Alexander is unable to be here this morning, she raised the issue about whether some of the organisations should be talking to the voluntary issues unit in the Executive. We have not mentioned that in the paper.

The Convener: An issue arose about the extent to which the organisations had access to voluntary sector core funding provision. I was not sure that we got to the heart of the matter, but perhaps we could inquire about that situation. There was a general feeling among some youth organisations that they are under-resourced and undervalued, and we can see where they are coming from. It would be helpful to know whether they have full access to that funding.

Fiona Hyslop: I am interested in paragraphs 5 and 6 in the paper, which deal with the stability of membership and the great demand for people to join the uniformed organisations. Have we reflected those points properly and have we perhaps been a bit pessimistic in the face of the organisations' evidence? We seem to have been more negative than the organisations were. I am happy for the clerks to check that.

The Convener: We will leave that one out. I note the suggestion that, were there support for training and resourcing, the problem of voluntary recruitment might be overcome and the girls and boys who are currently unable to access the groups could have that opportunity.

Fiona Hyslop: The emphasis is on the fact that although the demand exists, there is not a supply

of adult volunteers. The paper reads as though there has been a decline in demand from young people, which I do not believe to be the case from the evidence that we heard.

Some of the points in the paper will be covered by the national youth strategy, which will take a more strategic look at what we can do for young people in Scotland. Many matters will be dealt with by the strategy, but we should address some of the immediate issues. We will want an immediate response from the Executive on some of the issues—for example, the insurance, training and health and safety issues.

Paragraph 11 is about concerns that were raised by the Scout Association, which said that it is not aware of any scouts meeting in a school that is financed by a public-private partnership. The second tranche of PPP allocations and contracts will start to be drafted soon; we would like early comment from the Executive about whether there is any mechanism in a standard PPP contract to ensure that community facilities are let to such organisations. I presume that we want an early response to that rather than waiting for the development of the national youth strategy.

The Convener: Would it be fair to say that that problem is not restricted to PPP schools? There was a suggestion about the difficulties of accessing schools in the summer, at weekends and in general, so the issue is broader than you suggest.

Ms Byrne: One of my concerns is the funding of generic youth work. The national youth strategy is about to be launched and I am not sure what it will contain, but we should make the point strongly that there is a need for funding of generic youth work. It backs up the volunteer system if there are good core workers to encourage volunteers and to be part of the training system.

Sport is mentioned in the paper, but I wonder whether any evidence was taken from people who run local football teams, for example. Such sport makes up a huge part of the activities for young people in our communities. From my experience, I know that little funding is available to people who run boys', or girls', football teams. They spend half or three quarters of their time fundraising and get tired out very quickly, and the teams fold because of lack of support and lack of money to keep them going. Those activities take place right in the middle of our communities and are crucial to the kind of services that we want for young people.

The Convener: I suspect that Rosemary Byrne is right on those issues but, in fairness, I do not think that we have much evidence about that kind of thing. That might be one of the issues that we could take up. My feeling is that, once the youth strategy is available and we know the context in

which it will operate, we should undertake a more thorough inquiry into youth work generally and follow up such issues at that point. I am not sure whether we are ready to ask the minister specifically about that issue on the basis of the information that we received at our previous meeting.

Lord James Douglas-Hamilton: I would like to follow up a point that was made by Rhona Brankin. She touched on the relevant point that there should be more opportunities for cadet corps to be based in state schools, wherever there is demand. We could make that point gently to the Ministry of Defence, even if the subject is reserved. It takes a number of years to build up a successful cadet corps, but the opportunities should be spread much more widely throughout the state system than they are at present.

Mr Macintosh: I was unsure, after hearing the evidence at our previous meeting, how much of the resource that the Ministry of Defence makes available is school based. I know of cadet groups in my constituency that are not linked to schools but are what I would describe as working-class-based organisations.

The Convener: Is there a distinction between the combined cadet force people and the other three more mainstream groups?

Mr Macintosh: Yes, that is right. There is a cadet corps in my constituency that is part of the Territorial Army. It is community wide and not linked to a specific school. It provides a valuable opportunity for young people to participate.

I would like to raise a couple of issues. First, is the committee paper that we are discussing a list of observations rather than the committee's view? The points that it contains were all raised, but I do not agree with them all.

The Convener: No. It is my intention to reflect today's discussion, based on the evidence that we heard last week, in a letter from me to the minister, asking for observation and further feedback on some of the points that we have homed in on—pretty much as we have listed them this morning.

Mr Macintosh: That is good. I am not sure that I agree with all the points that were made, although the points are worthy of further discussion.

On the issue of funding, there is definitely a problem in youth groups' being treated as groups that are separate from voluntary and adult groups. Indeed, the majority of the support—not just the funding—for voluntary groups is adult oriented and bypasses youth groups. The biggest thing that we could do for those groups is to help the adult volunteers, rather than the young people. That idea came across in the evidence from all the uniformed organisations.

A couple of useful suggestions were made. One was that there should be not just more support, but equity of treatment across local authorities. Some local authorities give support to certain organisations and some do not, and the level of support differs throughout the country. There may be opportunities for the Executive to prescribe local authority best practice or national guidance.

The Convener: That is one of the ideas that we touched on in our discussion, although we did not get too far with it. We could ask the Executive whether it has any plans to issue guidance or to pursue the matter with the Convention of Scottish Local Authorities.

Mr Macintosh: Exactly. We are flagging up issues that the Executive may wish to address.

On the same note, I think that there is quite a contrast between the best practice that we heard about and our more mixed experience. There is a need for the best practice of the organisations that have been successful in re-branding or re-imaging to be circulated and for all youth organisations to share it.

The Convener: We should bear it in mind that uniformed organisations operate differently from informal youth clubs. It is a different market, to some degree.

Mr Macintosh: Indeed. Some things would be shared and some would not, although all organisations share the burden of regulation. That is a complex issue for the whole of government. While it may not be desirable to reduce the burden of regulation—because regulation exists to protect young people—it would be desirable to simplify it and make it more understandable, so that it is less of an obstacle to volunteers and young people.

Many people spoke about the fact that when someone moves from one local authority to another they cannot take their qualifications or Scottish Criminal Record Office check with them. For example, if someone worked as a scout leader in one area and moved after 12 years of volunteering to another local authority, they would have to start from scratch. It would be desirable if they could take their qualifications and SCRO check with them.

Rhona Brankin: We must have been asleep at that point.

Mr Macintosh: I do not think that I made it up. It was a useful point.

Finally, I would like to know from the Executive what point it has reached in developing the youth strategy. Will the strategy go out for consultation? Does the Executive wish to have any input from us? We should put down a marker that we would like to have input.

The Convener: That is a good point.

Rhona Brankin: I have one last question on volunteer development, which is addressed briefly in the report. Lifelong learning is important in attracting and retaining volunteers. Mention was made of some areas in which there is accreditation for people who work with young people. We should ask the Executive what opportunities are available for voluntary sector workers in youth settings to acquire some sort of accreditation. As well as the regulatory framework that protects young people, it is important that there is some sort of—I do not want to use the term “quality control”—volunteer development to ensure that there are opportunities for volunteers to develop their skills.

The Convener: Interestingly, the cadets had quite a well-developed system. Shortly after the meeting in Stirling castle, I went to an exhibition on the work of the cadets, such as the outreach project. They had gone some way in developing accreditation for young people and, I think, for their adult leaders as well. That was an interesting development.

Rhona Brankin: Yes. If, for example, guides want to go on and become guiders, they could take bitesize chunks of learning that have some level of accreditation that can be built on to something else outside the movement.

The Convener: Other groups said that they were doing something with that.

Rhona Brankin: Our paper on youth organisations mentions that accredited training is available to sports volunteers, so there is some development work in that area. The Enterprise and Lifelong Learning Committee picked up on the opportunities for the informal lifelong learning sector. Youth organisations regard themselves as organisations that promote lifelong learning.

The Convener: I was struck by two other points. The first is that Jim Duffy of the scouts said that the training grant had been withdrawn without notice two years ago and had never been replaced. That was all to do with the linkage into adult volunteering money. We might want to address that point, because it is germane.

The other notable feature was the relative lack of contact between the informal youth organisations and schools. That came through quite strongly. They seem to operate in parallel universes. When we are considering the curriculum and enterprise, we should not ignore the contribution of the different sorts of youth organisations to leadership development. We should examine whether the links and interrelationships between schools and the informal network can be strengthened. I am sure

that those links must be good in many areas, but that did not emerge strongly from the evidence.

Is it acceptable that we should home in on the national youth strategy and that I write to the Executive, on behalf of the committee, expressing the points that have been discussed this morning and asking the Executive to comment? If I may say so, I thought that we had a good discussion and got good input from the youth organisations. Do members agree with my proposal?

Members *indicated agreement.*

Mainstreaming Equality

10:00

The Convener: We have a report and correspondence from Cathy Peattie, as convener of the Equal Opportunities Committee, about how we mainstream equality. That is obviously a big issue for the Parliament.

The main point appears to be that we should take account of the Equal Opportunities Committee's checklist on equalities in the work of the committee, in how the clerks organise the material that is submitted, and in the reports done by the committee. That probably already happens to a large extent, does it not?

Martin Verity (Clerk): Equal opportunities are normally taken into account whenever a committee produces a report on an inquiry or at stage 1 of a bill. The Equal Opportunities Committee's documents seek to make that more systematic and to elicit a definite decision from the committee.

Dr Murray: We are talking about good practice in what we should be doing. I wonder how different things will be from the way they are now if the Equal Opportunities Committee's recommendations are accepted, as they should be. Perhaps Martin Verity has answered that.

I presume that the recommendations will place an obligation on all committees to ensure that when bills are introduced, whether they are members' bills or Executive bills, the bill sponsor has taken the required steps. To a certain extent, the recommendations create an additional layer of responsibility to ensure that equality proofing has been done.

The Convener: I think that we have those responsibilities anyway under the Scotland Act 1998 and the procedures of the Parliament. The recommendations just develop that in more detail to give us a formula for best practice.

Although it is not immediately germane, it crossed my mind that we also have to take account of human rights. Human rights assessments are included in the policy memorandum of a bill, but to what extent the committee has taken on those obligations in the way that we examine issues is arguable. We should not lose track of the broader human rights implications of the legislation and work that we do.

Lord James Douglas-Hamilton: The recommendations in the paper are a matter of good practice. Some years ago I reported a secretary of state for discriminating against women. He immediately abandoned the policy that

he had been proposing. There is no doubt about the principle concerned.

Rhona Brankin: It is a good idea for us to reflect on mainstreaming equality because I have just thought of at least six questions that we ought to have been asking about youth work. I know that an audit has been done of informal provision for young people in Scotland, but has that information been disaggregated in terms of provision for young men, young women, people with disabilities and people from ethnic minority communities? I know we are past that agenda item but, with the agreement of the committee, it might be worth while if we asked that question.

The Convener: In fairness, some of the representations touched on the issue, certainly with regard to scouts with disabilities.

Mr Macintosh: Obviously, I welcome the Equal Opportunities Committee's notes and reminder.

I wonder whether we should have a more formal structure within our work, even if only in the form of a reminder on each different topic, such as a heading on one of the papers. I do not know exactly what form that could take. The notes that we have been given are rather bulky. The whole point of the notes is that the guidance that they contain should become common practice and should be second nature to us. If we assume that that is still not the case, we must be able to remind ourselves. I wonder whether there is any way of building that in to our work.

The Convener: I think that that is a formal part of the stage 1 reports and so on.

Mr Macintosh: I suspect that it is, but I am thinking of other issues, of which Rhona Brankin gave a good example—our questions on youth work. When we draw up questions, perhaps we should have a little heading.

Rhona Brankin: That is covered by the section in the checklist entitled "Questions to Consider when equality proofing".

The Convener: That is a matter of practice. We need to uprate such issues in our minds; it is also a question of Scottish Parliament information centre staff and others being aware of those points—as I am sure that they are—and reflecting them in the briefing notes and papers that we get, so that such issues are considered from various points of view.

Rhona Brankin: We should raise those issues in questions to witnesses.

The Convener: That is right.

Dr Murray: It is just a question of bearing in mind the six questions that are mentioned in the checklist, whether we are considering legislation or taking evidence from people. Some of the

questions that we ask should be formulated around those issues.

The Convener: It crossed my mind that there might be some merit in a committee member's having a particular responsibility for keeping such issues in mind, but that might be too formulaic.

Fiona Hyslop: That would not really be in keeping with mainstreaming.

The Convener: No, although it would mean that those issues were brought before the whole committee. That is the point that I am trying to make.

Fiona Hyslop: My suggestion is that we should have a conscious check every few months to reflect on whether we have been pursuing a mainstreaming agenda in the way that we should have been.

The Convener: In what format should that check be?

Fiona Hyslop: We could simply put an item on the agenda about reflecting on whether we had pursued mainstreaming in what we had done and what we were about to do. That need not be a long agenda item.

The Convener: My concern is that, unless we have a sheet of A4 with something about that on it, it will be difficult to give focus to such an approach.

Fiona Hyslop: I am suggesting that we should do such a check every four or six months.

The Convener: We could do that as part of our annual report.

Martin Verity: Part of the request from the Equal Opportunities Committee is that the committee should include a section on equal opportunities in its annual report.

The Convener: That is probably the best format in which to do such a check.

We have given that issue a run. We must decide on what our response to the Equal Opportunities Committee should be. On the basis of the discussion that we have had, we can probably indicate in our reply that we agree to that committee's proposals on the matter. Is that agreed?

Members indicated agreement.

Rhona Brankin: I know that I was bad to raise the issue in the wrong place on the agenda but, in retrospect, can we ask some of those equal opportunities questions in the letter to the Executive about the youth strategy?

The Convener: We can certainly include a general reference to the subject, but I am slightly reluctant to go back over the argument, because

we did not really discuss equal opportunities satisfactorily when we were considering the agenda item on youth organisations. We might be able to deal with that more satisfactorily at a later stage, when we do our youth inquiry, but we will try to reflect equal opportunities in the correspondence.

Rhona Brankin: Okay.

The Convener: The remaining agenda item is the budget process 2004-05. In accordance with our earlier decision, we will move into private session.

10:08

Meeting continued in private until 11:24.

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