

# **MEETING OF THE PARLIAMENT**

Thursday 29 November 2001

Session 1

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## CONTENTS

Thursday 29 November 2001

### Debates

Col.

<b>POINT OF ORDER</b> .....	4301
<b>LOCAL GOVERNMENT ELECTIONS (PROPORTIONAL REPRESENTATION)</b> .....	4302
<i>Motion moved—[Tricia Marwick].</i>	
<i>Amendment moved—[Peter Peacock].</i>	
Tricia Marwick (Mid Scotland and Fife) (SNP) .....	4302
The Deputy Minister for Finance and Public Services (Peter Peacock).....	4306
Mr Keith Harding (Mid Scotland and Fife) (Con) .....	4310
Iain Smith (North-East Fife) (LD) .....	4313
Mr Kenneth Gibson (Glasgow) (SNP) .....	4317
Scott Barrie (Dunfermline West) (Lab) .....	4320
Kay Ullrich (West of Scotland) (SNP).....	4321
Phil Gallie (South of Scotland) (Con) .....	4323
Mr John McAllion (Dundee East) (Lab) .....	4324
Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD) .....	4326
Mr Andrew Welsh (Angus) (SNP).....	4328
Helen Eadie (Dunfermline East) (Lab) .....	4329
Robin Harper (Lothians) (Green).....	4332
John Young (West of Scotland) (Con).....	4334
Stewart Stevenson (Banff and Buchan) (SNP) .....	4335
Mr Michael McMahon (Hamilton North and Bellshill) (Lab).....	4336
Bill Aitken (Glasgow) (Con) .....	4339
The Deputy Minister for Parliamentary Business (Euan Robson).....	4341
Michael Russell (South of Scotland) (SNP).....	4344
<b>SCOTTISH TRANSPORT GROUP PENSION SCHEME</b> .....	4347
<i>Motion moved—[Fergus Ewing].</i>	
<i>Amendment moved—[Lewis Macdonald].</i>	
Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP).....	4347
The Deputy Minister for Enterprise, Transport and Lifelong Learning (Lewis Macdonald) .....	4350
Lord James Douglas-Hamilton (Lothians) (Con) .....	4354
Nora Radcliffe (Gordon) (LD) .....	4356
Dr Sylvia Jackson (Stirling) (Lab) .....	4358
Michael Matheson (Central Scotland) (SNP) .....	4359
Cathy Peattie (Falkirk East) (Lab) .....	4360
Donald Gorrie (Central Scotland) (LD) .....	4361
Lord James Douglas-Hamilton .....	4361
Lewis Macdonald .....	4362
Dennis Canavan (Falkirk West).....	4364
<b>POINTS OF ORDER</b> .....	4368
<b>DEPUTY PRESIDING OFFICER</b> .....	4370
<b>QUESTION TIME</b> .....	4372
<b>FIRST MINISTER'S QUESTION TIME</b> .....	4389
<b>SOCIAL JUSTICE</b> .....	4398
<i>Motion moved—[Iain Gray].</i>	
<i>Amendment moved—[Mr Kenneth Gibson].</i>	
<i>Amendment moved—[Mrs Lyndsay McIntosh].</i>	
The Minister for Social Justice (Iain Gray) .....	4398
Mr Kenneth Gibson (Glasgow) (SNP) .....	4402
Mrs Lyndsay McIntosh (Central Scotland) (Con) .....	4405
Robert Brown (Glasgow) (LD) .....	4409
Karen Whitefield (Airdrie and Shotts) (Lab).....	4411
Richard Lochhead (North-East Scotland) (SNP).....	4412
Cathie Craigie (Cumbernauld and Kilsyth) (Lab).....	4414
Mr Keith Harding (Mid Scotland and Fife) (Con) .....	4416

Andrew Wilson (Central Scotland) (SNP).....	4418
Tommy Sheridan (Glasgow) (SSP) .....	4420
Donald Gorrie (Central Scotland) (LD) .....	4422
Jackie Baillie (Dumbarton) (Lab) .....	4423
Colin Campbell (West of Scotland) (SNP).....	4424
Mr Keith Raffan (Mid Scotland and Fife) (LD) .....	4425
Bill Aitken (Glasgow) (Con) .....	4427
Linda Fabiani (Central Scotland) (SNP) .....	4429
The Deputy Minister for Social Justice (Ms Margaret Curran) .....	4431
<b>PARLIAMENTARY BUREAU MOTIONS</b> .....	4435
<i>Motions moved—[Euan Robson].</i>	
<b>MOTION WITHOUT NOTICE</b> .....	4436
<i>Motions moved—[Patricia Ferguson].</i>	
Michael Russell (South of Scotland) (SNP).....	4436
The Minister for Parliamentary Business (Patricia Ferguson).....	4437
<b>DECISION TIME</b> .....	4438
<b>AUDIOLOGY SERVICES</b> .....	4453
<i>Motion debated—[Mr Mike Rumbles].</i>	
Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD) .....	4453
Cathie Craigie (Cumbernauld and Kilsyth) (Lab).....	4455
Mr Andrew Welsh (Angus) (SNP).....	4457
Ben Wallace (North-East Scotland) (Con).....	4458
Robert Brown (Glasgow) (LD) .....	4460
Stewart Stevenson (Banff and Buchan) (SNP) .....	4460
John Scott (Ayr) (Con) .....	4461
Nora Radcliffe (Gordon) (LD) .....	4462
Ms Sandra White (Glasgow) (SNP).....	4464
The Deputy Minister for Health and Community Care (Mrs Mary Mulligan) .....	4465

## Oral Answers

**Col.**

### **QUESTION TIME**

<b>SCOTTISH EXECUTIVE</b> .....	4372
A9 (Ballinluig Junction) .....	4372
Bus and Rail Services .....	4378
Community Police.....	4382
Holiday Homes .....	4385
Local Government Elections.....	4378
Mental Health.....	4386
Modern Apprenticeships .....	4388
New Deal .....	4375
North Lanarkshire Council (Meetings).....	4375
Nurses .....	4376
Nutritional Standards .....	4384
Prison Service.....	4381
Scottish Football Partnership.....	4383
Solar Heating .....	4379
Sustainable Development.....	4374

### **FIRST MINISTER'S QUESTION TIME**

<b>SCOTTISH EXECUTIVE</b> .....	4389
Cabinet (Meetings) .....	4390
Commission for Integrated Transport.....	4393
Post-school Education .....	4395
Scottish Executive Priorities .....	4392
Secretary of State for Scotland (Meetings) .....	4389
St Andrew's Day .....	4396

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## Scottish Parliament

*Thursday 29 November 2001*

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

### Point of Order

**Michael Russell (South of Scotland) (SNP):** On a point of order, Presiding Officer. I draw your attention to page 8 of today's business bulletin and to the motion in the name of Patricia Ferguson on the membership of committees. It is almost unbelievable that the motion refers to a replacement for Cathy Peattie on the Education, Culture and Sport Committee. I admire Cathy Peattie—I like Cathy Peattie. However, the motion makes an assumption about something that the chamber may or may not agree to later today. That is an abuse of the chamber and should not be permitted.

**The Presiding Officer (Sir David Steel):** With respect, the motion makes no such assumption. It makes a straightforward proposal to replace one member with another. That is perfectly normal.

## Local Government Elections (Proportional Representation)

**The Presiding Officer (Sir David Steel):** The first item of business is an SNP debate on motion S1M-2487, in the name of Tricia Marwick, on proportional representation in local government elections, and one amendment to that motion. I invite those who want to take part in the debate to indicate their wish to do so now.

09:31

**Tricia Marwick (Mid Scotland and Fife) (SNP):** In the spirit of consensus, openness and transparency for which I am well known, every member's researcher has received a copy of the SNP briefing paper. I hope that members read it and learn from it. It contains some good-quality information and I hope that the research produced by the SNP can be used to enhance the debate.

**Michael Russell (South of Scotland) (SNP):** There is no need for a debate now.

**Tricia Marwick:** Indeed—the point is made.

On 5 September, during the debate that followed the announcement of the Scottish Executive's legislative programme, John Swinney took Henry McLeish to task because the programme did not mention electoral reform or progress towards electoral reform. I commented that, for the Lib-Lab coalition, proportional representation is

"the issue that dare not speak its name."—[*Official Report*, 5 September 2001; c 2223.]

Recent events have underlined the stranglehold that Labour has on civic Scotland, from councils to the enterprise networks, health boards and all the other quangos. Iain Macwhirter of the *Sunday Herald* suggested that the Labour party should

"liquidate itself on the grounds that it is manifestly the source of most of the cronyism in local politics."

Not even I would go that far, but I agree with the almost universally held view that was expressed by Brian Meek, who is a columnist for *The Herald* and a Tory councillor. He said:

"The best way to root out the cancer of unbridled power in local authorities is to change the voting system".

I said that that view is held almost universally because, after my recent meeting with the Convention of Scottish Local Authorities, it became clear that Labour councillors are simply not prepared to accept a fair voting system for local government.

**Phil Gallie (South of Scotland) (Con):** Does the member agree that the best way for politicians to change the make-up of councils is for them to present the right policies for local areas and to win seats on their merits?

**Tricia Marwick:** That is obviously why the Conservatives have so few councillors. I will come back to Phil Gallie's point later.

Why should Labour councillors accept a fair voting system in local government? The Labour MP, Jimmy Hood, warned against PR. He said, with breathtaking arrogance, that party members

"must defend democracy, and, more importantly, defend the Labour party".

There we have it: defending Labour party interests is more important than democracy. But then, SNP members always knew that.

Labour has a vested interest in retaining its entrenched power. It seems that the ability to reform the fiefdoms voluntarily is beyond even the most dedicated Labour modernisers. However, reform must come or local government in Scotland will die: controlled and directed from the centre, it will be airbrushed out of Scottish society in the same way as a minister for local government was airbrushed out of the ministerial portfolios that were announced yesterday.

Unfortunately, the Liberal Democrats hold the key to PR in the Parliament. They prop up the Labour Executive. In a blaze of publicity, they trumpeted the partnership agreement of 1999, telling us:

"We will ensure that the publication of ... McIntosh ... is followed by an immediate programme of change including progress on electoral reform."

It is appropriate to ask what progress the Liberal Democrats have made since then. We had a year-long consultation, at the end of which Kerley recommended not only the implementation of the single-transferable-vote system but that the Executive should take

"an early decision on the date of implementation of a new electoral system."

Kerley anticipated that it would have been possible to implement a new system in time for the 2002 elections, never mind the delayed 2003 elections that we now face.

**Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** Tricia Marwick said that the Liberal Democrats hold the key to PR in the Parliament. Does she accept that, as the Labour party is not convinced about PR and the Tories are adamantly opposed to it, there is no majority in the Parliament for PR, even if we were to introduce a bill tomorrow?

**Tricia Marwick:** I do not agree with Mike Rumbles's premise, which I will cover later in my speech. I accept the points that he makes about the Labour party and the Conservatives, but the fact remains that the Liberal party is prepared to sell out its principles on PR.

It is clear that, after three years of consultation with literally hundreds of respondents, Kerley and McIntosh said that the STV system was best for Scotland. How much more consultation is needed? Not much, I suggest.

As I said, the Liberal Democrats hold the key, but they stood back and let the Labour party kick the PR ball into the long grass with the promise of a ministerial committee to take matters forward. That was a year and a half ago and now we have an admission that not much has happened during that period. When the Liberal Democrats were confronted with the decision whether to support the third First Minister, did Jim Wallace, the bold Liberal leader, stand up for his party and his principles? Did he stand up to demand an end to cronyism and the one-party domination that, in the words of Ken Richie of the Electoral Reform Society, encourages

"a political culture in which there is a danger of councils and councillors becoming arrogant, aloof and detached"?

Even Jim Wallace said:

"We must not underestimate the self-interested resistance from those fiefdoms which will be challenged by a fair voting system."

What hard-nosed bargain was the tough negotiator, Mr Wallace, able to extract from the new First Minister? According to *The Scotsman*, the bargain was that they had

"agreed that the next steps should be to agree the next steps".

He could not even negotiate a decent excuse, never mind a decent bargain. Two and a half years after the coalition promised progress on electoral reform, we find that progress actually means agreeing the next steps to agree the next steps.

According to a leaked report that appeared in *The Times* yesterday, Charlie Kennedy is worried that the Liberals at Westminster are perceived as Labour's poodles. However, poodles bark—sometimes—and the problem in the Scottish Parliament is that the Liberals are Labour's lapdogs: they have no bark, no bite and no backbone.

It is frustration with that utter lack of progress that forced me to lodge a bill on PR, proposing the STV system. The Fairshare campaign and the Electoral Reform Society support both my bill and the STV system. I take this opportunity to pay tribute to the many dedicated members of all political parties who work tirelessly to advance the campaign for a fair voting system, some of whom have joined us in the public gallery today.

The events of the past few weeks have shone a light into the dark corners of Labour's crony networks. The networks of influence and cronyism

have begun to be exposed, from the legal firms that rent office space to the job creation schemes for Labour friends such as Esther Robertson. As the answer to a written parliamentary question lodged by David McLetchie showed, of those appointed under the public appointments system since 2000, 75 per cent who declared a party connection were members of the Labour party. It is no wonder that Angus MacKay was sacked this week—imagine a Labour minister letting that little gem into the public domain.

The Parliament can clear up Labour's midden by doing two things. First, it can support Alex Neil's bill, which would give the Parliament power to scrutinise public appointments. Secondly, it can introduce fair voting for local government elections.

It is appropriate for me to acknowledge at this point the many councillors in Scotland who want only to serve their communities and who put in long hours for little reward, beyond the satisfaction of doing their best for the communities and people whom they represent.

A fair voting system would remove the unhealthy taint that Scottish local government has unfairly earned from the worst of Labour's rotten boroughs. It would restore public confidence and public interest in local government. Because a fair voting system would eliminate the wasted-vote syndrome, it is the single biggest step that could improve turnout. STV, which uses multimember wards, would retain the member-ward link. In England and Wales, 80 per cent of wards are already multimember. Northern Ireland already has PR. Let us not have specious arguments that a one-member-one-ward system is the only suitable system for local government in Scotland.

**Scott Barrie (Dunfermline West) (Lab):** I will make my views on PR known later in the debate, but does Tricia Marwick accept that what she said about multimember wards in England was slightly misleading? Although most English wards have more than one councillor, the councillors are usually elected for only three years and are still elected by first past the post.

**Tricia Marwick:** I was making the point that, although we often hear councillors saying, "This is my ward and these are my people," multimember wards already exist. The link between the councillor and the ward should not rest solely on one councillor.

The current electoral system protects the Labour party to the extent that effective scrutiny and opposition is simply not possible. No one argues that the party that gains the majority of votes in an election should not have the majority of the seats on a council. However, it is quite unacceptable that a party that has gained only 46 per cent of the

vote should have 95 per cent of the seats. In the elections for Dundee City Council and East Ayrshire Council, the SNP polled more votes than the Labour party but ended up with fewer seats.

A fair voting system in local government is now imperative. This autumn, the genie of Labour cronyism has been let out of the bottle and will not go back in. That cronyism is corrosive to democracy and poisonous to society. In the eyes of the people of Scotland, it undermines the work not only of the local authorities but of the whole political process. It is now imperative that the Parliament acts decisively and quickly. The universally agreed way to do that is to end the one-party states and destroy the fiefdoms by delivering a fair voting system for local government.

Let me turn to the fig leaf—sorry, the amendment. The amendment does not advance the case for a fair voting system but merely allows the Liberals and the Executive to pretend that something is happening. It is widely speculated that the Liberals are looking for an excuse to parachute out of the coalition so that they are free to fight the 2003 elections as though they were independent of Labour. The Liberal Democrats are complicit in engineering the lack of progress on PR to give them just that excuse. If the Liberals want to play fast and loose with their principles and with the expectations of their supporters, so be it. However, they should not expect the rest of Scotland to sit back and accept the cynicism of a party that, like its coalition partner, puts narrow party interest above the interests of Scotland's democracy.

Let me end on this note: a fair voting system for local government elections is supported by a majority of the supporters of each party in the Parliament. Contrary to Mike Rumbles's view, I believe that a majority of members in the chamber would, in a genuinely free vote, support such a system for local government in Scotland. The new First Minister, Jack McConnell, spoke about the need to deliver on the people's priorities. Fair voting is one of the people's priorities and a democratic imperative. It is time to deliver on it.

I move,

That the Parliament approves the principle of proportional representation for local government elections, as recommended in the Kerley Report.

09:44

**The Deputy Minister for Finance and Public Services (Peter Peacock):** I am afraid that we have seen a rather sad display from the SNP. Using generalisations, it has attempted to smear Liberal and Labour elected representatives who work throughout Scotland. The SNP tries to pretend that it has a principled support for PR. As

usual, the debate has been a piece of naked opportunism in which the SNP has tried first and foremost to drive a wedge between the coalition partners—something that it has singularly failed to do so far and will continue to fail to do.

The debate has nothing to do with principled support for PR on the part of the SNP. The real agenda is helpfully revealed by the SNP briefing paper, which, as Tricia Marwick said, was circulated to all members of the Scottish Parliament. That is a commendable new form of openness, which we hope will continue regularly in future. The paper reveals:

“The SNP objectives in this debate are to:

- first, highlight why Labour are so resistant to political change”—

I will deal with that nonsense in a moment—

- “• show why Liberals are untrustworthy,”—

I am sure that my friends will be delighted to deal with that in due course—and

- “• ensure the SNP are identified as Scotland’s democratic champions”,

which is another nonsense that I will deal with in a second. Those are the real objectives for today’s debate. Did anyone see the words “proportional representation” or “local government” in those objectives? No, because those words did not appear. This debate has nothing to do with PR or the SNP’s principled stance. It exposes the SNP’s hypocrisy, the utterly unprincipled nature of its approach to the Parliament and its contempt for the Scottish people.

However, let us look at the charges that have been set out in the objectives for the debate, as supplied by the SNP research staff. No doubt my Liberal friends will be delighted to deal with the charges that have been levelled against them. The SNP suggests that Labour is “resistant to political change”. What nonsense. SNP members claim that they are somehow “Scotland’s champions”. What nonsense. If they are the great champions of change and of democratic processes in Scotland why, when the greatest democratic and political change of the past two centuries was being fashioned by the Scottish Constitutional Convention, did the SNP sit on the sidelines? SNP members were doing what they always do: carping, carping, carping.

When Labour and Liberal politicians were working with the grain of Scottish opinion and wider civic society through the Scottish Constitutional Convention, the SNP and its Tory cronies sat apart from the consensus in Scotland. That is what those two always do; they are old cronies sitting together. When Labour and Liberals politicians were delivering PR for this new institution, to which the SNP as a party owes its

very existence, the SNP sat on the sidelines. We do not need any lectures from the SNP about political change. Members of the coalition parties have been the instigators and deliverers of political change. The SNP only ever sits on the sidelines to carp.

**Mr Andrew Welsh (Angus) (SNP):** When Peter Peacock was a member of COSLA, he demanded action. Now that he is a minister and is in a position to act, all that he has done is to produce yet another review, which comes after considerable delay. That is a bit of a change. We would have expected action. The minister has not mentioned PR. If he believes in PR, why no action, given that he is in a position to do something about it?

**Peter Peacock:** I shall deal with those points in a minute.

Labour at Westminster has delivered more fundamental political and constitutional change in the past four years than we have seen in the past 200 years. Labour has delivered: a new Parliament for Scotland with PR; a new National Assembly for Wales with PR; a new Northern Ireland Assembly with PR; and a new London Assembly with PR. The regional assemblies are beginning to emerge across England. The dramatic reform of the House of Lords has ended centuries of privilege at the heart of the institutions of Government in this country. In Scotland, the Executive is delivering land reform that will empower Scottish communities.

That is a catalogue of the most fundamental and dramatic constitutional, democratic and political changes that have been seen for centuries. We have devolved power to nations, regions and to communities across the country. That has been delivered by Labour at Westminster and by the Labour-Liberal coalition in Scotland, in which the Labour and Liberal parties have worked together, just as they worked with the grain of Scottish opinion within the Scottish Constitutional Convention. The democratic champions in the SNP played no part whatever in that catalogue of action.

**Michael Russell:** I know that the minister was not in the Labour party during the 1997 referendum, so he might not know that, during the referendum campaign, a group of people from across Scotland worked together, including many members of the SNP. Indeed, most commentators have said that the leader of the SNP produced the most effective contribution—something that the Labour members would not mention because they were embarrassed by the contribution of Labour party members. In the interests of fairness, accuracy and generosity, does the minister accept that point? I presume that that will derail the rest of his nonsensical speech.

**Peter Peacock:** The SNP arrived on the pitch only when the game was pretty well over. The whole picture had been fashioned over many years by the Labour party, the Liberal party, the trade unions, the churches, the voluntary sector and the local authorities in Scotland working together while the SNP and the Conservatives, the old cronies, sat on the sidelines and simply carped. When the SNP arrived late in the day, it supported the consensus. Nonetheless, it was the Liberals and the Labour party that developed that consensus.

**Mr Kenneth Gibson (Glasgow) (SNP):** On a point of order, Presiding Officer. Two minutes and three seconds into my speech yesterday, you chided me for not addressing the motion. We are now six minutes into Mr Peacock's speech—any chance of him talking about PR in local government?

**The Presiding Officer:** You have anticipated me, Mr Gibson. I was just about to say that the discussion was getting away from the subject under debate, which is PR. Let us get back to that—[*Interruption.*—and that applies to all members.

**Peter Peacock:** You have anticipated my next move, Presiding Officer. All I am trying to do is to give the historic context. The history books will show that, for the reasons that I have set out, we need no lectures from the SNP. Just as we have made progress on political and democratic change at the UK and Scotland levels, so we are committed to making progress on electoral reform in local government.

**Tricia Marwick:** As the minister who is responsible for local government in Scotland, can Mr Peacock tell me how many times in the past year he has met the committee that is progressing PR in local government?

**Peter Peacock:** The important thing to understand is that the workings of government—something of which the SNP has no knowledge—mean that people communicate in a variety of ways. Meetings take place, submissions are made, papers are considered and there is a range of correspondence. We are committed to making progress and progress we will make. Our amendment makes it clear that we are committed to making progress and to preparing a timetable for that progress. The amendment acknowledges the need to secure general consent and wide support for the system of electing Scottish councils. It also acknowledges the importance of the member-ward link in local government.

The SNP offers posturing and posing on this issue. While it tries to smear and denigrate the people's elected representatives in councils across the land, it is the Labour Government in

Westminster and the Labour and Liberal coalition in this Parliament that have delivered radical reform and that have committed themselves to further progress. It is to this coalition that the people of Scotland need to look for the radical action that they seek. Our record shows that we deliver.

I move amendment S1M-2487.1, to leave out from "approves" to end and insert:

"notes the Scottish Executive's continuing commitment to the pledge made in its *Programme for Government* to make progress on electoral reform, to the principles of renewing local democracy as set out in the Kerley report, including the importance of the member/ward link in local government, to the need to secure general consent and wide support for the system of electing local councils and to producing a timetable for further progress with urgency."

09:53

**Mr Keith Harding (Mid Scotland and Fife) (Con):** I assure the chamber—especially our cronies in the SNP—that I will be addressing the motion.

This SNP debate is a poorly disguised attempt to push an electoral system that would be to the SNP's advantage. The SNP sees an opportunity to attack the embarrassing nature of Labour cronyism and Liberal Democrat willingness to do anything for coalition power. I hope that Mike Russell will not get too excited by what I am saying, as the SNP is falling into the same old trap by pushing its own interests. However, this debate is premature: we will not have PR in any form for the council elections of 2003 and we cannot bind the next Parliament's decisions.

Unlike some other parties, the Scottish Conservatives have consistently opposed any moves towards PR for local government elections. We support the current first-past-the-post system. That is not because it is always in our interest. Lately, it has not been—and it certainly has not been in our interest in local government. However, we support it because of a number of issues of principle. First past the post provides strong governance with clear accountability to a party that wins an outright majority.

**Robert Brown (Glasgow) (LD):** Will the member give way?

**Mr Harding:** The system ensures that the electors, not the politicians, choose the ruling administration. Most important, in councils it provides a direct link between the elected member and the people who elected them. PR would remove those advantages and mean that administrations were made up following backroom political deals in which the electorate had no say.

Did someone want to intervene?

**Robert Brown:** Yes, but it is all right.

**Mr Harding:** I apologise to Robert Brown. I did not hear.

Cronyism is the problem. We accept that there is a culture of cronyism in some parts of Scottish local government. It needs to be exposed and eradicated. That cronyism is often based on one-party-state councils. We recognise that that culture then works its way up through the system. The SNP view—that PR will solve all the problems—is simplistic in the extreme. The Liberal Democrats have gone silent on PR, as they did on cronyism, so as not to upset their coalition allies.

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

**Mr Harding:** No, thank you.

PR will tackle only the symptoms of cronyism and not the underlying problem of the concentration of power in the hands of politicians—usually Labour politicians. PR might change the political balance of some councils, but it would institutionalise a system of proportional cronyism in which other parties would get a chance to share political patronage.

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

**Mr Harding:** No, thank you.

Even some in the SNP acknowledge that the answer lies elsewhere. Alex Neil has introduced the Public Appointments (Parliamentary Approval) (Scotland) Bill, which would provide parliamentary scrutiny of public appointments. The bill may not be perfect, but it shows more imagination than the SNP's official policy and is worthy of consideration. We should all seek to find a way of ensuring probity in public appointments, which should be based on merit and not on political patronage.

The real answer to cronyism is to reduce the power and patronage of politicians in Scottish society. That will require fundamental change. The Scottish Tories are the only party that is campaigning for a fundamental shift in power from politicians and the institutions of the state back to the independent and autonomous institutions of civil society. Power in the hands of individuals, families, local communities, co-operatives and voluntary organisations is far more locally accountable and it is independent of the crony culture.

In contrast, PR will simply entrench the power of the state, by giving political parties a vested interest in maintaining power. If we do not have politicians at national and local level who are committed to the real devolution of power, the potential for the abuse of power will continue.

What should be done? As I said when we

debated the issue last year, Labour's unfair grip on councils is often more to do with the way in which the boundaries are drawn than with a lack of support for the opposition. Councils draw up the draft boundaries, which are based on the existing ones, and those drafts are approved politically by the votes of the ruling group on each council before being passed to the Local Government Boundary Commission for Scotland. Over time, the ruling group entrenches its power, clumping large opposition majorities into a few wards and giving itself moderate but easily defended majorities. A new, fairer and more independent system for drawing up boundaries must be devised. We believe that an entirely new set of boundaries is required.

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

**Mr Harding:** I am sorry, but I have not got the time. The Local Government Boundary Commission for Scotland should start from scratch rather than using the existing boundaries as a basis for change, and it should determine the first proposals for consultation.

PR for local elections could mean yet another different system and even more confusion. It would also be a danger to our well-established system of general elections, which is part of our democratic tradition and which is well liked. PR would simply lead to permanent coalition administrations through secret deals. Coalition government takes power from the electorate and concentrates it in the hands of politicians. It has led to the Liberals selling out on their principles for political power. We would also end up with a small party always in power—self-interest is the motivation for the Lib Dems as well as for the SNP.

Even the SNP's choice of a PR system is warped. Everyone recognises that the member-ward link keeps councillors responsive to the needs of their local communities and can provide the effective representation of local needs that the electorate value.

**Tricia Marwick rose—**

**Mr Harding:** If Tricia Marwick will listen to what I say, I will answer the question that she wants to ask.

Effective representation is best provided by the direct election of all councillors on a first-past-the-post basis at ward level. However, if it becomes inevitable that some form of PR will be introduced after the next Scottish Parliament elections, it is vital that we retain the member-ward link. The additional member system that is used for this Parliament, although it has inherent flaws, comes close to retaining that link. To propose STV for local government is simple folly.

**Tricia Marwick:** A few minutes ago, Mr Harding referred to STV as the SNP's system. Does he accept that the Kerley working group—which investigated STV—the Electoral Reform Society and most commentators agree that STV is the most appropriate system, as it retains the member-ward link?

**Mr Harding:** The Liberal-Labour coalition tends to disagree with both Kerley and McIntosh on the timing of elections and we are entitled to our opinion on PR.

Before going as far as changing the system used, we could increase accountability, produce strong governance and end crony power in our cities through directly elected provosts.

Far from championing democracy for the people of Scotland, the SNP has shown today that it is out only to promote its own selfish party-political interests. In that, it is no better than Labour and its Lib-Dem coalition cronies. The PR system that the SNP proposes will institutionalise power in the hands of politicians with permanent coalition and proportional cronyism. Sharing the jobs among political cronies is not the answer to Scotland's problems. Only the Scottish Tories are prepared to challenge that on principle, rather than hope to win more seats under a new electoral system.

Real change can be made through fairer, independently drawn council ward boundaries, a review of the public appointments system, elected provosts in our cities and greater accountability for councillors. Ultimately, cronyism will end only when we claw back the powers of big Government, which is supported by the three-party, left-of-centre consensus in the Scottish Parliament. We need to devolve power from politicians and the state to Scotland's communities, families and people. The Scottish Tories alone will take on that challenge. We are the real Opposition.

10:00

**Iain Smith (North-East Fife) (LD):** I will not waste much of my speech on the Conservatives, but it is clear that they have exposed their true colours today—they want to transfer power from democratically elected institutions to unelected undemocratic institutions. That is the clear agenda that was set out by David McLetchie last week and by Keith Harding today.

At First Minister's question time on 15 November, in the process of demolishing John Swinney, Jim Wallace said:

"It is probably one of the most open secrets in Scottish politics that the Liberal Democrats support proportional representation for local government."—[*Official Report*, 15 November 2001; c 3929.]

He went on to remind the Parliament that in

September, the First Minister—it was Henry McLeish in those days—had said:

"We want to ensure that we can effectively hold to account those who take decisions, so the Kerley principles will be at the heart of our modernisation of local government."—[*Official Report*, 5 September 2001; c 2202.]

Let us be clear what that means. The renewing local democracy working group was set up under the chairmanship of Richard Kerley to take forward the recommendation of the McIntosh commission, which read:

"Proportional representation (PR) should be introduced for local government elections. A review should be set up immediately, to identify the most appropriate voting system for Scottish local government".

McIntosh then identified the criteria that were to be used in determining that voting system: proportionality; the councillor-ward link; fair provision for independents; allowance for geographical diversity and a close fit between council wards and natural communities.

**Phil Gallie:** The member seems to be pursuing the argument that we should accept the McIntosh report and the Kerley report. On that basis, will he support the SNP motion?

**Iain Smith:** I support absolutely the McIntosh and Kerley recommendations. However, I want them to be delivered, which is why I shall support the Executive amendment rather than the SNP motion.

Kerley used the criteria that he had identified to examine a number of electoral systems, including first past the post, alternative vote, lists and the additional member system. The committee came down by a clear majority in favour of the single transferable vote system as best meeting the requirements of the remit that I referred to earlier, particularly in respect of proportionality and the councillor-ward link.

The case for proportional representation is overwhelming. There can be no justification for a system of elections in which one party obtains 95 per cent of the seats on only 46 per cent of the vote, as in Midlothian; 94 per cent of the seats on 49 per cent of the vote, as in Glasgow; or indeed 72 per cent of the seats on 45 per cent of the vote, as in Angus. That leads inevitably to the unaccountable one-party fiefdoms that have sadly become so common in Scotland—we risk complacency, corruption, cronyism and Charlie Gordon.

Vibrant, efficient, open and accountable local government needs effective opposition, which cannot be guaranteed under an electoral system that fails to give the voters a real choice, fails to hold elected members to account and, in effect, allows the political parties rather than the voters to choose who represents their area.

In Fife, Labour administrations have been returned on decreasing shares of the vote for years. That, coupled with the abject failure of the SNP to turn its votes into seats, the Tories being all but wiped out and the Liberal Democrats winning virtually everything in my constituency, shows that the political map of Fife does not reflect the views of the electorate.

**Tricia Marwick:** The member fails to mention that, in Fife, the Liberal Democrats have 27 per cent of the seats on only 21 per cent of the vote, whereas the SNP has 11 per cent of the seats on 26 per cent of the vote.

**Iain Smith:** That is precisely my point—the SNP seems to be unable to campaign in Fife and therefore cannot turn its votes into seats. The Liberal Democrats are effective and actually manage to get people elected under the present system.

**Michael Russell:** He does not understand.

**Iain Smith:** I understand exactly—we are much better than the SNP is at fighting elections.

The political map of Fife does not reflect the views of the electorate. It leaves Labour voters in North-East Fife without a voice on Fife Council, but similarly leaves Liberal Democrat voters without a voice in many parts of Kirkcaldy and Dunfermline.

Proportional representation is about not just ensuring that the overall balance of a council reflects the votes that are cast for each party, but ensuring that the voters have a real choice about who represents them and their area. That is why I am not surprised that, having examined the options, Kerley came down strongly in favour of STV.

STV does not ensure perfect proportionality. Estimates suggest, for example, that Labour would still have a majority in Glasgow, even with a minority of the votes. The threshold for election in a four-member ward under STV is 20 per cent of the vote, which is a significant hurdle. For pure proportionality, we would need a list or top-up system of some sort, but that would break the councillor-ward link.

In contrast to Keith Harding, I argue that STV would strengthen the councillor-ward link. It would give voters a choice—they would not have to vote for whoever their preferred political party put up, but would have a choice between candidates of the same party. Voters could therefore choose the candidate whom they think would represent them best. Those sitting members who failed to represent their constituents effectively would have to look to their laurels.

That is why, as Jim Wallace said, it is no secret that Liberal Democrats support proportional

representation for local government. For Liberal Democrats, it is an issue of principle. We support PR because we believe it is right, not because it is in our own self-interest. Believe me, my Liberal Democrat colleagues in North-East Fife will not be queuing up to thank me for introducing a system under which half of them may lose their seats.

What about the SNP? I thank the SNP for sending us a copy of its briefing—it was good to be able to benchmark the quality of our own briefings against it, and I assure members that our briefings are much better. The SNP, in its exciting little document, claims that its members are somehow Scotland's democratic champions and that they are trying to break the deadlock by forcing a vote on electoral reform for local government. The SNP is doing nothing of the sort.

As we can see from the briefing for today's debate, SNP members are doing what they always do: grandstanding. It is political posturing at its most transparent. The SNP claims to support PR as a principle, yet it seems to support it only when it suits the SNP. For example, in the unlikely event that the SNP were ever to win a majority of seats in a UK election, even on a minority of votes, it would claim that as a mandate for independence.

The SNP briefing makes such claims as:

"the SNP actually won Dundee City Council in terms of the percentage of votes cast (36.3% to Labour's 36.1%)".

I make that 63.7 per cent against the SNP, which is a substantial defeat.

In the list of disproportionate results, the SNP conveniently forgets to mention Angus Council. Perhaps most telling of all, in the SNP briefing, what is top of the list under the heading "The importance of PR"? Is it fairness, or choice for the voters? No. According to the SNP, the top reason for PR is:

"It is vital for the SNP that Labour's stranglehold on councils across Scotland is broken. Labour-controlled councils would pose serious problems for an SNP administration at Holyrood. The SNP would be faced with Labour-dominated COSLA ... PR, quite simply, would remove this scenario."

There is no principle involved—just barefaced self-interest. Well, there is no need to worry—the SNP will never form a Government in Scotland.

**Mr Gibson:** Neither will you.

**Iain Smith:** We are already in government in Scotland.

The SNP is acting out of self-interest—the SNP members may blame Labour, but they are at it as well and that duplicity will damage the case for PR. The SNP has claimed that there is a majority in the Parliament for PR for local government, but where is the evidence? The Conservatives have said again today that they oppose PR. What has

the SNP done to persuade Labour MSPs to support PR? Absolutely nothing.

As Donald Gorrie said in the debate on PR in the Parliament last year:

"We faced a similar proposition before, in the Scottish Constitutional Convention that worked towards setting up our Parliament. Liberal Democrats, a considerable number of Labour people, the trades unions, the Churches and a lot of the other bodies wanted proportional representation, but a considerable number of Labour people did not. The system was negotiated, worked through and discussed, and we ended up with a Parliament that was elected under a PR system ... The SNP pranced about outwith that convention, said it would never work and achieved nothing at all"—[*Official Report*, 5 October 2000; Vol 8, c 964.]

I could not have put it better myself.

**The Presiding Officer:** Please wind up.

**Iain Smith:** It was left to the Liberal Democrats to do the hard graft and take the risks, without which there would be no Scottish Parliament; without the work of the Liberal Democrats, delivering on PR, Tricia Marwick and her cronies would not be here today.

Last week, the SNP suddenly decided that PR for local government was the most pressing issue facing the Parliament. There was a big press release from Tricia Marwick and, in his bid to become First Minister, John Swinney said:

"We could change that system today."

He continued:

"On my election as the First Minister we would usher in immediate legislation to ensure that the local elections in 2003 are held under a new system."—[*Official Report*, 22 November 2001, c 4159-60.]

However, it took the SNP more than a week to find the 12 members that are needed to support Tricia Marwick's proposed bill. They are signing up quicker for Margo MacDonald's bill on prostitution than they are for the PR bill.

**The Presiding Officer:** Mr Smith, you are a minute over your time.

**Iain Smith:** I will sum up. The SNP claims that Liberal Democrats are prepared to sell their principles for a seat at the Cabinet table. The truth is that we use our seats at the Cabinet table to deliver on our principles. We have delivered on tuition fees. We have delivered on free personal care. We are delivering on freedom of information and land reform, and we will deliver on PR for local government too.

10:10

**Mr Kenneth Gibson (Glasgow) (SNP):** I point out to Peter Peacock and Iain Smith that, had it not been for SNP electoral strength, there would have been no push for a Scottish Parliament in the first place. The Liberal Democrats certainly moved

nowhere towards that in their generations in the political wilderness. As for Keith Harding's outlandish comment that we could change and improve local government simply by changing boundaries, I wonder how that would improve the Tories' standing in Pollok constituency, where they got 109 votes at the last election. Keith Harding is totally ignorant of PR. He said that AMS would improve the ward-member link, but councillors in Highland Council would have to represent the entire area. Iain Smith should talk to his party members about PR, because when Trish Godman and I visited Shetland and East Renfrewshire, the Liberal Democrat group in Shetland supported first past the post, but in East Renfrewshire the Liberal Democrats supported the alternative vote system, not even AV-plus. The Liberal Democrats should get their act together before they lecture everybody else.

I will talk specifically about the STV system of PR, which is about choice. As I pointed out in an intervention on Peter Peacock during the debate on the Scottish Local Government (Elections) Bill last week, in much of Scotland voters have no opportunity to cast a vote at council level, let alone a vote for their favoured party, or to see their party of choice elected. STV would increase voter choice between candidates, not just parties, and ensure that no vote was wasted. Electors would not have to consider tactical voting or supporting a candidate of dubious merit out of party loyalty, or be fatalist and assume that no one else could win the ward. Voters would not be stuck with a candidate who had been deselected from another area and selected unopposed in a smoke-filled room. The electorate, not the selectorate, would have the power. Over time, voters would weed out less effective members, and improve the calibre of councillors and the quality of representation. There would be no hiding behind party colours, because the merit of individual representatives would be the most significant factor in peoples' being elected.

STV would eliminate the anomaly that ensures that Labour wins overall control of Aberdeen City Council and City of Edinburgh Council on 32 per cent of the vote, while the SNP in Midlothian gains 31 per cent of the vote and no councillors. It is not acceptable for a party to retain sole political control when it has lost the support of more than two-thirds of the electorate.

STV would mean an end to discrimination against parties that appeal across the social and geographic spectrum and in favour of those that, traditionally, have a much narrower focus and a relatively concentrated vote. Parties that are unable to contest every seat under the current system would be more able to select and field candidates, which would lead to fewer uncontested wards or wards in which voters have

no opportunity to vote for their favoured party. Political parties would gain strength where they are under-represented and would benefit through an improvement in the quality of councillors where they are already successful. Hung councils would inject more co-operation and innovation into local government. Committee and executive meetings would be more meaningful, as policy would be debated and analysed thoroughly, and more councillors would be involved in the decision-making process, leading ultimately to better service delivery.

As for the ward-member link, each elector would have an equal link to several councillors and a choice of whom they wished to advocate for them. I find it amusing that some Labour councillors who squeal about ward links have often contested three or four different wards in the musical chairs game of deselection and reselection that is continually played. With the boundary changes that took place in 1995 and again in 1999, and as the result of retirements, the ward link is already tenuous. Indeed, as one Labour MSP confided, the ward link often consists of changing the election date and the name of the ward on a leaflet every three or four years.

In East Renfrewshire, there are 20 wards. Under STV there might be four wards, each with five members; each ward would cover a quarter of the council area. The council area mirrors exactly the Eastwood constituency. To argue that the link would be lost is to argue, in effect, that the constituency MSP—cuddly Ken Macintosh—cannot represent a constituency four times the size of a ward under STV. If Labour really cared about member-constituency links, it would not have abolished Scotland's European constituencies to make Scotland one giant constituency.

Mr Jack McConnell cannot buckle under the forces of Jurassic Labour, the voice of vested interest: people who care not a jot for local democracy, but who wish to save their political skins; councillors who lack the self-confidence to stand against political opponents and colleagues without the odds being heavily stacked in their favour; and MSPs who rely on the nomenklatura of councillors, their spouses, relatives and acolytes for selection.

And what about the Lib Dems? On 9 September 2000, Donald Gorrie said in *The Scotsman*:

"If we don't get it"—

electoral reform on the statute book before the next council elections in 2002—

"I believe most of my colleagues and the party in general would decide that the coalition should stop. This is my personal guess."

That optimism was sadly misplaced.

We should remind Labour members that if we had had PR at Westminster before 1979, we would have avoided 18 years of Tory misrule. Introducing the single transferable vote is best for democracy, best for local government and best for Scotland. The time for change is now.

**The Presiding Officer:** I remind members that the time limit is four minutes, and that if they overrun, they simply cut out colleagues who wish to speak.

10:15

**Scott Barrie (Dunfermline West) (Lab):** Tricia Marwick started her speech by talking about openness, transparency and consensus, and pointed out that the SNP had provided us all with copies of its briefing paper. Unfortunately, it was eight minutes into her speech before she briefly acknowledged that the majority of local councils provide good-quality services and are run well. She descended into peppering the remainder of her speech with pejorative words like fiefdoms, cronyism and cynicism. From the start, we could have had a better debate than the one that the opening speech has caused us to degenerate into.

As a former local government employee, and someone who spent all his previous working life in local government, I know that it does the people who work in local government no good to be constantly berated. It does them no good to constantly hear words such as cronyism and fiefdom thrown around by politicians, in particular in this Parliament, and by political commentators, as if somehow everything is rotten at the core of local government. Most local government works incredibly well. Most local councillors work incredibly hard and are not remunerated for the hard work that they do.

Tricia Marwick also said that PR was a people's priority. I confess that not once when I was a councillor—and I have admitted in the chamber before that the council was elected on a very low turnout and a very low percentage of the vote—did anyone say to me that I had not been democratically elected, that I had no mandate, and that I had no validity to stand in the council chamber.

**Tricia Marwick:** Does not Scott Barrie agree that the right to democracy and a fair voting system is a priority for people?

**Scott Barrie:** Yes, of course democracy is important. My point is that Tricia Marwick said that PR was a people's priority. All that I am saying is that not once has anyone come up to me, as a councillor in Dunfermline District Council or as an MSP, and complained about the voting system.

Mike Rumbles made the valid point that we do

not know Labour's position. We know which two parties are committed firmly to electoral reform. We know which party is dead set against electoral reform. It is true that the Labour party has yet to make up its mind where it stands on the issue. However, to address a point that Kenny Gibson made, the Labour party has twice introduced electoral systems that are to its distinct disadvantage: first, the system for the Scottish Parliament, and secondly, the system for the European elections. In the latter case, it was clear that by abolishing the European constituencies we would reduce the number of Labour members.

**Mr Gibson:** The individual who is now the First Minister stated publicly that Labour brought in the electoral system for this Parliament to create a glass ceiling whereby the SNP would need 50 per cent of the vote to get a majority, rather than the 40 per cent that we would need under first past the post. Does Scott Barrie accept that the reason Scotland was made one constituency for European elections was to wipe out the left in his own party, rather than to introduce more democratic accountability?

**Scott Barrie:** No, I do not accept that analysis. The fact is that the SNP has berated the Labour party for being against electoral reform, but I have given two clear examples of the Labour party endorsing electoral reform when to do so has been to our disadvantage.

It is no secret that I support proportional representation. I have argued for PR within the Labour party and I will continue to do so. I agree that there are people in my party who are equally committed and are against PR; they will talk eloquently and put forward their points of view. What is important in today's debate is that we have an amendment before us that will take forward the partnership agreement, which is committed to working towards a different system for the election of local councillors. That sort of debate—[*Interruption.*] I hear that something is going on on the SNP benches. The motion that we have before us today is political opportunism of the worst sort. It is not about local services. It is not about a better electoral system. It is about trying to drive a wedge between two coalition partners who are working well together.

10:19

**Kay Ullrich (West of Scotland) (SNP):** When one canvasses at election time in the central belt, one of the most often heard comments on the doorstep is, "It's not worth my while voting. The Labour party could put up a monkey on a stick in this area and it would get elected." Election results confirm that voters know the score when it comes to the first-past-the-post system. The facts show that, in local government elections, the majority of

voters are, in effect, disfranchised.

That does not apply only to the Glasgow, Midlothian and Lanarkshire areas. I want to highlight the situation in my own stomping ground—the area that is ruled by North Ayrshire Council. Incidentally, that council is the proud current holder of the title of worst council in Scotland. What do the voters in that beautiful area get in return for their vote? At the most recent local government elections for North Ayrshire Council, Labour polled 46 per cent of the votes and received 83 per cent of the seats. In contrast, the SNP polled 31 per cent of the votes and was rewarded with a mere 6 per cent of the seats. It is no wonder that voters say that voting is not worth while.

The breakdown of seats in North Ayrshire Council is 25 for Labour, two for the SNP, two for the Tories and one independent. Opponents of PR tell us that the first-past-the-post system makes for stable government. It certainly does. Stable government in North Ayrshire means that the council decided that the 25 Labour councillors deserved a special responsibility allowance. To facilitate that remarkable coincidence, the council decided that the four service committees should have no fewer than two deputies each. The Labour group on the council is nothing if not inventive. What responsibility do the eight deputies have to justify over £9,000 each of taxpayers' money? They have the onerous task of chairing committee meetings when the convener cannot attend. In the past year, two deputies had to chair a committee meeting once. Given that those meetings lasted for around one hour and that the eight deputies claimed a total of £61,240, the rate for the work done was over £15,000 an hour. That is stable government, North Ayrshire style.

We should ask the good people of Largs what stable government does for them. North Ayrshire Council, in its infinite wisdom, decided eight years ago that the revenue from a seafront car park, which had previously gone into the Largs common good fund, should be diverted into the council's general coffers. It did not matter that the common good fund was established for the good of the people of Largs. What matters to the Labour council is that it has untrammelled power to do what it likes. An editorial in the *Largs & Millport Weekly News* said that the only way that justice could be done for Largs would be through the courts or by a change of political control in North Ayrshire. That idea that people must take their council to court to get a fair hearing is surely an indictment of local democracy in North Ayrshire.

PR in local government elections would go a long way to returning accountability, not only in North Ayrshire, but throughout Scotland. In the early 1990s, I was at a press conference during

which the subject of local government reorganisation was raised. It was mentioned that Motherwell District Council and Monklands District Council were likely to be merged into one authority. I will never forget the comment from a wise old political journalist, who said, "Motherwell and Monklands—that is akin to linking Sodom with Gomorrah." We should have no more Sodoms or Gomorrahs. I urge members to support the SNP motion.

10:24

**Phil Gallie (South of Scotland) (Con):** It is always a pleasure to follow Kay Ullrich, but I take exception to one point that she made, which was that North Ayrshire Council is the worst council in Scotland. North Ayrshire is possibly not even the worst council in Ayrshire, because South Ayrshire runs it close. I also want to pick up on a couple of Kenny Gibson's comments. It is always amusing to follow Kenny, who believes in imaginary visions. When he said that the Liberals have got to get their act together, I threw up my hands and said, "Kenny, you've lost it."

Enough of Kenny Gibson; let us return to the issue. I commend the minister and the Executive for standing firm and going no further at present on the issue of proportional representation. No doubt the Labour party has been under considerable pressure from the Liberals, who believe fervently in proportional representation. However, the minister and his Labour colleagues have stood firm and, for that, they deserve to be commended.

When we consider the Kerley report, we recognise that there was division in that committee. We acknowledge the points that the minister made when he talked about the changes that the Labour party has induced in our electoral and constitutional structures in recent times.

The minister used the House of Lords as an illustration. There is unfinished business there and it is not something that the Labour party has anything to boast about. However, the Labour party has made changes in proportional representation.

It is important to consider the electorate. It amazes me that, in all of today's debate, not one individual has talked at any time about the electorate—those individuals who cast their vote. They are the people who are really important. They are the people whom we should be thinking about.

**Bruce Crawford:** Will the member take an intervention?

**Phil Gallie:** I will in a minute.

Let us consider over a period of time the

changes that have been made by the Labour party. Perhaps then we could think about inducing further change. We have had change in the House of Lords; we have had change in respect of Europe; we have had change in the Scottish Parliament elections. Each of those changes has involved a different system of PR. We need some continuity. We need to consider the electorate and to ensure that we can clarify and not confuse.

**Bruce Crawford:** Do you think that it was fair on the voters of Perth and Kinross Council, who did not elect a Tory-Labour-Liberal coalition in 1999, to be landed with a coalition that is now creating so much trouble for the people in that area?

**Phil Gallie:** It is absolutely diabolical that that coalition, or any coalition, is set up in that way. When people are elected, they should stand on their principles. However, time and time again, PR will forge those coalitions, such as the coalition in the Scottish Parliament. Coalitions will be forged all along the road.

**Scott Barrie:** Will the member give way?

**Phil Gallie:** I am sorry, I do not have time.

We have a PR system in the Scottish Parliament. I accept that the system is here and that it is unlikely to change, but I believe that one thing could be changed to ease the way for the electorate. Instead of two votes, let the electorate have one vote. Let them choose whichever party or member they feel is right for their area or constituency. That member would then go forward as the constituency member. We accept that. However, then we have the additional members coming along behind. Let those members be chosen using that one vote. Let the votes that have been apportioned across the area be counted up to determine the second, third and fourth members. That would remove an element of confusion. It is simple and it is PR. It might be some way down the road, but it is a positive thought and perhaps the minister will take it on board.

10:29

**Mr John McAllion (Dundee East) (Lab):** It is always a pleasure to speak after Phil Gallie because it gives me the opportunity to say that I cannot conceive of any political circumstances in which I would ever follow him—nor should anyone else. However, I agreed with him when he stressed the importance of the electors. All four major political parties represented in the chamber are capable of pursuing their own naked self-interest at the expense of wider democracy in Scotland.

Even the saintly Liberals are capable of that. I taught history at school and remember that when

Asquith commanded a huge majority in the House of Commons he completely ignored the demands of the infant Labour party—led by Keir Hardie—for proportional representation.

When the Liberals had the opportunity to introduce proportional representation, they did not take it. The SNP for a long time regarded a simple majority of seats won under first past the post as a mandate for independence, until it realised that it would never receive a simple majority of first-past-the-post seats.

Even my party—the Labour party—supported PR until it had a commanding majority in the House of Commons in 1945, when it dropped PR like a hot potato and ignored the plea from the likes of Jimmy Maxton that Labour had the chance to enshrine social democracy for ever in the British constitution by adopting proportional representation. That would have shut out not only the 18 years under Thatcher and Major but the 13 wasted Tory years before that. We have all suffered because Labour lost the nerve to introduce proportional representation at that time.

As for the Tories, what can we say about them? The phrase “turkeys voting for Christmas” does not begin to capture the Tories’ mood. Sometimes, when I look at them arrayed there on their benches, the song with the words “We’re here because we’re here because we’re here” enters my head. The Tories are here because of proportional representation. The sooner they understand that simple reality, the sooner we can have proportional representation for local government.

I hope that other members will participate in the debate not on the basis of party politics and insulting other parties—although I suppose that I have insulted all four major parties. In principle, I oppose first past the post as an electoral system, because I object to the essence of first past the post. It is a two-party system. It allows for only one party in government and one other major party in opposition. It does not allow for multiparty politics, which is the reality of Scotland in the 21<sup>st</sup> century.

How many small parties have come and gone because they were broken on the rocks of first past the post? I do not regret that some of them were broken. I will be a happy man if I never see the Social Democratic party again. I just wish that the people who should be members of the SDP would get out of the Labour party.

However, good parties have disappeared. The Independent Labour party broke on the back of the first-past-the-post system, as did the Communist party. A delight of the Scottish Parliament is having Robin Harper and Tommy Sheridan here, because this is a multiparty country. The people who share the views of the parties to which those

members belong deserve representation in the chamber, as they do in local government.

Phil Gallie is right about the electors. Proportional representation empowers voters to vote for the party for which they want to vote. How many times have we seen the two big parties win elections under first past the post with a manifesto that says, “Vote for us, because if you don’t, you will let the other side in”? Telling people not to vote positively but to vote for the lesser of two evils is utterly negative and is not the basis for democratic change. Keith Harding said that first past the post gives us strong government. I had my fill of strong government under Margaret Thatcher. If I can prevent people like her from coming to power, I will be delighted. No Government or council administration is strong if it does not have the majority support of the people whom it claims to represent. That is where strength lies in any democracy.

As for being up front about manifestos and secret deals, I was elected to the House of Commons in 1997 on a first-past-the-post manifesto that did not include independence for the Bank of England, cuts in lone parent benefits or a series of measures that were taken with the first-past-the-post majority in that Parliament without a mandate from the people. Therefore, we should not listen to the nonsense that first past the post will always be up front with the electors. It is just as capable of allowing deals to be done behind closed doors as any other system.

I believe in the Labour party as the people’s party. If we are the people’s party, why do we fear the people? We should let them decide and give them the power to vote for the parties for which they want to vote. We should accept their democratic decision.

10:34

**Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** My colleague Iain Smith was right to say that proportional representation is a matter of principle for the Liberal Democrats. It involves the principles of fairness, empowering people and empowering the voter. John McAllion has just given one of the best speeches for PR that I have heard. The issue is to do with empowering people. In a multiparty democracy, we need PR. It gives legitimacy to Governments such as ours.

As one newspaper said last week, PR is almost an article of faith for Liberal Democrats. Why is it important to people such as me? Is it because we are fascinated by the single transferable vote and multimember wards? No, of course not. Electoral reform is simply the key to reinvigorating and transforming representative democracy throughout

Scotland. It is the key to reforming successfully the way in which local government operates and delivers its services to the people. We must reform not only the way in which we elect our local councils, but the way in which they are financed.

Reform is essential and the Liberal Democrats are in the vanguard of that reform. That is why, in the partnership agreement between us and the Labour party, we agreed to make progress on electoral reform, and it is why I took the opportunity to have Jack McConnell confirm, before he became our First Minister, that he was equally committed to fulfilling the terms of that agreement. In his statement following his meeting with the Liberal Democrat parliamentary party, Jack McConnell said that

"Donald Dewar and Henry McLeish accepted the principles of reform as outlined by Kerley",

and

"I will stand by their pledge."

He also said:

"Labour and the Lib Dems remain firmly committed to progress on electoral reform, and my job is to make sure that progress is made and seen to be made. I am clear that the next steps should be taken with urgency, and I will make it a priority to deliver a timetable".

I expect that timetable to be delivered in the next few weeks, and certainly before the end of the year.

Reaching agreement among all parties for radical reforms such as the introduction of proportional representation takes time. I accept that people still need to be persuaded. In contrast to the SNP's assertions, I believe that there is not a majority in the Parliament—on a free vote—for PR. Just as we are finally making progress, the SNP has come in with a blunderbuss to finesse the issue.

**Tricia Marwick:** The member talks of the need to build a majority in the Parliament for PR. What have the Liberal Democrats done in the past two and a half years to build that coalition?

**Mr Rumbles:** I am glad that Tricia Marwick asked that. We have steadily worked to try to persuade our colleagues in the Labour party, because persuasion is necessary. Tricia Marwick might not like the arithmetic, but it is a fact that the largest party in the Parliament has still to be persuaded. That persuasion continues. I am perfectly happy to wait until the rational argument succeeds.

**Scott Barrie:** Mr Rumbles did not say that last week.

**Mr Rumbles:** I certainly did say that.

I will return to the important issues. At times, we need to be blunt. I have not shied away from that. I did not shy away from it last week, when I was

blunt. However, as I said, I believe that Jack McConnell came up with the goods. I expect him to come up with the goods towards the end of the year.

The SNP knows well that its motion would fall on a free vote and the SNP could set back the cause of reform if it pressed it now. It is unfortunate that in typical SNP fashion, it has decided that it would be a good idea to jump on the bandwagon.

Time is short. Keith Harding gave the Conservatives' game away. They oppose fair votes because they still believe that the only way in which they can return to UK politics is by the discredited winner-takes-all system, as they have no hope of building the consensus that is needed to work with others for the greater good. Phil Gallie even said so. He did not even want a coalition in Perth and Kinross Council under the present system. The Tories' opposition to reform should be seen for what it is: misguided self-interest.

**Phil Gallie:** Will Mike Rumbles give way?

**The Deputy Presiding Officer (Mr George Reid):** Mr Rumbles is in the last minute of his speech.

**Mr Rumbles:** We must progress reform by winning the argument with our colleagues and bringing as many people with us as possible. That is done not by lodging a parliamentary motion, but by giving those who need it a realistic and achievable timetable for winning the argument. I urge members to support the amendment.

10:39

**Mr Andrew Welsh (Angus) (SNP):** We should all remember what the electoral system is about and what it is supposed to do. The debate raises matters of fundamental importance for Scotland's future. As a former Stirling councillor and provost of Angus district, I know at first hand the strengths, the importance and the benefits of our local government system.

Local government is all about local decision making, whereby citizens participate in, influence and determine decisions that affect their daily lives, according to the wishes of their communities.

Local government provides a massive range of essential daily services that affect every man, woman and child in Scotland. I deeply regret that the policies of Labour and Tory Westminster Governments have constantly undermined, undervalued and under-resourced our local government system.

Central Government now dominates capital and revenue finance and service provision. The old cliché that we do not have local government any

more, we have local administration, is all too sadly true. It is time to give local government back to the people and to recognise its true status and place in our society and economy. One place to start that process is to ensure a fair, representative and open electoral system that truly reflects the votes of the people of Scotland. Local government is the fundamental building block of our democracy. That is why it is important that we address the issues and return voting power to the people.

While no voting method is perfect, it is clear that some are more perfect than others. We require a voting system that strengthens the direct geographic connection between elected representatives and voters, so that the voters know exactly who is responsible and who to contact in their locality. We need a system that provides real choice and in which every vote counts towards the final result. We need a system that more truly reflects the wishes of the electors, not the politicians.

As elected representatives in a democracy, we are the servants, not the masters, of 5 million people. At all levels of government, our mandate must reflect the wishes of the people of Scotland whom we serve. The SNP proposal for a single transferable vote system based on multimember wards meets all those criteria. I want an end to the present first-past-the-post system, under which, in Glasgow, the Labour party gets 47 per cent of the vote and 94 per cent of the seats and, in North Ayrshire, 47 per cent of the votes gives Labour 83 per cent of the seats. Irrespective of which party gains, that situation cannot be right. It is a mockery of democracy, producing one-party states that invite corruption among politicians and alienation among the electorate.

Instead of weakening Scotland's local government system, we should be seeking ways to strengthen it. By returning decision-making power down to the local level, we will allow it to be more independent. That will ensure that there are sufficient powers and resources to provide top quality, efficient daily services, which are accountable through a voting system that reflects the way the people of Scotland voted.

Labour may not want it and the Liberal Democrats may betray it today, but proportional representation will come and the sooner, the better for the good local governance of Scotland.

10:43

**Helen Eadie (Dunfermline East) (Lab):** A lot is said about democracy but, under PR, democracy is reduced and not increased as the PR tendency claims. We need only look internationally to see its impact on democracy. In Germany, the Free Democrat partners switched and changed the

Government, ditching the SPD without even troubling the people with a general election. For more than 20 years, the Free Democrats shared power in Germany despite never having more than 10 per cent of the vote.

That is one example of many that show how parties gain power out of all proportion to the vote that they receive. That is why the SNP and others are so keen on the system—it gives them a disproportionate share of power.

**Michael Russell:** Will the member take an intervention?

**Helen Eadie:** Eamon De Valera campaigned for many years to get first past the post re-introduced into elections in the Irish Republic. He called it the "straight vote". Newspaper editors and other PR supporters love to say that cronyism and corruption and sleaze would all disappear under PR. That is simply not true.

**Michael Russell:** Will the member take an intervention?

**Helen Eadie:** PR does not keep corruption at bay. There has been an appalling level of corruption in Irish local government, in particular in the authorities in and including County Dublin. By comparison, the level of corruption in Scotland has been very low, with fewer than 10 incidents in 35 years.

**Michael Russell:** We are supposed to be participating in a debate. Will the member give way?

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

**Helen Eadie:** Sensibly, the majority of countries understand the anti-democratic effects of PR. According to figures that were supplied by the House of Commons library, 87 democracies—a majority—use first-past-the-post systems and only 20 use various systems of PR.

Local government should be cautious, as there are other lessons to learn from the examination of international experience. Xenophobia is something about which we are all concerned. It is a threat across Europe that none of us can afford to ignore.

**Michael Russell:** Will the member give way?

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

**Helen Eadie:** First past the post prevents fascist parties gaining a foothold and hence credibility. It was under PR that Le Pen's Front National gained seats in France for the European Parliament in Strasbourg by overcoming the modest 5 per cent threshold. It linked up with a scattering of other right-wing extremists, which enabled it to qualify

for the millions of pounds of European Economic Community largesse that was showered on political groups at that time.

**Bruce Crawford** *rose—*

**Helen Eadie:** In Austria, the rise of the fascist leader Haider was a product of the country's proportional representation system. In the past weeks, we have read newspaper reports of the elections in Denmark—another PR country—and of the fears there about the growth of xenophobia after a swing to the right.

Donald Dewar said to me when we were chatting one day, "Helen, electoral reform is about more than voting systems." I now know what he meant.

**Tricia Marwick** *rose—*

**Helen Eadie:** This coalition Government is delivering on electoral reform in a number of different ways.

**Richard Lochhead (North-East Scotland) (SNP)** *rose—*

**Helen Eadie:** We are committed to a local government bill that will deliver a power of community initiative, a duty of ensuring best value and a statutory basis for community planning. In a move to improve turnout, we have introduced the Scottish Local Government (Elections) Bill to extend local government terms to four years and to give local authorities new powers to experiment with postal votes and flexible voting arrangements.

The truth about today's debate on proportional representation is that newspapers including *Scotland on Sunday* have an agenda, which is to get rid of Labour in Scotland and across the United Kingdom. We know what that paper is about when its headlines say:

"Electoral reform for Scottish councils could halve number under Labour Party control".

That is the real agenda. I know that that is the game and so do loyal and sensible Labour party members across Scotland.

A SNP document that was leaked yesterday said:

"It is vital for the SNP that Labour's stranglehold on councils across Scotland is broken. Labour-controlled councils would pose serious problems for an SNP administration at Holyrood."

Members will have to excuse me, as I have dropped my papers.

**Members:** Sit down.

**The Deputy Presiding Officer:** Order.

**Helen Eadie:** That SNP statement gives the game away and shows the cynicism at the heart of the SNP's posturing over PR.

Over recent years, in the kingdom of Fife, at Fife-wide Labour party meetings there have been repeated votes in support of the continuance of first past the post as the voting system. The Fife Labour group and Kirkcaldy and Dunfermline East constituency Labour parties have voted in a similar way. I have organised meetings at party conferences where official support has come from the Co-operative party—as I am a sponsored member of that party, I declare an interest. As policy on the issue is debated, the Amalgamated Engineering and Electrical Union and the GMB will be influential, as they too continue to support first past the post.

I call on the people of Scotland to sit up and take an interest in this key subject and not be blinded by science. Keep it simple, keep it transparent and remember—

**Bruce Crawford:** On a point of order, Presiding Officer. We are well past the end of the time that is normally allowed for speeches. Will you intervene on the member?

**The Deputy Presiding Officer:** I have been very generous with members. I have let speeches run to five or six minutes. I am also anxious to balance the debate. Helen Eadie can have another minute if she wishes.

**Helen Eadie:** Thank you very much.

If the Government is to serve, surely it is right for it to serve in accordance with principle. Above all, we need a system that is simple and that avoids the biggest disfranchisement of all—of those who cannot read. Some people cannot understand that simple messages serve us all equally and that poverty prevents many from understanding the complex processes that politicians of today have a tendency to promote. We must stand up and fight for the least empowered in the land so that they too shall own power.

10:49

**Robin Harper (Lothians) (Green):** In my youth, I had the privilege to serve as full-back and captain of Elgin Academy second XV. My experience was usually one of standing on the touchline, watching the big lads batter the lights out of each other on the centre of the pitch. I hardly ever saw the ball. The first half of the debate was rather like that. I am happy that, eventually, with contributions from Kenny Gibson, Scott Barrie, Iain Smith and, in particular, from John McAllion, the ball got into play and we started to debate the real advantages of proportional representation for Scotland.

My party scored not far short of 100,000 votes in the election for the Parliament. Without proportional representation there would have been

100,000 disfranchised voters in Scotland. Wherever I have been, whether it is Inverness, Wick, Thurso, Aberdeen or Ayr, people have come up to me, shaken my hand and said, "Robin, in that election, I felt for the first time in my life that my vote counted."

**Michael Russell:** I thank Robin Harper for giving way—he is showing an example to others in the chamber.

Does he agree that one of the most incredible things about the previous speech was the argument not only that there should not be PR in local government but that there is something wrong with PR in national elections? The burden of Robin Harper's argument is that PR in national elections is essential. That contradicts a remarkable contribution from the previous speaker, who wants to turn the clock back.

**Robin Harper:** Indeed. I would contradict the whole of Helen Eadie's speech. I have three questions for her. First, who invented the electoral system by which Germany thrives? Secondly, which country in Europe has one of the strongest and most successful economies? Thirdly, which country in Europe has a sense of political continuity and stability because of its electoral system? That political continuity has been without the ups and downs that are the result of first-past-the-post with black being white then white being black.

**Helen Eadie:** Will the member give way?

**Robin Harper:** No. Helen Eadie has had more than her fair share of the debate.

If we were to go to Ireland and ask anybody who has voted in local elections, we will find that they feel perfectly comfortable that they are represented on a constituency basis. They have got used to it, they understand it and they like it. Andrew Welsh said that local government should be the foundation stone of democracy. I would go further and say that community councils should be the foundation stone of democracy. We have not done nearly enough to boost the part that community councils play in the political life of the country.

America's system is based on much smaller units. I am not agreeing with what happens at the top—I am very unhappy about that, but there is a strength of local democracy there that we would do well to emulate in this country. We should not give it away—as the Tories say we should—to local interest groups, business or whoever has the loudest voice and the largest bank balance. Local democracy based on community councils should be our foundation stone.

Mike Rumbles's counsel of despair was that there is not a majority in the Parliament for PR, on

a free vote, at the moment. At 6 minutes to 10, there were 15 members of the parties who are against the motion and 15 members of the party that supports it in the chamber. I had the balance of power, ladies and gentlemen. [MEMBERS: "Hooray."] I would have voted with the SNP.

10:54

**John Young (West of Scotland) (Con):** On 21 November, *The Herald* stated that the Liberals had accepted Jack McConnell's pledge on PR. Only Mike Rumbles has rumbled Labour on the matter. It does not matter whether Labour never gives the Liberals PR—they will continue to have the little trappings of power as part of the coalition. That should be borne in mind. One has to ask what devious plot the SNP is hatching today. What is it really putting forward? What is its hidden agenda? I am always suspicious when the SNP comes forward with something of this nature.

I am a beneficiary of PR, but I do not admire the system. In many ways, one is divorced from a specific electorate. Indeed, that is why Murray Tosh will not stand again for the Parliament and hopes instead to re-enter local government. He has told me that he has felt that divorce specifically in relation to this Parliament and so do I. In 1999, certain sections of the press said that this was the first time that PR had been used in Scotland. Wrong. It was used in Scottish educational board elections until 1929 and for Scottish university parliamentary seats until 1951. Jim Wallace said that Glasgow once had municipal wards with three councillors. That is true—in 1964 I was elected to such a ward, which had an electorate of 39,000. However, Jim Wallace implied that a PR system was in operation. That is wrong. Every year, on a rotating basis, each member stood for direct election.

**Robert Brown:** Does John Young accept that it is possible for more than one councillor to represent a seat without breaking the council link? That was the point of the Glasgow example.

**John Young:** Robert Brown must bear in mind that the largest ward in Glasgow in 1964 had a 50,000 electorate. It was the largest ward in Britain. We do not want to go back to those days.

In 1857, Thomas Hare proposed the idea of proportional representation. He was strongly supported by John Stuart Mill. Since then, it is reckoned that around 200 different systems have been proposed, most of which are unworkable. Not long ago, the New Zealand Prime Minister said that she felt that New Zealand politics lacked stability due to the introduction of PR. The Italian Prime Minister prior to the present one said that it was high time that Italy reviewed the whole system of PR. If we want to know the reason for that we

should bear in mind the joke that it is not possible to bounce a ping-pong ball in the Italian Parliament without hitting at least 20 ex-Prime Ministers.

**Michael Russell:** If we were to implement what I think should be called the Eadie doctrine, that we should abolish PR entirely for the Parliament, I would have to say goodbye to the member.

**John Young:** I am all for democracy. I take the rough with the smooth. If I am meant to win, I will win. If I am meant to lose, I will lose. I will go by the electorate.

**Michael Russell:** Would John Young abolish PR?

**John Young:** If the Parliament puts me in power and makes me the First Minister, I will give Mike Russell the answer.

I express long overdue thanks to Robert Brown and the SNP. About 20 years ago, I led a minority Tory administration in Glasgow for almost three years. We would never have survived the onslaught of the Labour panzer divisions if it had not been for Robert Brown, who was the sole Liberal councillor, and a number of SNP councillors.

If PR is imposed on local government, Westminster will be unable to remain in splendid isolation. However, for Glasgow it will mean no change. There will still be a massive Labour majority. The Liberals may think that they are going to make headway, but there were only three Liberal councillors—Robert Brown, Gretel Ross and Christopher Mason—in the 35 years that I was a Glasgow councillor. However, a fourth councillor, Vincent Cable, sat as a Labour councillor but is now a prominent Liberal Democrat MP.

**The Deputy Presiding Officer:** The last speaker in the open debate is Stewart Stevenson.

10:59

**Stewart Stevenson (Banff and Buchan) (SNP):** Last, but I hope not least, Presiding Officer.

The Lib Dems have set themselves an ambitious target, which is to deliver PR in a longer time scale than the 100 years it took the Labour party to deliver a Scottish Parliament. How goes that project so far?

**Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD):** Will the member give way?

**Stewart Stevenson:** A wee bit later.

Any project has three parts: a beginning, a middle and an end. The end is the most important. Perhaps we have seen the beginning. The

Liberals say that they support PR. Mike Rumbles even says that it is a principle. Well, fancy that. They are probably in the middle—or perhaps it is a muddle—because they will not seize the initiative and build a coalition that will deliver at the end of this project.

The philosopher Joubert said:

“It is better to debate an issue without deciding it than to decide an issue without debating it.”

We know which part of that the Liberals adhere to. Their aim is clearly to debate, to debate, to debate. Perhaps Mike Rumbles gave the game away when he preferred to use the word wait, which he did three times.

We may have seen a Liberal idea whose time has come and, surprisingly enough, it is PR. John McAllion referred to Asquith, and I shall refer to Lloyd George, who succeeded Asquith in power. Lloyd George started to sell peerages in the 1920s. I have a confession to make: my father's cousin bought a peerage from Lloyd George. [MEMBERS: “Shame.”] Absolutely disgraceful.

**Dennis Canavan (Falkirk West):** What did he pay for it?

**Stewart Stevenson:** He paid £25,000. That was PR in the Liberal party: patronage rewarded, an idea adopted wholesale by new Labour. Let us hope that we have success in the modern PR that is being adopted by new Labour.

The PR of patronage rewarded is corruption in politics. It is time to remember why we are all here. I think that we are all democrats. It is not for riches, nor for glory, nor for personal self-aggrandisement that we should be here, but to represent a population who believe in a democracy that can deliver for them and that they can influence. That population has a fading confidence in us, to judge by the turnout at elections. We can rebuild confidence only by giving people the opportunity to elect into power the people that they vote for.

Let us remember what the word democracy means. It derives from the Greek word demos, which means the people. If we do not look to the people, trust the people and empower the people, we will lose the people.

**The Deputy Presiding Officer:** We move now to wind-up speeches.

11:02

**Mr Michael McMahon (Hamilton North and Bellshill) (Lab):** As someone who has supported electoral reform all my adult life, I am more than happy to be given the opportunity by this SNP debate to state my reasons for believing in the benefits of electoral reform for local government

elections. Those reasons stem from a belief that an electoral system should be about good governance rather than the vested interests of parties. For me, electoral reform is a matter of principle. My principles may be different from those that Helen Eadie espouses, but they are my principles. Electoral reform is about encouraging the type of consensus that will allow us to develop good policies at whatever level those policies have to be delivered.

If we in Scotland truly want a society that operates on the basis of inclusion and co-operation, we have to begin by having debates on electoral reform that will at least take the matter forward. What we cannot have is the type of tawdry mudslinging that we have heard from the nationalists this morning, especially and unfortunately from Tricia Marwick, Stewart Stevenson and Kay Ullrich, whose comments about Motherwell and Monklands border on the slanderous.

Have we heard much today about principle from the SNP? Was there much in the SNP contributions that developed the issue of electoral reform? I believe that we have heard quite the contrary. The Scottish nationalists have said little about the opportunity for change. The creation of the Scottish Parliament has given us all a tremendous opportunity to provide a modern electoral system in local government that is fit for the 21<sup>st</sup> century and that aims to play a part in achieving progressive reform of local government.

What the SNP has done in this debate runs counter to that. Apart from a limited attempt by Kenny Gibson, SNP members, rather than outlining how we can reduce distortion in electoral results, have tried to paint a picture of sleaze. Instead of addressing the cause of disillusion with the current system, they have concentrated on their recent hobby-horse of cronyism. Not for them a coherent argument about the need to tackle disfranchisement. What they have said is an assault on local democracy itself. They have sought to portray Labour-run local authorities as places of corruption and maladministration, while ignoring the mass of good work that goes on and the talent that brings it about.

We have heard an attempt to place in the minds of the electorate the image of a Labour party that abuses the position given to it in local authorities by that same voting public. Through some weird type of reasoning, the SNP has attempted to argue Labour bad, SNP good. If this had been a proper debate about good governance, we would at least have heard an attempt to explain why we need local government reform for the sake of effective government. Instead, what we got was an argument about why we need electoral reform to reduce the power of the Labour party.

We could have discussed the type of electoral system that would best achieve the good governance that we all aspire to and that we want from local authorities run by any political party. Instead, the SNP has sought to disguise the true intention behind holding this debate. SNP members want to portray themselves as the moral guardians of local government in Scotland, but the real reason for their stance is all about power, who has it and how it is shared. Labour has it and the SNP wants it. This is not about principle but about jealousy and opportunism; it is about political winners and losers.

If the debate was about implementing the Kerley report we would have heard more—or even something—about councillors' remuneration and about achieving representation at local level. What we got was mudslinging and innuendo. What about a comparison of electoral systems? Why STV and not AMS? The McIntosh report highlighted the different systems that could be used, but it did not recommend any. Kerley recommended STV, but could not get unanimity behind his report. Different voting systems provide different answers to the questions raised by them. Have we sought any of those answers here this morning? I suggest not.

All that has happened is that the Parliament has broken down into fixed party lines. The Lib Dems have always supported the principle of electoral reform. The Tories have always opposed it. The SNP members in this Parliament would have us believe that they want PR for local government, but where the SNP is in power in local government not all members are united behind PR.

**Mr Welsh:** Would Mr McMahon care to explain that remark? I am from Angus, where the SNP is in power and supports proportional representation in principle. I do not blame the Labour Government for taking advantage of the present system. I blame it for doing nothing about it.

**Mr McMahon:** We are doing something about it. I shall come on to that later. In its discussions of the Kerley and McIntosh reports the Local Government Committee sought the opinions of local authorities from across Scotland. SNP councillors in some SNP-led areas have told us that they do not support PR. That is the point that I wanted to make. We are having this debate in the context of having made a commitment to make progress on the issue, which our coalition partners have accepted.

**Michael Russell:** Will Mr McMahon give way?

**The Deputy Presiding Officer:** Mr McMahon is in the final minute of his speech.

**Mr McMahon:** I want us to move in that direction as quickly as possible. I have always wanted electoral reform. Believe me, being an

advocate of electoral reform in the Labour party in Lanarkshire is not easy. However, when one holds that view as a matter of principle, it is easy to defend. I want greater proportionality delivered in local government elections. That would be a good thing. It might even make the SNP groups in Lanarkshire produce costed budget proposals instead of just opposing those produced by the Labour party. It might make the SNP raise its game. Electoral reform has not brought that about in the Scottish Parliament, but it might do it in local government. It might even help to reduce factionalism within party groups. Perhaps electoral reform would allow SNP members to stand in the same street in Bellshill at election times instead of leading separate camps in opposite directions from one another to deliver leaflets.

I am not convinced that one must have a majority to have stability. I believe that one can provide an enhanced level of voter choice and still maintain the link between members in geographical constituencies. Those are all principles that I could argue are to be found in the alternative vote system, which I would prefer to Kerley's STV system. I could debate all day the merits of one system over another. I could argue about the differences in principle. I am more than happy to engage in a debate on the matter within the Labour party and I live in hope that the case for electoral reform will gain support in my party. What I will not do is vote for the SNP motion today, because it is not principled and it is not worthy of support.

11:09

**Bill Aitken (Glasgow) (Con):** When she moved the motion, Tricia Marwick made some valid points. She highlighted the problem of cronyism. It goes without saying that the Labour hegemony in many parts of Scotland has been damaging in the extreme. Cronyism is endemic and there is clearly a crying need to do something about it. The question is what.

If we accept, as the vast majority of people do, that the present situation is unacceptable—and there are few who would defend the status quo—there can be no doubt that the appropriate way forward is far from clear. Let us consider the parliamentary position, for example. There is a PR system—the Executive is supervised by a Parliament that is elected through an additional member PR system. What has happened? Cronyism continues and sympathetic journalists get highly paid roles as political advisers. Contracts go to former apparatchiks and public appointments largely go to Labour placemen and placewomen. Against a background in which the Executive's activities become more like those of Glasgow City Council writ large, is there any

wonder that there is cynicism?

**Ian Jenkins:** Does the member agree that, if cronyism exists, the system provides for better scrutiny than Westminster ever has? Does he agree that things that happen at Westminster would not be allowed to continue here precisely because there is scrutiny brought about by PR?

**Bill Aitken:** My point is that cronyism continues and is clear for all to see. Dozens of examples could be highlighted.

What is the answer? The Conservatives see some attractions in the Public Appointments (Parliamentary Approval) (Scotland) Bill, but there are also disadvantages. There could be witch hunts of individuals, for example. However, a welcome degree of scrutiny is proposed in the bill.

We are also attracted by the principle of returning power to the people to some extent—Robin Harper mentioned that—although we are not, as he suggested, in favour of returning power to monied vested interests. There should be a return of power to schools, communities and the voluntary sector in particular.

What are the disadvantages of PR? First, the link between a councillor and their ward is lost. At one stage, there were seven former councillors at the debate. Four of those—John Young, Kenny Gibson, Robert Brown and I—held seats over the years against the odds. We did so largely as a result of a high level of constituency service. I will deal with the STV system, but that link would be lost under any other system.

STV gives access, but does so in a chaotic manner. Constituents are already playing one member against the other in the parliamentary system. They would do the same in local government. The top-up system is also a recipe for conflict. It is significant that no system is recommended in the well-written McIntosh report.

The most important point is that the debate is taking place in a vacuum. Nothing will happen because Labour would have made it happen by now if there had been any real intent to implement PR. The Housing (Scotland) Act 2001 is complex legislation that has been passed. The Executive-supported Protection of Wild Mammals (Scotland) Bill will go through, yet the Executive cannot find parliamentary time to put through a bill on PR. Surely that tells us something.

**Robin Harper rose—**

**Bill Aitken:** I do not have time to take an intervention.

If Labour had wanted PR, it would have happened. If the Liberals had a scintilla of principle, they would have forced their hand. PR could have happened if they had wanted it to

happen. Last week, PR was blocked in effect by their decision to postpone elections. At the earliest, it will be another six years before the much-vaunted principle of PR—the basis upon which the coalition was established—is likely to be implemented. That may be painful for them, but boring speeches on that subject are the only thing that they have brought to the coalition and the parliamentary process. They will not progress much further.

**Mr Rumbles:** I am confused by Bill Aitken's argument. Is he arguing that the Liberal Democrats should move even faster to get electoral reform in local government?

**Bill Aitken:** From the Liberal party's perspective, that party should be moving. The question of alacrity is one for the Liberal party. It is not moving and is unwilling to face the fact that the issue has not moved an inch since it started to agitate on it. This is an exercise in self-delusion at its worst. The Liberals are suffering from delusions of adequacy in thinking that they have any influence with the Executive on the issue.

**The Deputy Presiding Officer:** I invite Euan Robson to wind up for the Executive.

11:15

**The Deputy Minister for Parliamentary Business (Euan Robson):** I will try to bear in mind Bill Aitken's strictures on boring speeches.

The debate has been wide-ranging and interesting. I will respond to some points that were raised, but first I want to take us back to first principles and to re-emphasise the Executive's continuing commitment to its programme for government pledge to make progress on electoral reform. Our commitment to the principles of reform outlined by the Kerley group is equally important.

All of Kerley's recommendations relating to widening access, remuneration, numbers of councillors and the electoral system are important. We are proceeding with consideration of all those issues through the ministerial working group on renewing local democracy.

There is concern about whether the link between councillors and wards will be retained. Kerley recognised the tension between proportionality and the councillor-ward link and recommended STV as the best system to meet the criteria set out in the original McIntosh report. I repeat our continuing commitment to the importance of the member-ward link in local government. A link should be maintained between communities and those whom they elect.

A number of members asked about our timetable for electoral reform. Any change in the electoral system will require primary legislation

and detailed input by electoral administrators to ensure that the system works. It will require a campaign so that voters are told about the system. The First Minister has made it clear that we will bring forward a timetable for further progress soon—the amendment confirms that. We are committed to getting things right—that requires us to invest time and effort so that there is proper consideration of the issues and to take full account of the views of others.

**Michael Russell:** I accept that legislation takes time to draft. However, the minister will recall that the Scotland Act 1998, which is complex legislation that put the Parliament in place, was drafted after Labour's victory in May 1997 and introduced in its first form in December 1997, if I remember correctly. If work was started today and the minister scribbled away with his pen, we could look forward to the introduction of legislation on the matter in the middle of next year. Will he make that commitment?

**Euan Robson:** Mr Russell should not think that the Executive is not committed to making progress. We will make progress. He recognises that detailed and complicated legislation needs careful consideration. We must take into account the resources that are available to us. Mr Russell should not rule out the possibility of legislation. We will deliver a properly considered solution that will serve Scottish local government well by building a consensus.

I want to deal with some contributions that were made. I struggled to understand Keith Harding, who seemed to advocate a less democratic structure. He said that PR means that a small party is always in power—that is a curious point.

**Mr Harding:** The Liberal party was the small party to which I referred.

**Euan Robson:** I am happy to accept always being in power if Mr Harding is prepared to concede it.

Iain Smith made important points about disproportionate results that a first-past-the-post system can produce. Kenny Gibson advocated the STV system and made useful points about eliminating some of the motivations and disincentives for voting under the current system. That would make predictions about council results unwise, if not impossible. Scott Barrie said that we should not denigrate the work of council staff and councillors of all political persuasions whose work often goes unsung. Kay Ullrich made some interesting points on North Ayrshire, including some about Largs car park. I apologise that I did not follow what she said.

My ministerial colleague Peter Peacock is still taking smelling salts after receiving Phil Gallie's congratulations. John McAllion made the very

important point that Labour has had a historic commitment to proportional representation. He mentioned Asquith, but he did not mention Lloyd George's commitment to proportional representation, nor Gladstone's. He was right to celebrate diversity. We should celebrate the multiparty system in Scotland. The Parliament would be poorer if Robin Harper and his colleagues were not present.

I agree with Andrew Welsh, who talked eloquently about the importance of local government and the range of services that it delivers. I listened with care to Helen Eadie's comments. I say to her, "Time and tide wait for no one." As we have heard, the SNP did not participate to a great extent in the Scottish Constitutional Convention. In 1992, the SNP said that the convention was "a dead end" and, in 1995, that it was "a constitutional mouse". I recognise that the SNP made a contribution during the referendum campaign—it is important to say that. However, it is all the more astonishing that it will not attempt to build a consensus now on achieving electoral reform.

If the issue was so important for the SNP, where was Tricia Marwick's bill in the first year of the Parliament? If PR for local government was so important for the SNP, where was Tricia Marwick's bill in the second year of the Parliament?

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

**The Deputy Presiding Officer:** The minister is in his last minute, I am afraid.

**Euan Robson:** If PR for local government was so important, where was Tricia Marwick's bill in the third year of the Parliament? We still do not have it. Perhaps she was listening to Fiona McLeod, who recently told the chamber in the debate on wildlife crime:

"I must tell the minister that that is not good enough. It is not for a member to introduce much-needed legislation."—*[Official Report, 15 November 2001; c 3903.]*

The fundamentals of democracy—electoral systems and elected bodies—are more important than any one political party or organisation. The partnership Government is trying to build consensus so that the electoral system for local councils achieves the widest possible degree of acceptance. The partnership Government will soon deliver the next steps on the way to that objective.

**The Deputy Presiding Officer:** In view of the coming pensions debate, Mr Russell, I would be grateful if you kept your speech as tight as possible.

11:23

**Michael Russell (South of Scotland) (SNP):** I will, Presiding Officer.

**Peter Peacock:** That is enough.

**Michael Russell:** Mr Peacock will hear a little bit more.

I am glad to know that we have made substantial progress on this issue. Those of us who believe in PR for local government will go away from the debate knowing that the Deputy Minister for Parliament has just told us that we should not rule out the possibility of legislation. That is a major step forward. Mr Rumbles must be delighted that so much progress has been made so quickly.

In the debate, Michael McMahon—having sat in the chamber for two hours—asked the important question: "What is this all about?" The reality of what it is about came in two distinguished contributions—from my friend Mr Welsh and from Scott Barrie, both of whom have substantial experience of local government.

I shall come on to John McAllion's contribution in a moment. Thank you, Mr Jenkins, for pointing him out.

I think that Mr Welsh has more experience than anybody else in the chamber, apart from Mr John Young, who was in local government for most of the last century and some of the preceding one. Mr Welsh and Mr Barrie know that the issue is better local government and better response to local government. Mr Smith was also a councillor—the leader of a council.

**Iain Smith:** The leader of the opposition.

**Michael Russell:** Sorry, he was the leader of the opposition in a council.

Proportional representation is about providing services to the people who are in the gallery. It is about governing Scotland better, getting out of the way of the people and allowing them to choose the government of local authorities that they wish. As Mr Welsh said, it is about empowering local authorities—it is about democracy. What we have heard today has been very interesting. The Tories do not want a democratic Scotland—no change there then. Labour fears a democratic Scotland and Mr McAllion made that point eloquently. It is wrong that any party should fear democracy. Most discredibly of all, the Liberals value their perks more than a democratic Scotland. That is truly disgraceful.

The other worry that the debate has presented is that some want to give up even the small advances that have been made in proportional representation in Scotland. We knew that the Labour backwoodsmen were out there. We knew

about the Hoods, the Wrays and the Donohoes, but there are also some in the chamber. Helen Eadie made a speech—I think it was a speech—in which she asked us to reverse all the progress and go back to the situation in which Labour rules everything. I am sorry, but that is not going to happen here; it is not going to happen in Scotland. We should continue to make progress.

The regret is that so little progress is being made. What we should do—Scott Barrie made this point—is point out that many good people are working in local government as officials, and indeed as councillors, but that local government is constrained and sometimes destroyed by the lack of accountability to its electors.

Kay Ullrich made an excellent speech. She and I suffer the attentions of North Ayrshire Council. In conclusion, I want to illustrate the history of North Ayrshire Council in about a minute and a half. The reality is that North Ayrshire Council is a solid Labour fiefdom in which 25 of the 30 councillors are Labour councillors. In the previous elections, Labour got only 46.9 per cent of the vote, but has 83 per cent of the seats. That situation has continued in North Ayrshire for some considerable time. It has led to there being an institutionally corrupt council. There is no doubt of that.

Let me indicate some of the highlights, or lowlights, of North Ayrshire Council. In 1994, the council scrapped its economic development committee after a falling out between rival factions in the Labour group. It was a way of punishing the convener and vice-convener of that committee. North Ayrshire now has one of the highest unemployment levels in Scotland and takes some of the least action on economic issues, because of a historic fight within the Labour group seven years ago.

In 1990-2000 the council ran up a deficit of £4.4 million. It added to that in 2000-01, slashed services—including its budget for special educational needs—and paid no attention to any representations that were made to it.

In 2000 there was the incident of the big pie dinner. At that celebrated civic event, the leader of the council was assaulted by a fellow Labour councillor, who was dragged out by two others, got up, went back in and hit him again. What happened? Was there an inquiry? Did Labour do anything about it? It was covered up entirely. Nothing whatever happened. It was just part of civic life.

**Bristow Muldoon (Livingston) (Lab):** Will the member give way?

**Michael Russell:** No, I do not want to. I want to finish my speech.

In 2001, there was another cover-up at a civic

function to crown the Saltcoats queen of the sea. A councillor's wife, who was also a councillor, was not allowed on to the public platform. She was excluded by the council convener who said, "She's no frae Saltcoats".

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

**Michael Russell:** No, I am sorry.

There was an inquiry into the fracas. The council forbade the councillor who saw it from giving evidence to the Labour inquiry. That sort of thing goes on year on year on year.

This year, there are 25 special responsibility allowances in North Ayrshire Council for 30 councillors. Who gets those allowances? The 25 Labour councillors get them. Some of those allowances are for vice-conveners of committees. Last year, two of those vice-conveners worked for only an hour each. The cost of the SRAs was £61,240. Labour councillors in North Ayrshire Council can get more than £30,000 an hour. It is remarkable.

I see alarm and despondency among those on the Labour benches who are intelligent enough to show it. The importance of the story is that North Ayrshire Council is an exceptionally bad council. The lives of the exceptionally good members of staff who work for it are made a misery by it. The only way that we will change that is by changing the electoral system to ensure that there is vigour and determination within the council to stamp out abuses. As it is in North Ayrshire, so it is in most of Labour Scotland.

The motion is simple. It says that the Parliament believes that the time for change is now and asks members to endorse that change. There is no difficulty with any member who believes in change endorsing it. The trouble is that those who believe in change are being hampered by those who do not want it. Those who do not want it are the majority of the Labour members. They will continue to hamper change unless the Liberal Democrats, the SNP and Mr Harper, who made a most eloquent contribution, come together and speak up for the people of Scotland, in the public gallery and elsewhere, who need and want change and who have had enough of one-party states.

## Scottish Transport Group Pension Scheme

**The Deputy Presiding Officer (Mr George Reid):** The next item of business is a debate on motion S1M-2486, in the name of Fergus Ewing, on the Scottish Transport Group pension scheme, and one amendment to the motion.

11:31

**Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** The SNP is pleased to use the time available to it today to seek a fair and just settlement for thousands of men and women who were members of the Scottish Transport Group pension scheme. The issue has been raised by MSPs from all parties who have worked for the cause, but I begin by paying tribute to one MSP who, I believe, has led the campaign—Dennis Canavan. Because of the work that Dennis Canavan has done and the close working relationship that we have had, I have invited him, with the unanimous support of my party, to close the debate on behalf of the SNP.

**Maureen Macmillan (Highlands and Islands) (Lab):** Will Fergus Ewing mention the work that Sylvia Jackson MSP has done?

**Fergus Ewing:** I have already said that I recognise that members from all parties have done work on the STG pension scheme—I acknowledge that. Every MSP has constituents whose lives have been affected.

The purpose of the debate is to achieve what I believe is justice for pensioners who have waited for far too long; its purpose is to make a difference. The purpose of the debate, which is being witnessed by many members of the action group—many pensioners who are affected—is to achieve for the pensioners something that the Scottish Parliament was set up to achieve, namely, to address a manifest and long-standing injustice, which is a mark of shame to us all and to the Westminster regime that preceded us.

I hope that all MSPs will support the motion. I drafted it with Dennis Canavan. Most important, the wording of the motion has been fully supported by the members of the Scottish Bus Group pensioners action committee. Any member who votes against the motion will reject the pensioners' case. I hope that that will not happen.

I am disappointed that the minister who now has responsibility for transport, Wendy Alexander, is not in the chamber to witness the debate, never mind to participate in it.

I will canvass the history of the Scottish Parliament's involvement in the issue so far. Last

October, in a members' business debate, which was initiated by Dennis Canavan and in which I, Sylvia Jackson, Lord James Douglas-Hamilton and other members participated, we all agreed a number of things. We agreed that the delay in payout was unacceptable. It is 10 years since the group was privatised and its assets were sold off, and seven years since the privatisation of the pension scheme was completed. In the motion for that debate, we recorded that some 8,000 pensioners and 4,000 deferred pensioners were still waiting. In the debate, we agreed that they must

"secure the maximum possible benefit".

A record 96 MSPs supported Dennis Canavan's motion, calling for the maximum possible benefit.

The then Minister for Transport and the Environment advised us that a settlement would be achieved in the autumn. When the autumn came and went, we were advised that a settlement would be achieved this autumn. In the words of the song,

"autumn leaves lie thick and still"

and the pensioners still wait for justice.

Last October, I spoke in the debate and mentioned my constituent Alex Munro. He was a bus driver with Highland Omnibuses Ltd for 36 years. I must advise members that, sadly, Mr Munro passed away on 30 April this year. I spoke to his widow a week or so ago. We think of her today, as we think of the many who have not survived to receive the justice for which we are arguing.

The then First Minister put out a press release on 18 December. I have it here. It was issued four days before the Falkirk West by-election. Only somebody with the naivety of *Candide* could think that that was a coincidence. The press release appeared to offer good news to the pensioners. It appeared to offer a settlement. Many pensioners—many of whom were voting in the Falkirk West by-election—must have thought that justice had arrived at last. What did that press release from the then First Minister not tell us? It did not tell us that the amount of the surplus in the combined staff and transport operatives pension fund was not £100 million, which was the figure mentioned in the press release, but £250 million, which is two and a half times more than the figure that the then First Minister mentioned. The press release described what was on offer not as a repayment to workers of what they had contributed over the years, but as a "windfall"—that is, something to which the workers were presumably not entitled, despite the fact that they contributed to the pension fund over the years.

The Labour deal was agreed between Henry

McLeish and Gordon Brown, but we know that it has the new First Minister's fingerprints on it because, when the then Minister for Transport and the Environment wound up in the debate on 25 October last year, she said that she had been working on the deal with Jack McConnell over the summer, because he was the then Minister for Finance. It is Jack's deal—Jack's shady deal. It is a deal that we must tear up and undo if the Scottish Bus Group pensioners are to receive justice.

Why is that the case? What has happened to the £250 million? Well, £46 million has gone to Gordon Brown and £104 million has gone in tax. When Mr Bill McQueen gave evidence to the Finance Committee on 26 June this year, he said that the tax was 40 per cent. Mr McQueen was wrong: it is 35 per cent. Immediately, that gives us £12.5 million extra. Will the minister say whether that money will be refunded to the pensioners? What is the amount of the combined surplus now? It was £250 million at 31 March 2000. According to a pensions expert, at 31 March 2001, it must have been £270 million. The signs are that no payments will be made until 31 March 2002. By then, just as the costs of the Scottish Parliament building are escalating, the surplus will be much larger, up to about £300 million. What does the Labour party say should happen to that extra £50 million? Will it go to Gordon Brown in a secret deal? I hope that we get the answers to some of those questions today.

I close by reminding members of remarks that were made about the matter by a columnist in the *Daily Record* in 1989. In an article called "Cashing in on the bus sell-off", the columnist referred to the fact that the Scottish Bus Group workers' pensions were to be sold off. He wrote:

"They've found their pension scheme—to which they paid all their contributions for years—is to be wound up and replaced by a new one.

But who is to receive the surplus from the pension scheme when it is wound up.

NOT the workforce ....

And NOT the new pension fund, either.

*But the Government."*

Who was that columnist? It was Gordon Brown. Do we support Gordon Brown then or do we support the shady deal now? There is no choice. I urge members to support the motion for the sake of Margaret Munro and others.

I move,

That the Parliament notes that both the Scottish Transport Group Staff Pension Fund and the Scottish Transport Group Transport Operatives Pension Scheme have still to be wound up some eight years after privatisation; further notes that the Scottish Executive promised in December 2000 that a total sum of £100 million

would be distributed to the pension scheme members and that this would result in a payment of an average of about £7,000 for each member; recognises that the actual total surplus of the pension funds is considerably in excess of £100 million; believes that the level of payment proposed last December by the Scottish Executive is inadequate and should be increased, and calls upon the Scottish Executive to meet representatives of the Scottish Bus Group Pensioners' Action Committee and to make available to them all relevant information to enable them to assist the pensioners in achieving a just settlement.

11:40

**The Deputy Minister for Enterprise, Transport and Lifelong Learning (Lewis Macdonald):** I am glad to have the opportunity to address the issues around the STG pension schemes; to respond to concerns expressed by members of all parties; and to set out the progress that has been made and what must happen next.

In passing, I refer to Mr Ewing's ungallant comments about my colleague Wendy Alexander. Members from the Falkirk and Stirling areas who are interested in this debate will be well aware of potential job losses at Grangemouth and of the meetings in which Wendy Alexander has been participating with the staff, the work force, the local MSP Cathy Peattie and Alex Neil, the convener of the Enterprise and Lifelong Learning Committee. I am disappointed that Fergus Ewing was not aware of them.

In addressing the substance of the matter, I start with the ways in which the Scottish schemes differ from those south of the border. The differences are important, although the reasons for them are certainly obscure. When the pension schemes were set up many years ago, there was no expectation that the companies concerned would be privatised and that the schemes would require to be wound up. Because of that, when the schemes were established, their focus was on benefits to members, not on the procedures to be followed if the schemes came to an end. Although there were rules for winding up, they did not attract the degree of scrutiny that their consequences are receiving today.

The rules for the English schemes quite clearly stipulated that any remaining surplus should go to employees, while the rules for the Scottish schemes stipulated just as clearly that any remaining surplus should go to the employers. That is why the legal position in Scotland is quite different from that in England.

**Fergus Ewing:** The minister seems to suggest that the trustees for the Scottish scheme have no discretion to pay additional benefits to members. Has he read the trust deed of 1983? If so, he must realise that that is completely untrue.

**Lewis Macdonald:** I will set out the process by

which Scottish ministers have secured, from the trusts, funds that go beyond the strict legal entitlement of the pensioners. [MEMBERS: "What about equity?"] I hear Opposition members mentioning equity. Equity is precisely the reason why we took such steps.

I want to explain the English position a little further. When the English trustees set aside the rules at the time of privatisation, the case was referred to the pensions ombudsman on the grounds of the legal entitlement of members of the schemes. The ombudsman ordered that the winding-up should be reversed. He found that the National Bus Company had threatened the English trustees in a way that he described as quite improper and as intended to alter the pension schemes in the company's favour. After several subsequent court judgments, it became clear that members of the English schemes would, as a result of their legal entitlement, receive benefits approaching an average of £7,000 each. In that case, the law found that the rules that applied to the English schemes gave pensioners those entitlements.

The position in Scotland is not the same. Because the rules were different in the first place, former members of the Scottish schemes have not been deprived of any benefit to which they are legally entitled. Indeed, the National Audit Office report makes it perfectly clear that all their entitlements were fully secured. Furthermore, after privatisation and in anticipation of wind-up, enhanced payments amounting to £33 million out of the then surplus of £105 million were made to members of the Scottish schemes in March 1991. Again the National Audit Office took the view that the enhancements were generous, as they amounted to nearly one third of the surplus, which was roughly in line with the one third of the total fund that had derived from members rather than from employers' contributions.

**Fergus Ewing:** Does not the minister recognise that the Scottish workers spent an additional four years making contributions? Should they receive no credit for the four years' extra contributions they made because the sell-off in Scotland happened four years later than in England? Should they be penalised because the Scottish fund performed more effectively in the gilts markets in the 1990s? Furthermore, should it be ignored that the workers accepted a modest pay rise in 1983 in exchange for the employers making massively increased contributions, which led to the fund having a greater value?

**Lewis Macdonald:** The one thing that is perfectly clear to me is that taking interventions from Mr Ewing on this matter adds nothing to the debate, but only gives him the opportunity for further grandstanding. Having heard his repetitive,

lengthy and irrelevant contribution, I will address the relevant issues.

Members are aware that Scottish ministers were keen to go beyond the legal position. Without our intervention, the entire remaining surplus would have gone to the UK Exchequer. Our position is quite clear: we took that action to achieve equity and parity between Scottish and English pensioners. Through last year's direct intervention with the UK Government and through negotiations with the Treasury, Scottish ministers achieved their objective by securing agreement to an additional pay-out to former members of the STG pension scheme that provided an average pay-out that was either the same or slightly better than the average pay-out to English pension scheme members. Members received £7,000 each, which makes a total of £100 million.

The agreement has been described as "Jack's deal". Although I am sure that the First Minister is happy to be associated with the deal, the credit must also go to Sarah Boyack and the other ministers who were involved in obtaining the additional £100 million payment to Scottish pensioners.

As has been described, since then, the surplus has continued to be invested and has increased over time. In April, Gordon Brown reduced the relevant tax rate from 40 to 35 per cent. As a result, the forthcoming STG accounts for the year ending March 2001 are likely to show that the net surplus after tax has risen by approximately £18 million to around £168 million. Therefore, I am delighted to announce today that, in addition to the £100m pay-out that we have already secured, Scottish ministers have this week agreed with the Treasury that an additional £18 million should be paid to members of the scheme.

**Stewart Stevenson (Banff and Buchan) (SNP):** Do the minister's remarks imply that the Treasury in London—not the legal position—has determined the outcome?

**Lewis Macdonald:** Although it obviously fell on deaf ears, I have tried to explain that the legal position is clear. The political position is that the money belongs to the Treasury. What we, as Scottish ministers, have done is to persuade our colleagues to return a very substantial part of that money to Scottish pensioners. I hope that all MSPs are interested in the welfare of the potential beneficiaries; if so, there should be as little delay as possible in proceeding with the pay-outs. Beneficiaries have already waited too long.

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

**Lewis Macdonald:** No—I need to make progress.

It is also worth bearing in mind the likely effects of any legal challenge, as the English experience has shown that such challenges can cause further delays for many years. As Scottish ministers, we have carried out our functions speedily. The next step that is required is for the trustees of the STG to wind up their pension schemes. Although ministers do not control that process, we are as impatient as anyone in the chamber to see progress to ensure that payments can be made. We have issued the necessary indemnities to the trustees and we have sought and received Budget Act approval to receive and pay out the surplus. As soon as the schemes are dissolved, we will begin to process ex gratia payments. Indeed, we have finalised the proposed criteria for distributing the money. We have discussed the criteria with the Transport and General Workers Union, which represented the majority of the workers concerned, and will publish them shortly. I invite members to endorse the proposals when they are made public; they are intended to be inclusive rather than exclusive.

I hope that members agree that, despite the absence of any legal entitlement, we have secured a substantial pay-out of £118 million. Although our role in the issue is currently limited, we have taken every available step as swiftly as possible. It is now for others, specifically the trustees, to make progress with their responsibilities and to wind up the pension scheme. We are impatient for that to happen and will continue to press the trustees to ensure that it does.

I mentioned the criteria by which the money will be distributed. We are aware that many people outside the unions who are already involved are keen to understand what lies ahead and the process that will be followed. Therefore, I intend that my officials will meet and brief representatives of the affected trade unions, groups such as the Scottish Bus Group pensioners action committee, other groups that represent pensioners across Scotland and any MSPs who wish to attend, to clarify the process of distributing the funds. That meeting will be held as quickly as possible; indeed, we intend to make arrangements before Christmas.

We are now ready to progress the distribution. All that we require, and have required for several months, is the winding up of the schemes by the trustees. The moment that we achieve that, we will begin making the payments that I have described.

I move amendment S1M-2486.1, to leave out from "both" to end and insert:

"Scottish Ministers have secured from HM Treasury a substantial pay out for Scottish Transport Group Pension Scheme former members despite the absence of any legal entitlement; further notes that any change to the amount to be distributed to former members is a matter for HM Treasury, and finally notes that the key remaining step is

the winding up of the pension scheme, which is a matter for the scheme's trustees."

11:50

**Lord James Douglas-Hamilton (Lothians) (Con):** As I handled the bill that brought about the privatisation, it is only fair that I should give Parliament my recollection of what happened.

I recall receiving advice in 1996 that the legal complexities were such that the matter could not be determined immediately, as I had wanted. My thinking was and still is that the matter should be dealt with as quickly as possible. The privatisation—like all other privatisations—was governed by Treasury rules, under which the pensioners were to receive a full pension, with any surplus being returned to the Treasury. It followed that, if there were a deficit, it would be made up by the Government. The Scottish Transport Group (Pension Schemes) Order 1996, which came into force on 14 August 1996, provided for the winding up of the two Scottish Transport Group pension schemes, as part of the eventual dissolution of the Scottish Transport Group, under the Transport (Scotland) Act 1989. Alternative pension arrangements were then made for existing and former employees, leaving the pension schemes concerned to be wound up. Any surplus funds or deficit were eventually to go to the Scottish Transport Group, to be dealt with in the order that dissolved that body. When the Scottish Transport Group was wound up, any surplus funds were to be paid into the consolidated fund, hence the money would be returned to the Exchequer. That was the position then, under the Treasury rules, and it has been the position of successive Governments.

**Fergus Ewing:** Will Lord James address the point that the minister has not addressed and confirm that the trust deed that governs the purposes of the trust—namely the employers and the pensioners—confers upon the trustees discretion to increase the benefits? Will he also confirm that the trustees have not fully exercised that discretion and that, had they done so, the people in the public gallery and 14,000 others in Scotland would be receiving substantially more, even if his exposition of the legal position is correct?

**Lord James Douglas-Hamilton:** The trustees' evidence just before the general election in 1997 was that the complexities were so great that they could not resolve the matter. At the time, they were concerned about judicial review. Both the Labour Government and the previous Government have been bound by the Treasury rules. Bill McQueen, a senior official of the Scottish Executive, told the Finance Committee on 26 June:

"the expectation when the bus companies were privatised was that surplus assets would return to the UK Exchequer."—[*Official Report, Finance Committee*, 26 June 2001; c 1378.]

The minister has made a ministerial decision to pay an *ex gratia* sum of, on average, £7,000 or £8,000 each—it may even be larger than that. What is important is the settlement for pensioners south of the border. The settlement in Scotland should be at least as good as that, if not better, and I support the minister's decision. It is imperative that the Executive makes strong representations to the trustees to wind up the pension funds, so that the subsequent dissolution order can be brought to the Parliament, which would benefit the pensioners.

**Andrew Wilson:** In the same evidence to the Finance Committee, the officials made it clear that it was within the minister's gift to give all the surplus back to the pensioners and that there was no constraint on a political decision to give money directly to the pensioners.

**Lord James Douglas-Hamilton:** With the greatest of respect, I have to disagree on that point. It is not in the power of the minister or the Labour Administration—as it was not in the power of the former Secretary of State for Scotland in the previous Government—to overrule Treasury rules, although Gordon Brown may have written something different when he was in Opposition. If he chooses to use his discretion to change those rules, that is another matter. However, we do not have the power, under the Scotland Act 1998, to override Treasury rules. We are bound by them. The minister has made a ministerial decision that, over and above the legal entitlement, there should be an *ex gratia* payment. That is an appropriate decision, in view of the settlement that took place south of the border.

**Fergus Ewing** *rose*—

**Lord James Douglas-Hamilton:** Fergus Ewing must excuse me. I have only a minute left.

I would not have been prepared to tolerate an excessively prolonged delay. It is extraordinary that the matter has yet to be brought to a satisfactory conclusion. The maximum pressure should be brought to bear on the trustees to make certain that they fulfil their professional duties. If trustees take on a difficult task, they should be prepared to fulfil it. I hope that the minister will ensure that the situation is resolved rapidly. The argument that certain complexities existed that had to be surmounted had some weight after four years, but I do not think that it weighs heavily after eight years.

Clearly, the matter must be brought to a conclusion as quickly as possible, and I wish the minister every good fortune in achieving that

purpose. We intend to support the Executive's amendment.

**The Deputy Presiding Officer:** This was always going to be a short debate so, although there have been important exchanges between the front-bench members, there will be time for only three speeches in open debate. They must not be longer than three minutes each.

11:56

**Nora Radcliffe (Gordon) (LD):** I was tempted to begin by turning to the Conservative members and saying, "Here's another fine mess you've gotten us into," as the whole saga dates back to the Transport (Scotland) Act 1989, in which the Tories privatised the Scottish Bus Group.

Following privatisation, the legislation and disposal programme that was presented to the UK Parliament specified that any remaining surplus from the company's pension schemes, after they were transferred and wound up, must be paid to the consolidated fund—the Treasury. The agreement to wind up the pension fund was reached in consultation with workers. The surplus has been invested and will probably be in excess of £250 million on wind up.

The Scottish Transport Group pension schemes were entirely separate from the National Bus Company pension schemes in England. In England, where the pensions ombudsman found that the trustees had acted incorrectly, there was a long-running legal dispute that was halted by the incoming Labour Government in 1997. The English situation was resolved in 1999, when John Prescott finally agreed to pay £300 million to the bus employees' superannuation trust and £55.77 million to the national bus pension fund to allow the situation to be corrected. There was an out-of-court settlement and £350 million went to 54,000 members, which worked out at an average payment of £7,000.

There have been no court proceedings in Scotland to date, and there is no evidence that the trustees of the Scottish scheme acted improperly. Section 14 of the Transport (Scotland) Act 1989 allows any surplus remaining in the Scottish Transport Group pension schemes to be paid in accordance with a specific dissolution order to wind up the Scottish Transport Group, which the Scottish Executive will introduce once a number of complex and detailed legal matters have been sorted out with both the Treasury and the Scottish Transport Group.

To arrive at a resolution of the situation and wind up the STG, the Scottish Executive has negotiated a deal with the Treasury that will deliver benefits described as equivalent to those received from the winding up of the English pension schemes. The

pensioners received enhanced benefits on transfer and are now to receive an ex gratia payment. The pensioners are unhappy with the deal because it does not deliver what they feel to be their full entitlement from the scheme. Although the sum that each of them will get is roughly equivalent to the sum that their English colleagues received, the total does not represent the full amount of the surplus that reverted to the Treasury. Although natural justice is on their side, the deal is well beyond any legal entitlement that the pensioners have to the surplus. The legal position involved the entire surplus reverting to the Treasury.

The report that was commissioned for the National Audit Office in 1993 and the failure of individual members to convince the pensions ombudsman that there was a basis for a claim on the surplus highlight the potential difficulty in mounting a legal challenge. If there was a legal challenge in Scotland, it could lead to further delay. A dissolution order could not be introduced until the court proceedings were settled, which could be a long, drawn-out process. Until a dissolution order is passed by the Parliament, the pensioners will not receive the additional benefits.

Delay in winding up the scheme is an issue for most pensioners. First, until the scheme is wound up, staff must be retained and paid from the remaining funds in the scheme. Secondly, as has been said, many pensioners are elderly and require their enhanced benefits at the earliest opportunity. The Scottish Executive is doing its best to make progress on the issue as quickly as possible.

The pensioners and their supporters are to be commended for their concerted campaigning. Without their persistence, it is unlikely that the £100 million share of the surplus would have been secured. The Scottish Executive also deserves credit for the work that it did to secure the deal. The moral argument remains that the entire fund should be paid to the workers who benefited from the scheme. Any further payment, however, is reliant on the agreement of the Treasury. It seems that the moral argument has been won, but there is no legal leg to stand on. Perhaps the only way to prise the remainder of the surplus out of the Treasury would be to shame the Labour Government in Westminster into making good John Prescott's assertion that no Labour Government would pillage workers' pension funds. As Fergus Ewing pointed out, Gordon Brown made similar statements.

The extra amount that has been announced today is welcome and I hope that it will amount to the balance of the surplus.

**The Deputy Presiding Officer:** I call Dr Sylvia Jackson and remind members that speeches must not exceed three minutes.

12:01

**Dr Sylvia Jackson (Stirling) (Lab):** I welcome the former STG employees who are in the gallery today. I also welcome the debate and hope that we will now move closer to bringing a dissolution order to the Scottish Parliament and starting the long-awaited ex gratia payments to the pensioners, the deferred pensioners and the transfers.

I also welcome Fergus Ewing to the campaign but have to inform him, as there seems to be no mention of the matter in his recent press releases, that a good number of Labour MSPs have been involved in the issue for a considerable time—since long before his involvement began.

We cannot get away from the fact that this issue has been dragging on for too long—for well over a year. Dennis Canavan and I first became involved with the former employees at a meeting in Stirling. At that time, the pensioners were aware of the developments down south and of the fact that National Bus Company employees had taken their case to court to get the surplus funds. Since those early meetings, a number of meetings have been held, in Perth, Kirkcaldy and Inverness. They have all been well attended and have involved MSPs such as Cathy Peattie, Kate MacLean, Marilyn Livingstone, Maureen Macmillan and Fergus Ewing, as well as Dennis Canavan and me. That is not to mention members working behind the scenes in the Parliament.

While Labour MSPs have been pressing from the back benches for an equitable and quick settlement to the issue, the Labour Transport and General Workers Union group, of which I am a member and Cathy Jamieson is the chair, has been active in exerting pressure in the Scottish Parliament and with ministers at Westminster. The contribution of the TGWU, particularly recently, should not be underestimated. The TGWU is concerned not only with the big issue of how much of the surplus should be paid out but with the equally important points around the distribution of the payments.

One of the main problems with this issue has been the difficulty surrounding gaining up-to-date information not only about what is happening down south but about the delays in the process and why the dissolution order was not brought forward earlier. Although it is not directly comparable, the National Bus Company court settlement was used by the Executive as the basis for allocating an average of £7,000 per person as an ex gratia payment. It has been suggested that whereas members of the National Bus Company scheme had a legitimate basis for a claim, the members of the STG scheme did not. I am unsure about that, but it is clear that a long court case is the last thing pensioners need.

What is the present position? The lawyers who are supporting the action group accept that a dissolution order to release the funds must be laid before the Parliament. They also accept that, as a result of the budget, the tax must be paid at the lower level of 35 per cent. Allowing for growth, that leaves a surplus of around £170 million, which is what the TGWU is calling for.

In light of the action group's continuing concerns, I ask the new minister to agree to a meeting with the action group to explain the exact position on its concerns. I am pleased that he has agreed to a meeting.

**The Deputy Presiding Officer:** You must come to a close.

**Dr Jackson:** I ask the minister to take a personal interest in this issue. It is important that, if necessary, he intervene directly in the discussions with the access group. The dissolution order must come quickly in order to get the payments to the pensioners.

12:05

**Michael Matheson (Central Scotland) (SNP):** Fergus Ewing called for a fair and just settlement for the thousands of pensioners who have been affected by the way in which this matter has been handled. I had hoped that, since a new minister has responsibility for transport, this debate would bring about some changes to the provision that has been made for the pensioners. I had hoped that the Executive would take this opportunity to right a wrong that has been done to the pensioners and that it would do the right thing by the pensioners, who are the innocent party in this affair. Instead, we have an Executive amendment that starts off with ministers congratulating themselves on what they have been able to achieve before going on to say that there is an

"absence of any legal entitlement".

During today's debate, members have pointed out that, in Scotland, there has been no legal challenge. I note that Murray Sinclair, giving evidence to the Finance Committee, stated quite clearly that

"It is within the competence of Scottish ministers"—[*Official Report, Finance Committee*, 26 June 2001; c 1383.]

to act on the issue. It is strange that ministers should choose not to exert their authority.

If the Treasury rules that present us with the problem were made by the Conservative Government, why is the new Labour Government content to continue to enforce them? They should be applying pressure to change the rules. The minister has announced an extra £18 million. It is in addition to the £250 million surplus that exists because of the change in the Treasury rules. The

pensioners are entitled to that money. Broadly, the pensioners will receive only 40 per cent of the present level of surplus. How would any member of the Scottish Parliament feel if the Government creamed the surplus off our pension fund and sent that money to an already bloated Treasury? [Applause.]

**The Deputy Presiding Officer:** Order. I do not want to be rude to our friends in the public gallery, but this is a meeting of Parliament, not a public meeting, and members of the public are not allowed to applaud.

**Michael Matheson:** The people who are suffering the most are those who invested in the pension scheme. We can all talk about the technicalities and ask why there has been no legal challenge and so on but the reality is that pensioners, many of them dependent on their pension, are suffering. Indeed, many have passed away and will not benefit from the pension scheme.

I ask the minister to consider the possibility of making interim payments, particularly to pensioners who are in ill health and may not benefit from the surplus. I ask the minister—not his officials—to meet the action group, take a personal interest and try to find a way of making progress on this issue.

I also ask the minister to tell the Treasury that the Scottish pensioners will not accept any settlement that is less than that of their English counterparts. They got 60 per cent of the surplus and the Scottish pensioners should get the same.

12:08

**Cathy Peattie (Falkirk East) (Lab):** This is an important issue. I am sorry that Fergus Ewing has tried to make it a political issue because, as Sylvia Jackson pointed out, there has been cross-party support all the way down the line. I praise Dennis Canavan and Sylvia Jackson for their work but I particularly praise all the folk in the gallery who have worked hard and have campaigned for what I believe is their right. My constituents and other pensioners and their families have waited long enough. They have been patient and their patience has been sorely tried.

I urge the minister to do all she can to make progress on the issue. If she has to lean on the trustees to wind up the company, she should do that. She should give a commitment to meet the pensioners and ensure that the two relevant groups are represented on the working groups that will consider disbursement of the money.

The main problems around this issue have been to do with misinformation and a lack of communication and information. At the meetings

that I have attended, people have never been clear about who is responsible for what, what decisions have been made, whether meetings had been minuted and so on. Pensioners need an answer. This issue should have been resolved by last Christmas. Can it be done by this Christmas? If not, can it be done by some time in the next year?

**The Deputy Presiding Officer:** We come to closing speeches, which must also be kept to time.

12:10

**Donald Gorrie (Central Scotland) (LD):** A good campaign has been waged on this complicated issue. As several members said, our purpose must be to get the maximum possible benefit for the pensioners, but there is disagreement over the tactics to be used in achieving that end.

Some good points have been made during the debate. In particular, the minister must get personally involved, along with his officials, in doing everything possible that the Government and the Parliament in Scotland can do. His additional £18 million is certainly welcome, but we should explore whether more money is available, either in the form of interest that has been accruing or from other sources.

The key point is that the campaign, and the involvement of MSPs, has put pressure on Scottish MPs at Westminster. This is a Treasury issue. Although it seems outrageous that the money legally belongs to the Treasury, that is the system—and it shows why the system needs to be examined. At Westminster, we have well-paid MPs—and ministers—who must get stuck into this issue and make UK ministers deliver on the promises they made. If we work with them and put pressure on them, we can achieve as good a deal as possible for the pensioners.

The issues involved are complex—various statements have been made about what the law is and is not. We must accept that a considerable amount of money, over and above their meagre legal entitlement, which was zero, has been got for the pensioners. I am sure that if we work together we can get more. I hope that we can achieve that and that the minister will make a personal contribution to that effort. We all know that if a minister—along with his department—takes a personal interest in a matter, much more is likely to be done. I urge the minister to take note of the debate and to act accordingly.

12:12

**Lord James Douglas-Hamilton:** It is clear that the electorate expects the Scottish Parliament to deliver efficient government. The prolonged delay over the Scottish Transport Group pension fund

schemes is becoming a serious embarrassment. Sylvia Jackson, Michael Matheson, Cathy Peattie and Donald Gorrie stressed the point that the matter must be dealt with as quickly as possible.

It was extremely annoying that the trustees could not deal with the matter before the 1997 general election. The further delay, which may take up to eight years, can not be legitimately defended on any reasonable grounds. Eight years down the road from privatisation, both actual and deferred pensioners are being denied what is rightfully owed to them, which is, I believe, an average amount in the region of £7,000, or possibly a bit more.

About 12,000 people are involved: 8,000 pensioners and 4,000 deferred pensioners. They include former bus drivers, conductors, engineers, cleaners, ferry crew and office staff. Some of them invested their entire working lives in public transport. Some of them live off modest pensions and, to be frank, a lump sum of £7,000 or more could make an enormous difference to them.

Whatever the complexities of the matter, it has been delayed for far too long. I urge the minister to ensure that this untidy state of affairs is cleared up and dealt with speedily and professionally. The principle is clear and unmistakable: the pensioners concerned should receive entitlements that are every bit as good as those received by their counterparts in England. I urge the minister to make absolutely certain that he obtains 100 per cent support from the First Minister in his fight to ensure that Scottish pensioners get their entitlement.

12:14

**Lewis Macdonald:** I will start by addressing the question of ministerial discretion and Government rules, which a number of members have raised during the debate.

The Scottish ministers took a decision, on the ground of equity, to seek *ex gratia* payments and thereby to make pay-outs to members of the pension scheme. Taking that initiative lay within our discretion and, in so doing, we secured the agreement of the Treasury—the legal owners of the fund—after long and complicated negotiations. That action secured the £100 million that was agreed and announced a year ago. We have repeated that process over the past few days and have secured further *ex gratia* payments of £18 million.

**Andrew Wilson:** Will the minister give way?

**Lewis Macdonald:** Given the shortness of the debate, I must press on and answer the points that have been made.

It has been said that the payments amount to 40

per cent of the total surplus. Let me remind members that one third of the surplus was already paid out some years ago. Therefore, as soon as we have the opportunity to do so, and as soon as the trustees complete their role, we intend to pay out an amount that will be equal to or greater than the share of the surplus that was paid out south of the border. The amount will also be more per head than is available to English pensioners.

We intervened directly with the UK Government to secure an outcome for Scottish Transport Group pensioners that would be as least as good as that which was secured by their English counterparts. The £100 million was calculated on that basis. That amount was agreed on the basis that the average sum for each pensioner in Scotland would be at least equivalent to the average sum for pensioners in England. In addition, as members know from today's announcement, £18 million has been negotiated, which is on top of the entitlements and enhancements that were secured in previous years.

The Executive has recognised the arguments for equity. On the basis of those arguments, we have taken a political initiative to secure the funding. To do that, we have carried out each stage of the process that was within our power as quickly as it was possible to do so. Following the recent approval to receive the surplus from the Scottish Transport Group, as provided by the Budget (Scotland) Act 2001 (Amendment) Order 2001, we now require the trustees to wind up the business and the pension schemes.

**Andrew Wilson:** My question concerns a simple factual point. The Executive has received Treasury approval to receive the surplus. Precisely how much is that surplus at the current date?

**Lewis Macdonald:** I indicated in my opening remarks that the pension scheme surplus is expected to increase by £18 million by the end of the financial year. That £18 million is the additional sum that we intend to disburse to pensioners.

We are currently waiting for the trustees to wind up the pension schemes. Until they do that, nothing more can be done in terms of paying the money out. Although it would be nice to make interim payments at the earliest possible date, we clearly cannot pay out the money until we have received it. We do not control the process of winding up the schemes, but we continue to maintain pressure on the trustees to carry out their responsibility by bringing the schemes to an end so that the money can be transferred to us and distributed to the pensioners.

We have finalised our proposed criteria, which will be published shortly. The criteria have been discussed in detail with the Transport and General

Workers Union. The TGWU, which represents more than 90 per cent of those involved, has expressed its support for the criteria. On that basis, we believe that the criteria are sound, but we await one or two further comments before making them public. When we do so, I think that the pensioners will see that the process that has been put in place is appropriate and suitable.

An opportunity to follow and understand that process will be made available to members of the trade unions involved, members of the action committees and others. That briefing will be arranged shortly. I give Sylvia Jackson my assurance that Wendy Alexander and I will keep a close eye on how the matter proceeds. We will ensure that there is no further delay in the process. Today, I call on the trustees to complete their process so that we can carry out ours.

**The Deputy Presiding Officer:** I call Dennis Canavan to wind up the debate. You have until 12:30 precisely.

12:19

**Dennis Canavan (Falkirk West):** I am grateful to the Scottish National Party for the opportunity to reply to the debate and was pleased to add my name to Fergus Ewing's motion, which deserves cross-party support. In view of the minister's announcement, I do not know why on earth the Executive could not support the motion. I pay tribute to all MSPs who have been active in the campaign, including Sylvia Jackson, Cathy Peattie and Maureen Macmillan, all of whom have attended meetings, along with me, at various venues.

All members who have taken part in the debate are generally agreed that Scottish Transport Group pensioners have been waiting far too long for justice. Fergus Ewing referred to my earlier motion—S1M-1096—calling for urgent action

“to secure the maximum possible benefit for the pensioners from the Pension Funds surplus”.

A total of 96 MSPs supported the motion. When it was debated during a members' business debate, nobody spoke against it.

I welcome the fact that the minister has improved the offer somewhat, but the question now is: does the additional £18 million offered by the minister today amount to maximum benefit for the pensioners. I welcome the improved offer, but I do not think that it measures up to maximum benefit.

Earlier this year, the Finance Act 2001 reduced the taxation rate from 40 per cent to 35 per cent. I put it to the minister that that seems to be where at least some of the money for this improved offer is coming from.

In December last year, it was announced that £100 million would be available for ex gratia payments; and in June this year, a Scottish Executive official told the Finance Committee that the gross surplus was

"likely to be of the order of £250 million."—[*Official Report, Finance Committee*, 26 June 2001; c 1377.]

So far, not a single penny has been paid out to the pensioners.

The Executive amendment implies that the delay is the fault of the trustees, who have responsibility for winding up the pension funds. That sounds to me like an attempt by the Executive to pass the buck. The trustees initially pleaded that they would require indemnity before parting with the money. The Executive granted indemnity to the trustees after gaining the approval of the Parliament's Finance Committee. That was more than five months ago—but the trustees are still holding on to the money. Why? Why cannot the Scottish Executive put more pressure on the trustees to hand over the money? And why, in the first instance, did the trustees seek indemnity? Do they perhaps have a guilty conscience about the way in which they have handled the pension funds? Are they afraid of litigation because they did not take adequate steps to ensure that the total surplus was used for the benefit of the pensioners?

The Executive amendment claims that the former members of the pension scheme have no legal entitlement—but that claim has never been tested in the courts.

**Lewis Macdonald:** Mr Canavan asks a perfectly reasonable question about the delay over indemnity. The delay prior to 4 September arose partly from the death of one of the trustees. The indemnity was to named trustees, so clearly that caused some delay. The delay since 4 September does indeed relate to trustees' concerns about their legal position. I am not in a position to speak for them, but it is clearly a responsibility of all trustees of pension funds to ensure that they have proper legal cover before they take any action. I am keen that they should take action quickly and that their legal advice should lead them to that conclusion without any further delay.

**Dennis Canavan:** I am grateful to the minister for that explanation, and I am very sorry indeed to hear about the death of one of the trustees. However, I urge the minister to put more pressure on the trustees to deliver.

The Executive may be being rather arrogant and complacent in stating in its amendment that the former members of the pension scheme have no legal entitlement whatsoever. As I was saying, the claim has never been tested in the courts. I know that some of the pensioners are considering legal action and have already taken preliminary legal

advice. However, legal action can be a lengthy and expensive business. Such action should not be necessary if the Scottish Executive and the UK Government take urgent political action now to increase the amount on offer and to expedite the payments to pensioners.

In a previous incarnation, our new First Minister was the Minister for Finance. I presume that he helped to negotiate the deal with the Treasury. The new First Minister is on record as saying that he wants to introduce a new era of open, accountable government under his leadership. In which case, why did he sell the pensioners short by settling for £100 million in the first instance? Did he know then that the total gross surplus was expected to be of the order of £250 million? Did he accept the spurious argument that because the National Bus Company pensioners south of the border are to receive on average payments of £7,000 each, the average payment to the Scottish Transport Group pensioners should be the same? That is how the initial figure of £100 million was arrived at. There are 14,000 pensioners, including deferred pensioners, in Scotland. If we multiply an average payment of £7,000 by 14,000, we get £98 million, which is near enough the magic figure of £100 million—the sum that was offered.

**Lewis Macdonald:** Mr Canavan is absolutely right in his arithmetic. I can confirm that achieving that degree of equity for individuals was the basis of the calculation. Had the rules in Scotland been the same as the rules in England, the position would have been quite different and that surplus would have belonged to the members. According to our best legal judgment on the matter, it did not belong to the members. As Mr Canavan has said, that is yet to be tested. Given the comments made by other colleagues, I do not believe that testing that at this stage would be in the interests of the pensioners.

**Dennis Canavan:** The minister is now qualifying his earlier statement as well as the wording of the amendment. The amendment states categorically that the former members of the pension scheme do not have "any legal entitlement". The minister is now saying that that is simply the legal advice that the Executive has received. I can tell the minister that the pensioners and former members of the pension scheme have received legal advice to the contrary and that the matter may yet be tested in the courts.

As I was saying, no one can argue that £7,000 multiplied by 14,000 pensioners comes to about £100 million. I will give the Executive—or those who conducted the negotiations—nine out of 10 for arithmetic, but nought out of 10 for logic. The truth is that the surplus per capita in the Scottish Transport Group pension scheme is considerably greater than the surplus per capita in the National

Bus Company scheme. Even more interest has accumulated since last year. Even if the Inland Revenue insisted on taxing the surplus at 35 per cent, that would leave at least £170 million available for ex gratia payments, rather than the £118 million that is now on the table.

I would like the minister to tell us as soon as possible how the sum of £118 million was calculated. Can he give us full details of that? Can he tell us how much of the surplus will go to the Treasury, either by way of taxation or by way of payment of some remainder of the surplus? The Executive amendment claims that any change in the sum of money to be distributed is a matter for HM Treasury. That is another example of passing the buck. It is a matter for negotiation between the Scottish Executive and the Treasury. The Scottish Executive must tell the Treasury that even the improved offer is inadequate. The Scottish Executive must stop passing the buck and it must act now.

The pensioners have been waiting far too long already. We are talking about men and women who were employed as bus drivers, ferry crew, cleaners, engineers and clerical staff. They invested their working lives in Scottish transport services and they invested their contributions in a pension fund that was supposed to be for their benefit in their retirement rather than for the benefit of a rapacious Treasury.

The motion before us today would help to win a fair deal for those people, and therefore deserves the support of every member of this Parliament of whatever political party. I appeal to Labour party members in particular. The Labour party was born out of the trade union movement to fight for justice for working people and their families. Here we have a case of working people who are seeking full justice in their retirement. They are or were members of trade unions, such as the T&G Scotland, which rightly is concerned and wants to ensure that its members and former members receive a fairer deal. I call on all members to reject the amendment and support the motion. It is a cry for justice—justice that is long overdue.

**The Presiding Officer (Sir David Steel):** That concludes the debate. The vote on this issue will, of course, take place at decision time at 5 o'clock.

## Points of Order

12:32

**Fiona Hyslop (Lothians) (SNP):** On a point of order, Presiding Officer. There is a motion lodged for debate today—S1M-2495—on behalf of the Parliamentary Bureau. I advise the Presiding Officer that the Parliamentary Bureau has not met to discuss, nor has it consulted on, the motion. Would it be in order for the motion to be re-presented at a later date in order to do two things? First, the motion could be dealt with after the vote for Deputy Presiding Officer to avoid any perceived presumption of the election as Deputy Presiding Officer of any member of the chamber and secondly, it could be approved by all four members of the Parliamentary Bureau.

I have a second, more substantive, point of order. Can the Presiding Officer confirm that the role of Presiding Officers is to be independent representatives of this Parliament, and that there is no place for any member of the Executive to instruct members of this Parliament how they should vote in the secret ballot?

**The Presiding Officer (Sir David Steel):** There are two quite separate issues. On the first point, I have received notification that motion S1M-2495, to which Fiona Hyslop referred, has been withdrawn. Therefore what happens later is a matter for the Parliamentary Bureau.

I wish to say a word about the second issue. The standing orders make it quite clear that the three Presiding Officers cannot all be from the same party. That is clearly part of our constitution. In the event that any one party had a majority in the chamber, it could not control the chair. That is a very important principle in our proceedings.

The ballot is secret, as I said yesterday, and every member has an equal vote in a secret ballot. Discussions that take place in private meetings of party groups are absolutely nothing to do with the chair. Anyone can indicate their preference for any particular candidate in those meetings if they wish to do so. It is absolutely nothing to do with the chamber.

I will say a word about the roles of Presiding Officer and Deputy Presiding Officer, because they are not always understood outside Parliament. The Presiding Officer is under an obligation to withdraw from party politics in Scotland. That has happened. The Deputy Presiding Officers have a much more difficult job, because when they are in the chair they share total independence, and they share the service of the Parliament when they represent it abroad, but otherwise, when they are in the chamber, they have the same freedom as every other member to

continue to act as a member of a political party. I must say that both Patricia Ferguson and George Reid adopted a self-denying ordinance such that they have not participated in blatantly partisan issues in the chamber. That was widely appreciated, and I am sure that it will be followed by whoever is elected. *[Applause.]*

The second point is not really a point of order for me. What goes on inside party meetings is nothing to do with the chair.

**Robert Brown (Glasgow) (LD):** On a point of order, Presiding Officer. I seek clarification that the positions of Presiding Officer and Deputy Presiding Officer are parliamentary appointments, rather than party appointments, and that they are not subject to party nominations.

**The Presiding Officer:** Absolutely. That is why there is a secret ballot of members. Clearly, nobody can instruct any member how to vote. That is perfectly obvious by the unique nature of the election that we are about to have. May I proceed to it?

**Mr Keith Raffan (Mid Scotland and Fife) (LD):** Further to that point of order—I am sorry to labour the point, but it is a matter of great concern to the Parliament, Presiding Officer—if it came to your attention that any nominee had been put up by a party leader, and that members of that party had been instructed to vote for that nominee, would you be concerned?

**The Presiding Officer:** I am about to announce the nominations and I tell members that no party leader has nominated a candidate for the election. That is all that matters.

## Deputy Presiding Officer

12:35

**The Presiding Officer (Sir David Steel):** We will settle down to the election. I have received two valid nominations for the position of Deputy Presiding Officer. In alphabetical order, they are Cathy Peattie—who was nominated by Janis Hughes and Mr Kenneth Macintosh—and Mr Murray Tosh, who was nominated by Michael Russell and Tavish Scott.

The election will proceed in accordance with rule 11.9 of the standing orders. Members should wait in their seats until I indicate to them that they should collect their ballot papers from the back of the chamber. Two tables have been set aside for that purpose. The table on my left should be used by members whose surnames begin with the letters A to M, but not Mc or Mac. *[Laughter.]* I queried that, but it is simply to keep the numbers even. The table on the right should be used by members whose surnames begin with Mc, Mac or the letters N to Z. I hope that that is clear.

Members should give their names to the clerk, who will hand them a ballot paper. They should then proceed to one of the two voting booths, where they should vote by marking an X on the ballot paper. Before they return to their seats, members should put their folded ballot papers in the ballot box, which will be situated in the well of the chamber.

Each candidate may nominate one scrutineer to monitor counting of the votes. I ask the candidates to ensure that the name of the scrutineer is notified to the clerks at the tables at the back of the chamber when they collect their ballot papers. I will announce the names of the scrutineers and invite them to the vote-counting table in the well of the chamber at the end of the voting period. The clerks will count the votes on the table and in full view of members.

The period for the election of Deputy Presiding Officer is now open. Will members, starting from the front benches, proceed to the back to collect their ballot papers?

*Members voted by secret ballot.*

12:43

**The Presiding Officer:** I will allow any members who have not voted one more minute to do so. Has everyone voted?

**Members:** Yes.

**The Presiding Officer:** I ask Kenneth Macintosh and Alex Fergusson to come to the well of the chamber to scrutinise the counting of the ballot papers. The counting will begin now.

12:58

**The Presiding Officer:** For the record, I did not think it right to cast my vote in this election.

The number of votes cast for each candidate was as follows:

Cathy Peattie	45
Murray Tosh	68
Abstentions	1

Accordingly, because Mr Murray Tosh received more votes than the total number of votes received by the other candidate and, as more than 25 per cent of members voted, Mr Murray Tosh is elected as a Deputy Presiding Officer of the Scottish Parliament. [*Applause.*]

12:59

*Meeting suspended until 14:30.*

14:30

*On resuming—*

**The Presiding Officer (Sir David Steel):** Before we begin question time, I am sure that members will join me in welcoming to our proceedings the right hon Peter Ala Adjetey, the Speaker of the Parliament of Ghana. [*Applause.*]

## Question Time

### SCOTTISH EXECUTIVE

#### A9 (Ballinluig Junction)

**1. Murdo Fraser (Mid Scotland and Fife) (Con):** To ask the Scottish Executive when the report on the surveillance of the A9 at Ballinluig junction will be published. (S1O-4170)

**The Deputy Minister for Enterprise, Transport and Lifelong Learning (Lewis Macdonald):** A draft surveillance report has been prepared by BEAR Scotland, and my officials are awaiting comments from interested parties before it is finalised. We aim to place a copy of the finalised report in the Scottish Parliament information centre by mid-January 2002.

**Murdo Fraser:** I thank the Deputy Minister for Enterprise, Transport and Lifelong Learning for his reply and congratulate him on his new portfolio—and for keeping his head while all about him others were losing theirs.

Will the deputy minister and the Minister for Enterprise, Transport and Lifelong Learning, who is new in her transport role, accept an invitation from me to visit the Ballinluig junction and see for themselves the safety measures that have been put in place? I have spoken to representatives of the local community who have to cross the junction on a daily basis, and they put their lives at risk in doing so.

**Lewis Macdonald:** The member will be aware that Sarah Boyack, the former Minister for Transport and Planning, recently met the constituency member, John Swinney, representatives of the local community council and other interested parties. We will continue to keep in touch with all those with an interest in the matter. I await BEAR's report with interest, and will then decide whether a further visit to the site is required. In any case, we will be guided by that report on the actions that we feel to be necessary.

**Mr John Swinney (North Tayside) (SNP):** I congratulate the Deputy Minister for Enterprise, Transport and Lifelong Learning on his appointment. He is the fifth transport minister with whom I have had the pleasure of raising the A9

Ballinluig junction problem, and hopefully the last—I hope that we get some action quickly.

Is the minister aware that one of the local concerns about the surveillance report to which he refers is that the cameras are not directed in such a way as to capture all the traffic movements at the junction? Is he aware that BEAR is now suggesting, as a result of its positioning of the cameras, that there is no need for further action at that junction? May I say to the minister, in the strongest possible terms, that there must be structural change at the junction, and that he must consider critically the evidence that he is given by BEAR following the investigation?

**Lewis Macdonald:** We will consider critically the evidence given by all parties that are commenting on the results of the surveillance, but I stress that the surveillance is being carried out for a purpose, which we are broadly satisfied has been achieved—measuring the traffic movement at the junction to find ways to improve safety. We have installed a new camera, as the members who have an interest in the matter will know, and we have again moved the location of the camera facing the southbound carriageway in order to increase its effectiveness. I believe that the surveillance report will be comprehensive and will give us a good indication of the options. I await it with interest and will act upon it.

**John Farquhar Munro (Ross, Skye and Inverness West) (LD):** I am sure that the minister is well aware of the on-going difficulties of the A9 to the north, and of the much needed improvements that are required over the road's total length. I draw the minister's attention in particular to the North Kessock junction—

**The Presiding Officer:** I am sorry, but you cannot do so. You cannot ask a supplementary question that is wider than the main one, which is about the Ballinluig junction only.

**John Farquhar Munro:** Could I then ask the minister when we might expect the much needed improvements to the A9?

**Lewis Macdonald:** Mr Munro has broadened the question, but I am happy to answer that we are considering a number of options for the A9, and that a review of the A9 route action plan is under way. Another proposal that we are considering is the establishment of an A9 road safety group, to participate in which we would invite persons and parties with an interest in road safety matters concerning the route. We have commissioned a detailed accident analysis for the road, and expect that report very shortly.

**The Presiding Officer:** Question 2 is withdrawn.

## Sustainable Development

**3. Robert Brown (Glasgow) (LD):** To ask the Scottish Executive how it will ensure that sustainable development is a primary consideration within all its policies and programmes. (S10-4210)

**The Minister for Environment and Rural Development (Ross Finnie):** The ministerial group on sustainable Scotland—MOSS—is the vehicle for ensuring that sustainable development is taken to the heart of policy making in the Executive.

**Robert Brown:** Is the effective implementation of the partnership agreement, in particular of a strategic environmental assessment for all policies and programmes, one of the minister's top priorities? For example, will he ensure that the somewhat delayed transport delivery plan will be subject to such an assessment?

**Ross Finnie:** I assure the member that the group will report on sustainable development in a reasonably short time scale. Thereafter, the intention is that every policy that would require a strategic environmental assessment would fall within that ambit.

**Alasdair Morgan (Galloway and Upper Nithsdale) (SNP):** In effect, the Ministry of Defence has a veto on wind farm development in the south of Scotland. How does that fit in with the Executive's policies?

**Ross Finnie:** As the member may be aware, the Executive has had discussions with the Ministry of Defence. We are concerned that the MOD's policy could come into conflict with ours. The Executive continues to have those discussions and is acutely aware of the difficulties that could arise.

**Robin Harper (Lothians) (Green):** Will the MOSS minutes in future be more substantial than those of the last two years? I hold in my hand the entire minutes of MOSS. Will things such as environmental and outdoor education and organic targets feature at the next meeting of MOSS?

**Ross Finnie:** The member seemed to have two questions. The first was surprising, in that most people call for Executive brevity, but Robin Harper appears to be calling for there to be somewhat more information. I hope that the minutes will be adequate.

The second question asked for items to be placed on the agenda. Since the First Minister is absent at the moment, let me assure the member that the First Minister has made it clear that he intends to chair that committee to ensure that sustainable development is embedded in the Executive's policy making—which is what Robert Brown's question concerned—and to ensure that all those areas are covered. I am sure that the

minutes will accurately reflect all that goes on.

#### **North Lanarkshire Council (Meetings)**

**4. Mr Gil Paterson (Central Scotland) (SNP):** To ask the Scottish Executive when it last met representatives from North Lanarkshire Council. (S10-4174)

**The Deputy Minister for Finance and Public Services (Peter Peacock):** Last week.

**Mr Paterson:** I thank the minister for that short answer. Does the minister agree with Charles Gray, who is the convener of education on North Lanarkshire Council, who said that he has reservations about the use of public-private partnerships for the construction of public buildings. He stated:

"the Public Works Loan method would be preferable".

Is not it time that councils were allowed to borrow in the cheapest way possible, which is certainly not PPP?

**Peter Peacock:** Many councils in Scotland are embracing PPP because they see the advantage of developing new facilities for parents and children. North Lanarkshire Council is among that group of councils. I understand that North Lanarkshire is proposing some £150 million of investment. The people of North Lanarkshire would be shocked to know that, simply on ideological grounds, the SNP would seek to deprive young people of new schools and new facilities in its constituencies.

**Donald Gorrie (Central Scotland) (LD):** Does Mr Peacock's department liaise with others on transport issues? For example, two of the serious problems that North Lanarkshire faces are the possible improvement of the A8 and of the A80. What co-operation is there between Executive departments to deal with such problems?

**Peter Peacock:** Those matters were raised when I met people from North Lanarkshire Council last week. I shall advise the new Deputy Minister for Environment and Rural Development of the points that were raised during that meeting. Suffice it to say that I know that the Deputy Minister for Enterprise, Transport and Lifelong Learning will give those matters close attention once they are raised with him.

#### **New Deal**

**5. Miss Annabel Goldie (West of Scotland) (Con):** To ask the Scottish Executive how many people have participated in the new deal self-employment programme since the new deal's inception. (S10-4163)

**The Minister for Enterprise, Transport and Lifelong Learning (Ms Wendy Alexander):** More than 850 people in Scotland have participated in the new deal self-employment programme.

**Miss Goldie:** I thank the minister for that response. Figures released today show that that is a relatively small proportion. Is the minister aware that, for applicants to the new deal self-employment programme, restrictions apply to the procuring of new funding to maintain the continuance of their business? Does the minister agree that it might be sensible to allow that restriction to be lifted, so that new-start businesses might have a better chance of success?

**Ms Alexander:** We are always willing to look at ways in which we might improve the rules that relate to new-deal provision. It is fair to say that one of the reasons that there has been a lower uptake of the new deal for the self-employed in Scotland is because the training for work scheme, which is operated by local enterprise companies, allows entry at the six-month period for support for setting up a business, rather than the slightly longer entry period for the new deal. Over the past two years, the training for work scheme has picked up almost 300 people in Scotland who want to start in self-employment; however, that does not preclude the need always to be willing to look at the provisions of the new deal.

**Alex Neil (Central Scotland) (SNP):** Is the minister aware of the new extension to the new deal, called set-up? Will she be making any representations to the Government down south concerning the regulation that anyone who does not take set-up will lose their benefit? Is this not a case of a stitch-up rather than a set-up?

**Ms Alexander:** I am happy to say that the set-up programme will create opportunities for the very hardest to help. Those who participate will be guaranteed to qualify for a full-time job, paid at the national minimum wage. Indeed, one of the pilots is in east Ayrshire. I hope that the member, who is from that part of the world, will welcome it.

#### **Nurses**

**6. Janis Hughes (Glasgow Rutherglen) (Lab):** To ask the Scottish Executive how it will ensure that the recently announced additional resources for nurses' recruitment and retention are used effectively. (S10-4198)

**The Minister for Health and Community Care (Malcolm Chisholm):** The Nursing and Midwifery Convention held on 19 November was extremely constructive and generated many ideas that require careful consideration. At the event we announced £1.5 million of immediate investment to help attract more nurses to and keep them within NHS Scotland. A report reflecting delegates'

views and setting out the most effective ways to target that investment will be made widely available next week.

**Janis Hughes:** I am a former enrolled nurse. Does the minister agree that a measure that would assist nurse recruitment and retention would be the reinstatement of a fast-track system, similar to enrolment, to accommodate those who may not wish to pursue the academic route to a nursing career?

**Malcolm Chisholm:** At the convention last week, there was a great deal of common ground on the kind of initiatives that we need. As I indicated, there will be more information on that next week. There will be proposals on issues such as flexibility, leadership, education and training.

The particular suggestion that Janis Hughes makes was not raised last week. The changes of 1992 have been broadly welcomed and have been successful. However, Janis Hughes raises an important point about access to the main nursing courses. Some access courses in Scotland represent a positive way forward.

**Shona Robison (North-East Scotland) (SNP):** Does the minister agree that it is of great concern that recent research has shown that our nurses are among the unhappiest in the world—because of long hours, low morale and poor wages? Does he further agree that the rise in waiting times across Scotland, announced today, will do little to boost nurses' morale? Will he tell us when he and his Government will stop failing nurses, patients and the rest of the health service?

**Malcolm Chisholm:** A great many nurses were at the convention. There were also union representatives and people employed by trusts. There was good feeling and a lot of common ground. The initiatives that we have already announced, and will announce again next week, are attracting a great deal of support.

Clearly, waiting times are in the news. Some figures are going in the right direction, but others are not so good. Our challenge is to ensure that they all go in the right direction. Employing more nurses in primary care is one of the fundamental ways of helping with accident and emergency waiting times. We are doing that to stop people having to go to accident and emergency departments in the first place.

**Dr Sylvia Jackson (Stirling) (Lab):** Will the minister give details of incentives that are available to nurses returning to a nursing career?

**Malcolm Chisholm:** There has been a lot of discussion of return-to-practice courses. Before the convention, we announced that we would have three pilots up and running in the next three months, to do with paying for nurses who are out

of the work force to return to practice. At the convention I said quite specifically that the issue was how we would do that, rather than whether we would do it. In the next few months, there will be important developments to do with nurses returning to practice.

### Bus and Rail Services

**7. Karen Whitefield (Airdrie and Shotts) (Lab):** To ask the Scottish Executive what steps are being taken to facilitate the integration of bus and rail services. (S1O-4193)

**The Deputy Minister for Enterprise, Transport and Lifelong Learning (Lewis Macdonald):** The Scottish Executive is supporting a number of multimodal interchange projects across Scotland through the Public Transport Fund.

**Karen Whitefield:** Is the minister aware of plans to run a bus service between Airdrie and Bathgate that would offer through ticketing between Airdrie and Edinburgh by linking with the rail service? Can the minister assure me that he will do everything in his power to ensure that Strathclyde Passenger Transport, the Strategic Rail Authority and Scotrail work together to provide an integrated transport system that would be of great benefit to my constituents?

**Lewis Macdonald:** I am aware of the proposal and of the application, which, I understand, has passed the prequalification stage for support from the Strategic Rail Authority. However, the SRA is seeking clarification from Strathclyde Passenger Transport on several points. I expect to meet the chief executive of the SRA shortly and I will encourage him to seek early progress on that project and several others.

**Andrew Wilson (Central Scotland) (SNP):** Given that buses travel on roads and trains travel on rails, if the minister is trying to integrate them, would not it be sensible for him to have the same control over the railways as he has over roads? Would that not be common sense?

**Lewis Macdonald:** It is worth pointing out to Andrew Wilson that the proposal—as Karen Whitefield has described—is for a bus link between railway stations. That recognises the fact that we need effective integration of different modes of public transport. We will encourage that to go ahead by promoting partnerships among the public authorities involved.

### Local Government Elections

**8. Richard Lochhead (North-East Scotland) (SNP):** To ask the Scottish Executive whether it will introduce proportional representation for the local government elections in 2003. (S1O-4180)

**The Minister for Finance and Public Services (Mr Andy Kerr):** The Executive is committed to making progress on electoral reform and to producing urgently a timetable for further progress.

**Richard Lochhead:** I am delighted to hear that there is lots of progress. If there is an intention to introduce legislation, will it be enacted in time for the 2003 local government elections, or is it Labour party policy to continuing running from local democracy in Scotland for as long as possible?

**Mr Kerr:** In our programme for government we indicated that we want to make progress on electoral systems. Proper consideration should be given to the issue—it should not be approached with undue speed and haste. Clearly there are several problems, for those who administer them, relating to the organisation of the 2003 elections. We would not want to rush in without consultation.

It was interesting that the SNP political briefing on this morning's debate did not mention PR or local government and was simply designed to make petty political points.

**Mr Keith Raffan (Mid Scotland and Fife) (LD):** Will the minister tell Parliament what progress the ministerial working group on electoral reform in local government has made in the last year?

**Mr Kerr:** The ministerial working group will be meeting very soon. [MEMBERS: "Oh."] It has met in the past. I am now a member of that group. The First Minister and the Deputy First Minister have spoken frequently on such matters and the Deputy First Minister has made assurances to the chamber. That is what is important about partnership—we are working together to deliver the electoral reform that we all desire.

**Mr John McAllion (Dundee East) (Lab):** I have been making progress through this vale of tears for more than 53 years—I hope to go on making progress for another 53 years. Will the minister assure me—a lifelong supporter of PR—that the Executive's progress towards PR in local government will come to a successful conclusion before I come to a final stop?

**Mr Kerr:** I hope that we reach that conclusion before John McAllion comes to a final stop. However, there are other important issues in the portfolio—issues about real people, real services and the workers who deliver them: street lighting, road maintenance, potholes and so on. We need to progress on all those issues, as well as electoral reform.

### Solar Heating

**9. Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD):** To ask the Scottish Executive what plans it has to offer financial support for the

installation of solar heating. (S1O-4192)

**The Minister for Environment and Rural Development (Ross Finnie):** As funding for renewable energy is a reserved matter, we have no such plans. The Executive continues to back Scottish solar energy projects, which continue to benefit from the significantly increased funding available at UK level.

**Ian Jenkins:** Does the minister agree that, with so much attention rightly being paid to wind farms and so on, there is a danger that solar heating will become the Cinderella of the sustainable energy world? Does the minister recognise that the initial cost of installation is off-putting to people who might consider it? I encourage the minister, with other colleagues in the Executive, to consider publicity campaigns to make people better aware of things such as the VAT reduction that was introduced by Westminster. Will the minister consider establishing substantial pilot projects, perhaps in partnership with local authorities or particular developers, to raise awareness on the matter and move towards having a critical mass of installations? That would help to reduce the cost to those who install solar heating and provide evidence that it is an effective source of energy.

**Ross Finnie:** I will take the 14<sup>th</sup> question last. There is a serious point. Ian Jenkins is not wholly correct to say that solar power is an Aunt Sally, because if a distinction is drawn between solar energy and solar heating, it is found that there is a considerable investment programme to promote photovoltaics. That is the key to driving forward solar energy.

The difficulty is that most schemes that presently try to assist people with their heating are designed to ensure that the heating system maintains a level of heat in living areas over a sustained period. That cannot be guaranteed with present solar heating technology.

Ian Jenkins is correct that people ought to be aware that the UK Government reduced the VAT level on solar installations to 5 per cent, and I agree that wider publicity might help, but I stress that solar power, as an alternative form of energy, is at the forefront, and is the recipient of considerable development funding.

**Bruce Crawford (Mid Scotland and Fife) (SNP):** Is the minister aware that the Scottish Renewables Forum estimates that a modest programme of investment of around £10 million over the next 10 years would deliver 30,000 new solar heating systems in Scotland? Does he accept that that would have the benefit of creating 400 jobs, tackling fuel poverty, and reducing Scotland's carbon dioxide output by about 60,000 tonnes? Does not he wish that he had the power to do that himself?

**Ross Finnie:** Bruce Crawford made an important point when he said that solar-powered heating would tackle fuel poverty. However, the difficulty with the present solar technology for those sectors of the population who are seeking alternative and cheaper forms of energy is obvious. Those people want a system that can maintain the heat in main living areas at a constant temperature. In its present form solar energy does not do that, so it does not meet the test. As I said in my reply to Ian Jenkins, there is an investment programme in solar energy. That is the right technology to pursue, and we will see benefits from that investment.

**Phil Gallie (South of Scotland) (Con):** Does not the minister recognise that the Scottish Executive has the opportunity to advance solar heating systems through the much vaunted central heating programme for the elderly? Has the Eaga Partnership been instructed to install some solar heating systems where opportunities allow?

**Ross Finnie:** I reiterate to Phil Gallie that the central heating programme is designed with a number of conditions and the specific objective of ensuring that we deliver a heating system that performs at a level that maintains the heat in main living areas at a constant temperature. I repeat that the present state of solar technology does not meet that objective.

### Prison Service

**10. Stewart Stevenson (Banff and Buchan) (SNP):** To ask the Scottish Executive what plans it has to ensure provision of a world-class prison service. (S10-4160)

**The Deputy First Minister and Minister for Justice (Mr Jim Wallace):** At the end of last year the Scottish Prison Service launched a new, five-year vision committing itself to the pursuit of correctional excellence, thereby contributing to the Executive's commitment to a safer Scotland.

**Stewart Stevenson:** Has the Minister for Justice noted that on 22 November the First Minister said:

"We will build a better Scotland when we build the best services that we can".—[*Official Report*, 22 November 2001; c 4154.]

In light of that, does the minister accept, as Dr Richard Simpson did when he signed a motion supporting HM Prison Peterhead earlier this year, that Peterhead prison is a success story in the public services and that it leads the way in excellence, value for money and quality outcomes, and not just in the Scottish Prison Service?

**Mr Jim Wallace:** I visited Peterhead prison in February, and I give proper credit to the work that is done there and to the commitment of the staff.

Indeed, I am surprised that in the long list of things that Stewart Stevenson read out he omitted to mention that Peterhead prison has been awarded beacon site status. That is welcome. It is a tribute to the efforts of the staff in the pursuit of excellence at Peterhead prison.

I take this opportunity to pay tribute to Prison Service staff in other prisons in Scotland, where there is a considerable amount of effort in circumstances that are often very difficult.

**Roseanna Cunningham (Perth) (SNP):** Is the Minister for Justice aware that the number of prisoners in Scotland has increased sharply in 2001? That applies particularly to women prisoners in Cornton Vale prison, which is still overcrowded, despite the reopening of Skye hall. On Friday 23 November, 250 women were in that prison. Is he also aware of the concerns about the situation, particularly the recent suicides, in Cornton Vale? Will he say when Labour will fulfil its 1998 commitment to

"limit the female population at Cornton Vale ... to 100 or less on a daily basis by the end of the year 2000"

**Mr Wallace:** As an eminent member of the Scottish bar, Roseanna Cunningham will know that the number of people in prisons is not entirely within the Executive's remit, given that the sheriffs who sentence them are not ministers. However, the Executive has made considerable efforts to ensure that alternatives to custody are available to sheriffs in the courts. The drug courts, which started this month, can make a contribution to that and the ministerial working group on women offenders, which has been under the chairmanship of my colleague Iain Gray over recent months, will make its final report in December.

**Lord James Douglas-Hamilton (Lothians) (Con):** Will the Minister for Justice say when the prison estates review, which is eagerly awaited throughout Scotland, will be published?

**Mr Wallace:** I had hoped that the prison estates review would be published by now. However, as Lord James Douglas-Hamilton has perhaps noticed, there has been a change of First Minister so it is only right that the proposals and the detail that goes with them should be brought to the new Cabinet.

### Community Police

**11. Ms Sandra White (Glasgow) (SNP):** To ask the Scottish Executive what action it plans to take to ensure that there are adequate numbers of community police. (S10-4187)

**The Deputy First Minister and Minister for Justice (Mr Jim Wallace):** Police officer numbers in Scotland have reached record levels, but determining how to deploy them is an operational

matter for chief constables.

**Ms White:** If the minister will excuse the pun, his answer that the matter is up to the chief constables was a bit of a cop-out. Is he aware of the concerns of members of the public and the police—which were put to me when I was given a tour of Maryhill police division—about the numbers of community police officers and the fact that they are often deployed elsewhere, which leaves no coverage in the community? Will he look into those concerns and provide adequate resources to ensure that numbers of community police officers are adequate?

**Mr Wallace:** I will begin with Sandra White's first point. It is not a cop-out but a fundamental principle of constitutional law that ministers should not direct local police operations. That is an important point. How officers are deployed is a matter for chief constables. The Executive made a substantial amount of extra money available so that we reached a record number of police officers. That number is being sustained. We are also trying to ensure in other ways—for instance, by increasing the number of support staff—that police officers have to undertake fewer administrative duties so that they can be deployed on front-line operational duties.

**Rhona Brankin (Midlothian) (Lab):** Is the minister aware of current problems of police recruitment in my constituency of Midlothian? Will he meet me to discuss the problem?

**Mr Wallace:** I am always delighted to meet Rhona Brankin, although I am sure that she would get a more immediate answer from the chief constable. Forces have been recruiting. I am aware that there has been significant recruitment in the Lothian and Borders area. I was not aware of specific problems in Midlothian, although, having mentioned them, Rhona Brankin will no doubt be able to identify what they are. There has, of course, been significant recruitment; if there had not been, we would not have been able to reach the record number of police officers. I understand that the police continue to recruit.

### Scottish Football Partnership

**12. Irene Oldfather (Cunninghame South) (Lab):** To ask the Scottish Executive what progress is being made by the Scottish Football Partnership. (S10-4203)

**The Minister for Tourism, Culture and Sport (Mike Watson):** The Scottish Football Partnership held its first board meeting on 22 November at Easter Road stadium, the home of Hibernian Football Club. I understand that its members departed in rather better humour than I did from the same venue following the CIS Insurance cup-tie on Tuesday evening.

**Irene Oldfather:** I thank the minister for his answer and congratulate him on his appointment. Can he confirm that junior football clubs, such as those in my constituency, will have access to the education, training and resources that are at the partnership's disposal? Will he assure me that information about the kind of support and assistance that is available will be disseminated to junior clubs?

**Mike Watson:** I am pleased to say that the reputation of Ayrshire junior football goes before it. It has a long and proud tradition. Junior football will benefit from the work of the Scottish Football Partnership, because the partnership aims to help at all levels of football throughout Scotland. Although the partnership will decide what information it sends out, I will arrange to draw its attention to the member's comments about junior football.

### Nutritional Standards

**Elaine Smith (Coatbridge and Chryston) (Lab):** First, I ask the Parliament to welcome members of the Edinburgh branch of the United Nations Development Fund for Women—UNIFEM.

**The Presiding Officer:** Order. The member must proceed with her question.

**Elaine Smith:** I thought that there was precedent for that, but I apologise.

**The Presiding Officer:** Go straight to the question. No preliminaries are permitted.

**13. Elaine Smith:** To ask the Scottish Executive what action it is taking to raise nutritional standards. (S10-4205)

**The Deputy Minister for Health and Community Care (Hugh Henry):** As Susan Deacon said last week, we are taking forward the Scottish diet action plan "Eating for Health" in a number of areas to improve diet throughout Scotland. For example, we have appointed the first Scottish food and health co-ordinator, we have injected substantial resources from the health improvement fund and we are committed to developing nutritional standards for school meals.

**Elaine Smith:** I thank the minister for his response and congratulate him on his appointment. Does he agree that it is important to promote good nutritional habits early through initiatives such as breakfast clubs? I do not expect him to agree that universal nutritional free school meals are the way forward, but does he agree that we cannot wait for the outcome of that debate before taking steps to tackle nutritional inequalities, especially as a clear link exists between health and educational achievement and therefore equality of opportunity? Will he supply the details of the recently announced breakfast

club initiative, which I hope will apply in Coatbridge and Chryston?

**Hugh Henry:** I do not agree with Elaine Smith. Providing free school meals to the better-off is not a good use of resources. However, I agree that raising food standards in schools and throughout our society needs to be considered.

Elaine Smith referred to breakfast clubs. Last Monday, the Scottish Executive announced that £250,000 would be provided for a breakfast club challenge fund. I hope that groups in her constituency will consider applying for those funds. Breakfast clubs in Scotland will also be the subject of a major review. We want to examine the coverage in social inclusion partnership areas, how clubs are being run and whether they are sustainable. Above all, we want breakfast clubs to provide good child care, good nutrition and good health.

**Nicola Sturgeon (Glasgow) (SNP):** I welcome the new minister to his post. I was delighted last week to hear that the Scottish Executive had accepted—albeit belatedly—the SNP policy of regulating the nutritional value of school meals. Will the Scottish Executive consider another SNP policy—making fruit available to every primary school child? Does the minister accept that that would be a welcome way of improving nutritional standards in Scotland?

**Hugh Henry:** Considerable progress has been made on providing free fruit in schools and a major initiative is under way in Glasgow. I am sure that we will learn many lessons from that and, where possible, apply them throughout Scotland.

**Tommy Sheridan (Glasgow) (SSP):** That was marvellous. The minister talked about learning lessons from Glasgow. Will he learn the lesson of this week's announcement that Glasgow City Council is to provide free breakfast for every child—not just the poorest—who attends a primary school in Glasgow? Does he accept that that is an enlightened way forward and that it is about time that, instead of means testing and stigmatising children, we had universal provision of healthy, nutritious meals?

**Hugh Henry:** Tommy Sheridan highlights a good example of a Labour-controlled authority using its resources to best effect. I am sure that he agrees that appropriate decision making at council level is best left to councils. We will scrutinise the exercise in Glasgow and see what lessons we can learn.

#### Holiday Homes

**14. Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** To ask the Scottish Executive whether it will reconsider its decision not to confer upon local authorities the power to remove from

owners of holiday homes the 50 per cent council tax discount to which they are presently entitled. (S1O-4165)

**The Deputy Minister for Finance and Public Services (Peter Peacock):** We will consider any recommendations on the matter that arise from the Local Government Committee's inquiry into local government finance.

**Fergus Ewing:** Will the minister explain why those who can afford to maintain more than one home should have a 50 per cent cut in their council tax? I ask him to cast his mind back to the days when he was the independent convener of Highland Council. Does he recall that Highland Council's policy is to remove that discount? Is he right now or was he wrong then?

**Peter Peacock:** Highland Council is a very distinguished council with a very distinguished former leader. The leader of a council represents the views of that council.

We have made significant changes to the way in which local government finance operates. We do not want to take a piecemeal approach to local government finance reform. That is why we await with great interest the outcome of the Local Government Committee's consideration of a range of matters. We have not set our face against Mr Ewing's proposition, but we want to put it in a proper context at the proper time.

#### Mental Health

**15. Mr Adam Ingram (South of Scotland) (SNP):** To ask the Scottish Executive what measures are in place to ensure that people diagnosed with a mental illness receive the appropriate services and resources. (S1O-4175)

**The Minister for Health and Community Care (Malcolm Chisholm):** Mental health is a priority for the Scottish Executive and the national health service in Scotland and it has attracted record spend on services in the past year. That priority is further supported and informed by the on-going visits and published reports of the Scottish Health Advisory Service and the mental health and well-being support group.

**Mr Ingram:** The minister will be aware that the resources that have been allocated to health boards for mental health services are often subject to cuts and reallocation at local level. Given the minister's well-known commitment to mental health issues, what measures will he introduce to ensure higher-quality mental health services throughout Scotland? Will those measures include ring fencing?

**Malcolm Chisholm:** First, I welcome people who are here from Ayr Action for Mental Health. I think that it is in order to say that at this point.

I thank Adam Ingram for his remarks. It is clear that he has shown great interest in mental health issues. I indicated earlier that spend was at a record level last year, when the resources for NHS mental health services went up by 9 per cent. We are making significant progress.

We are determined that mental health, which has for several years been one of the Scottish Executive's—and before that the Scottish Office's—three clinical priorities, will be delivered on the ground. We have started a series of initiatives and we are trying to develop more mental health services in primary care. We are also driving forward a new agenda on the promotion of mental health and well-being and on tackling stigma. At lunch time today, Adam Ingram and I attended an important launch to highlight the unacceptable harassment that people with mental health problems often suffer.

**Maureen Macmillan (Highlands and Islands) (Lab):** Is the minister aware of the deep concerns on the isle of Skye about the time that it takes for a team to come to Skye from New Craigs hospital in Inverness to deal with a patient facing a mental health crisis? That can take as long as 18 hours. During that time, the patient is usually in the care of the local police officer. Will the minister undertake to look into the situation, as the current arrangements are clearly detrimental to the patient's welfare?

**Malcolm Chisholm:** I will certainly undertake to look into that. Circumstances are particular to local areas, but waiting times for mental health patients are important, as they are for patients in other parts of the health service. In October, we announced a new addition to the mental health framework—psychological interventions. That is one of the areas that we are determined to expand. We want to reduce the waiting time for psychological interventions, which are an important part of mental health services.

**Mary Scanlon (Highlands and Islands) (Con):** Is the minister concerned about the number of patients with mental illness who are assessed as needing care in the community but who have their discharge delayed from psychiatric hospitals because councils cannot fund their care? The figure for Inverness alone was 40 patients. Will he ensure that councils make mental health a clinical priority?

**Malcolm Chisholm:** Mary Scanlon flags up the crucial issue of delayed discharges. That is as important in the treatment of mental health as it is in other areas of the health service. We have taken a series of initiatives, but I accept that those have not yet brought the reductions that we wish to see. However, I assure Mary Scanlon and other members that tackling delayed discharges—and, indeed, other delays in the journey of care—will be

a top priority for the Scottish Executive in the coming period.

### Modern Apprenticeships

**16. Marilyn Livingstone (Kirkcaldy) (Lab):** To ask the Scottish Executive what actions it is taking to promote female participation in modern apprenticeships. (S10-4218)

**The Minister for Enterprise, Transport and Lifelong Learning (Ms Wendy Alexander):** We will be working with the enterprise network and national training organisations to maximise modern apprenticeships in sectors that have traditionally had less of an apprenticeship tradition and that typically have higher female employment rates.

**Marilyn Livingstone:** One area of concern is occupational classifications such as engineering and technology, in which few women have traditionally participated. What steps is the minister taking to promote female participation in those areas?

**Ms Alexander:** Over the past year a pilot has been running, in East Ayrshire in particular, to encourage school pupils from second year upwards to consider taking up a career in the manufacturing or engineering industries. The purpose has been to encourage women in particular to consider taking up a career in engineering and manufacturing. A lot of work is being done in construction. I especially commend the video made by the Glasgow direct labour organisation to encourage young women into decoration and other construction trades.

In that general area, it would be fair to say that we look forward to the Enterprise and Lifelong Learning Committee's report—in which the member takes a particular interest—on lifelong learning, the future of modern apprenticeships and encouraging young people into non-traditional occupations on both sides of the gender divide.

## First Minister's Question Time

### SCOTTISH EXECUTIVE

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

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

To ask the First Minister when he last met the Secretary of State for Scotland and what issues they discussed. (S1F-1433)

**The First Minister (Mr Jack McConnell):** I last met the Secretary of State for Scotland on Monday and we discussed transport, health and the promotion of Scotland overseas.

**Mr Swinney:** What an interesting agenda.

There was a bit of confusion last week about what the First Minister meant when he said that he would "cut the crap" from his Administration, but the situation is a great deal clearer now. Are we to assume that the crap to which he referred was the five Labour Cabinet ministers whom he sacked on Tuesday?

**The First Minister:** I strongly advise the leader of the Scottish National Party not to believe everything he reads in the *News of the World*. Many of us have for a long time tried to follow that policy; it is appropriate for us to do so. We now have in the Scottish Parliament a team of people—elected by the Parliament yesterday as well as nominated by me—in the right place at the right time for Scotland. It will be a united team, which will deliver improved public services for Scotland.

**Mr Swinney:** I saw a comment in another newspaper by one of the First Minister's former colleagues. The comment was interesting, because it relates to what the First Minister has just said. The person said:

"Is it about delivering on services ... ? It does not look that way. It looks more like the slash and burn approach of Lanarkshire politics where once you have made someone your enemy you kill them."

The person concerned is apparently someone to whom the First Minister gave a pay-off. Imagine what that person would have said if they had not got a pay-off. Is it not the case that this is not a Government for a' Jock Tamson's bairns but a Government for a' Jack McConnell's mates?

**The First Minister:** I tell Mr Swinney what this is: it is a Government that will deliver improved public services in Scotland. I said this morning in Stirling that the people of Scotland are fed up to the back teeth with the squabbling that goes on between politicians about personalities. What they want in Scotland today is the delivery of improved public services. They want the Parliament, the chamber and the politicians to focus on education,

health, transport, crime and jobs. When we do that, we will earn their respect.

**Mr Swinney:** The First Minister will have to get focused on those problems because waiting times and waiting lists have gone up, there are fewer nurses, child poverty levels are higher than when Michael Forsyth was in power and manufacturing is going down. All those problems will certainly need the First Minister's attention. Is not the serious issue in all this whether we can take the First Minister's word seriously? He promised an end to factionalism, a Cabinet of all the talents and no night of the long knives. We actually got from the First Minister the diametric opposite of that. If Jack McConnell's Cabinet colleagues cannot take him at his word, how can the Scottish people?

**The First Minister:** The truth, as ever, is somewhat different. It was announced this morning that waiting lists are coming down. Not only that, but the crime rate is down. Not only that, but the number of young people in Scotland leaving school without qualifications is down. Not only that, but the level of unemployment in Scotland is down. Those are the real facts in Scotland today. The reason that the SNP wants to moan and squabble about personalities is that it does not want to discuss the real issues. Well, we will discuss them, we will act on them and we will deliver for Scotland.

#### Cabinet (Meetings)

**2. David McLetchie (Lothians) (Con):** I begin by welcoming the new First Minister to his first question time.

To ask the First Minister when the Scottish Executive's Cabinet will next meet and what issues will be discussed. (S1F-1424)

**The First Minister (Mr Jack McConnell):** I thank Mr McLetchie for his warm words. I hope that our weekly exchanges in the chamber do not destroy the most effective team that has represented the Parliament against the journalists in the annual golf tournament. I look forward to playing with Mr McLetchie again next year.

The Cabinet will next meet on 4 December. It will discuss the delivery of improved public services and the creation of new opportunities for children and young people in Scotland.

**David McLetchie:** I thank the First Minister for his frankness. I think that this is the first occasion in two and half years on which that question has been answered honestly. I hope that that trend will continue.

On public service issues, will the First Minister explain why he believes that more ministers, greater centralisation and pouring more money into a failing system will produce better results in

the health service than the shameful record of the past two and a half years? When we compare like with like over that period, we find increased waiting times, longer waiting lists and fewer patients being treated. How is more of the same going to sort that out?

**The First Minister:** One of the ways of sorting it out is to have a serious and mature debate in this chamber. One of the reasons why I was at Stirling royal infirmary this morning discussing the accident and emergency service with the people who work there was to get to the bottom of the situation in the health service and to find solutions. We can play around with numbers in this chamber all we like. It does not matter to an individual on the waiting list whether there are 79,000 people on the list, 80,000, 81,000 or 82,000. What matters is the experience of that individual.

This morning at Stirling royal infirmary I met a team of professionals—doctors, nurses and administrative staff—who are breaking down professional barriers and working together in the interests of patients. They have reversed the increases in the time that people wait in accident and emergency. It is the job of everyone in the Parliament, not just the team of ministers, to get out there and sell that best practice and to ensure that it is happening everywhere.

**David McLetchie:** Those are fine words and, in many respects, welcome ones. However, I suggest that some of the First Minister's actions belie the words that he has just uttered. In Andy Kerr, Cathy Jamieson and Malcolm Chisholm, who are supposed to lead the reform of public services and health, he has appointed to his Cabinet a trio of people who have historically been unremittingly hostile to reform and to partnership with the independent sector and thoroughly wedded to higher taxes and trade union vested interests. Is not that just a version of the same old Labour party that will always put self-interest before the public interest?

**The First Minister:** I have absolutely no intention of standing here week after week taking lessons in higher taxes and vested interests from a party that was recognised as having destroyed the credibility of public service in Scotland by exactly that kind of attitude and by its broken promises. What is needed in the health service is a focus on improved delivery of service. We have record levels of resources, but there is not yet a perception among those who use the health service of a record quality of treatment. Our job and our task is to address that. The fact that there are two Deputy Ministers for Health and Community Care shows the absolute priority that we give to the health service. People such as David McLetchie who express concerns week in, week out should welcome that rather than trying to

score political points.

### Scottish Executive Priorities

**3. Ms Margo MacDonald:** To ask the First Minister what plans the Scottish Executive has to review its spending priorities in light of the Chancellor of the Exchequer's pre-budget statement. (S1F-1423)

**The First Minister (Mr Jack McConnell):** Members will not be surprised to hear that our priorities are jobs, transport, health, education and tackling crime. All the additional £86 million for Scotland announced by the chancellor this week will be used to deliver improved public services. We will announce the allocation of that money soon.

**Ms MacDonald:** I thank the First Minister for his first reply to me. They can only get better.

I press him further on plans for transport. An exchange earlier between Lewis Macdonald and Karen Whitefield resulted in Lewis Macdonald saying that the Executive wished to promote partnership among public authorities. I ask the First Minister to do more than that. Will he take into account the situation in Edinburgh and Midlothian, where population growth means that a 30 per cent increase in peak traffic flow is expected over the next 10 years? We cannot have the sort of growth that I know he wants—based on cities, as all modern economic planning advises—if we do not now have a commitment to public spending on light rail systems, for example, and on the link between Midlothian and Edinburgh. Will the First Minister give the councils in Edinburgh and Midlothian guarantees of cash now, regardless of the black hole in the chancellor's finances in the near future?

**The First Minister:** I hope that Ms MacDonald will have a word with the SNP's transport spokesperson, who in the past 24 hours has opposed the close link between transport, enterprise and business in the Executive's work. The Minister for Enterprise, Transport and Lifelong Learning and her deputy will address those issues in the weeks and months ahead.

It is interesting that, in Margo MacDonald's response to my first reply, she clearly did not share the Executive's top priorities of jobs, transport, health, education and tackling crime. Those are Scotland's real priorities and they are the priorities on which money will be spent.

**Alex Fergusson (South of Scotland) (Con):** In any review of the Executive's spending priorities, will the First Minister take into account Stena Sealink's recent decision to drop one ferry from its Stranraer to Belfast route, with a loss of 92 badly needed jobs? Should that company consider relocating outside Stranraer? Will the First Minister

ask the Minister for Enterprise, Transport and Lifelong Learning to announce a significant upgrading of the A75 and the A77 to ensure that company's future at the Loch Ryan ferry port—if she can find the time?

**The First Minister:** The member will not be surprised to hear that I do not intend to make new announcements on the hoof every Thursday afternoon. I made no new announcements when I visited the hospital this morning to listen to front-line staff.

It is important that we listen to what communities throughout Scotland say about the problems that they face. I am sure that the Minister for Enterprise, Transport and Lifelong Learning will do so, without making any commitments at this stage on where money might be allocated.

### **Commission for Integrated Transport**

**4. John Farquhar Munro (Ross, Skye and Inverness West) (LD):** I welcome the First Minister to his first First Minister's question time and wish him every success.

To ask the First Minister what action the Scottish Executive intends to take following the report by the Commission for Integrated Transport. (S1F-1420)

**The First Minister (Mr Jack McConnell):** I thank the member for his kind words. The Commission for Integrated Transport reported that UK transport has suffered two generations of neglect. That will not surprise members. I am therefore pleased that we are increasing investment in public transport through programmes such as the rural transport fund and the integrated transport fund.

**John Farquhar Munro:** I am delighted that the First Minister recognises that over the past quarter of a century there has been serious neglect of much basic road maintenance. Work must be undertaken with urgency. There cannot be an effective, integrated transport system without an adequate roads infrastructure. It is estimated that around £150 million must be spent in the Highland Council area alone to maintain and improve roads and bridges to an acceptable standard. I suggest that it is the duty of every generation to improve and protect the built environment for the benefit—

**The Presiding Officer (Sir David Steel):** Order. You cannot suggest anything. You must ask a question.

**John Farquhar Munro:** Will the First Minister give an undertaking that the Scottish Executive will investigate how that challenge can be speedily and effectively addressed?

**The First Minister:** Members know that in last year's spending review the Executive substantially

increased the amount of money in local authority budgets for local roads and maintenance. I was involved in the decision. Since then, Sarah Boyack has acted on that decision well.

It is important that the decision is built on and that we not only allocate extra resources to local government but ensure that work on local roads and maintenance takes place. It is perhaps more important that any roads that are built or redeveloped are properly maintained in the years to come.

Improved capital investment and improved maintenance of public services in Scotland are not simply about ensuring that the amount of money that we spend each year goes up. When we build new buildings and roads and develop new projects, we must ensure that we maintain them properly. We must ensure that we plan increased capital investment in Scotland's public services in a way that we can proud of, rather than ashamed of, 25 years from now.

**Andrew Wilson (Central Scotland) (SNP):** Given the outcome of the commission's report and given that the First Minister has replaced a Cabinet minister whose responsibilities were listed as transport and planning with one whose responsibilities are listed as the economy, business and industry, Scottish Enterprise, Highlands and Islands Enterprise, trade and inward investment, energy, further and higher education, lifeline services, lifelong learning and training, science and transport, what signal is being given about the Executive's priority for transport? Is not the First Minister putting internal Labour party faction fighting and cronyism before the future of Scotland's economy and transport?

**The First Minister:** I must say that that is a bit rich coming from a political party that briefed extensively that the member was being demoted when he was moved from having economic responsibilities to having transport responsibilities in the shadow Cabinet.

It is absolutely critical that transport and our economic activity work hand in hand. Every business organisation in Scotland regards transport as a top priority for the creation of jobs and the promotion of enterprise in Scotland. Only those who are concerned about environmental issues could have been concerned about the decision to which the member refers. To make sure that environmental issues are a top priority in the Administration and that they run across every department, I will personally chair the committee on sustainable development. We will ensure that we take environmental issues fully into consideration at all times, not just with transport, but with other areas of Executive activity.

## Post-school Education

**5. Irene Oldfather (Cunninghame South) (Lab):** To ask the First Minister how the Scottish Executive's plans for post-school education will contribute towards economic prosperity. (S1F-1429)

**The First Minister (Mr Jack McConnell):** Post-school learning is crucial to our vision of an inclusive and prosperous Scotland. Our policies and programmes for lifelong learning aim to ensure that the people of Scotland have the knowledge, skills and attitudes that are needed for Scotland to be successful in a challenging global economy.

**Irene Oldfather:** I extend to the First Minister the good wishes of the people of my constituency—where, of course, he was born—on his appointment.

The First Minister will be aware of the improvements in access to higher education in my area. Will he assure the young people of that area—where unemployment levels are well above the national average—that skills development will be followed by real jobs and real opportunities?

**The First Minister:** I thank the member for those good wishes. Partly because of my connection with the area, one of the things that I know about north Ayrshire is how difficult young people who live there have found it—for many years—to access college courses. A great change in the west of Scotland in recent years has been the development of James Watt College of Further and Higher Education down into Ayrshire. That has increased at an incredible rate the number of young people on the west coast of Scotland who can access further education courses and training. The development was funded through a public-private partnership. If a certain party had been in control, that development would never have happened. I hope that the people of Ayrshire appreciate that.

**Alex Neil (Central Scotland) (SNP):** I am sure that the First Minister will acknowledge the importance of individual learning accounts in post-school education. Why were payments under the ILA scheme suspended at the weekend? Was it because of the level of fraud? When will we hear a ministerial statement on the matter and when will the payments be restored?

**The First Minister:** It would be wrong of me to make a commitment on when that temporary suspension will be ended. It is right and proper that the Minister for Enterprise, Transport and Lifelong Learning considers the issue carefully and cautiously. It was right last weekend to ensure that the payments were temporarily suspended because of the suggestion that the fraud that seems to have been taking place in England—

although it has not been proven—could have crept across the border. That action was right in the circumstances. I very much regret the fact that, because of a technical delay in the circulation of a news release, it was publicised during the night. I will be taking steps to ensure that that does not happen again. I am sure that the minister will explain the next steps in due course.

## St Andrew's Day

**6. Dennis Canavan (Falkirk West):** To ask the First Minister what plans the Scottish Executive has to celebrate St Andrew's day. (S1F-1434)

**The First Minister (Mr Jack McConnell):** I am sure that Mr Canavan will be delighted to know that I will be making a webcast setting out the priorities for public services in Scotland and speaking directly to Scots throughout the world in doing so.

**Dennis Canavan:** Given that a recent poll indicated that only 22 per cent of Scots know that tomorrow is St Andrew's day, will the Scottish Executive make an effort to give Scotland a higher profile internationally as well as nationally by declaring St Andrew's day a national holiday?

**The First Minister:** I thought that that question might be asked today. When I went back to Wishaw last night, I thought that I would test out the suggestion on the local population. There seemed to be a general feeling that public holidays in Scotland at this time of year are not necessarily the best idea, particularly for golfers such as Mr McLetchie and others who would, presumably, prefer better weather. The debate is interesting and I am sure that it will go on, but I think that we have a job to do in using St Andrew's day to raise Scotland's profile internationally. We also have a job to do in raising the profile of St Andrew's day within Scotland. I hope that that answer has been long enough to take up the 55 seconds that I had. The answer to the first part of Dennis Canavan's question, which was whether we should raise awareness, is yes.

**Christine Grahame (South of Scotland) (SNP):** Bad luck, Jack: I am in.

I remind the First Minister that, when asked whether he was new Labour or old Labour, he said that he was Scottish Labour. I suggest that he enhance his Scottish credentials by announcing tomorrow that the saltire, the flag of St Andrew, will fly at all times from all Scottish public buildings, beginning with Edinburgh Castle.

**The First Minister:** I notice that the fact that I had saltire cuff links on last Thursday achieved almost as much publicity as anything that I said. Although I consider the flag of Scotland and the fact that tomorrow is St Andrew's day to be important, I also consider it important that the

Executive and the Parliament get to work on education, health, jobs, transport and crime. That is what we will do.

**The Presiding Officer:** That concludes question time.

**Elaine Smith (Coatbridge and Chryston) (Lab):** On a point of order, Presiding Officer. *[Interruption.]*

**The Presiding Officer:** Order. Let me hear the point of order.

**Elaine Smith:** Is it in order for you to allow two men to preface their questions with a welcome but to cut me off when I tried to welcome a women's group, which was particularly relevant during the 16 days of protest against violence against women?

**The Presiding Officer:** I assure you that there is no sex bias in the rulings that I give. *[Interruption.]* Order. The issue is important. Members must read out the question that is on the order paper. They cannot embroider it.

I will give the member advice. She could have slipped her welcome into a supplementary question, but it is not in order to precede the written question with other comments. I noticed that one or two other members slipped in good wishes to the First Minister, but that is rather exceptional. If I had been really strict, I would have stopped that as well.

## Social Justice

**The Presiding Officer (Sir David Steel):** The next item of business is a debate on motion S1M-2492, in the name of Iain Gray, and two amendments to the motion.

15:32

**The Minister for Social Justice (Iain Gray):** I am delighted to open the debate. Social justice is about delivering for people and their priorities. It is about improving the lives of disadvantaged people in Scotland. It is about removing inequality at every level. That has been at the heart of all that I have done in my adult life, whether as a teacher in schools whose pupils have faced many barriers to attainment, campaigning for international development, or as a political activist in Wester Hailes and in west Pilton. It is a privilege to serve in an Executive that has social justice at its heart. It is also a privilege to follow my predecessor, Jackie Baillie, who did so much to put social justice at the heart of the Executive.

When we set out our long-term targets and milestones in the social justice framework, we committed ourselves to moving beyond a focus on processes and narrow, short-term objectives. We committed ourselves to measuring the outcomes that matter for people and tracking whether things were improving for the most disadvantaged over the medium and long term.

Curiously, the Opposition seems to believe that areas in which progress is slower or for which we have insufficient data are evidence of some weakness on our part. As so often, the Opposition misses the point.

**Tommy Sheridan (Glasgow) (SSP):** The minister has just said that social justice is about removing inequality. Does he agree that the Executive should take every step that is necessary to improve the disposable income of those with the lowest incomes in Scotland?

**Iain Gray:** I say that we should work in partnership, as we do, with our colleagues in Westminster to address income poverty. However, that is not the only social justice issue that must be addressed. I will say a little more about that later.

We produce the social justice annual report exactly to expose where we need to do more and where we need to focus our effort to maximise its effect. Cynical politics would never produce this information for opponents to nit-pick over long into the night. Principled pragmatic and practical politics welcomes the information, faces up to the reality, and acts effectively.

That is openness, transparency and accountability, and not only as far as the Executive

is concerned. Delivering the social justice agenda is not just our responsibility. Leaders in the delivery of social justice must be found in the council chambers, health boards, schools, businesses, voluntary organisations, communities, factories and universities of Scotland.

The social justice milestones are now at the heart of the community planning process and provide focus on the real priorities on which agencies and people need to work together to deliver for communities. The milestones have been adopted by many organisations in setting outcomes and measuring performance. Some local authorities have even produced their own version of the report at local level to track communities with particular problems; Edinburgh and North Lanarkshire warrant particular attention in that respect. We are also investing in better small area data gathering to allow more targeted and more effective interventions at local level.

In all this, we pretty well started from scratch. When the Executive came to power, we had little or no data for most of the areas in the report, which meant that we did not really know how Scotland was faring on many of today's key issues. However, we knew that those issues were important.

Last year, we provided a huge amount of data for the first time and have added considerably to that total this year. We are pushing at the boundaries of our knowledge. For example, reducing the unacceptable gap in health between affluent and deprived communities is a top priority for this Government. This year, for the first time, we have provided data that reveal the size of the gap between deprived and affluent areas on key determinants of health such as breast feeding, women smoking in pregnancy and mortality rates caused by heart and respiratory disease. Those gaps are too large and turning them round will take time. That said, taking the first step of disaggregating our milestones is crucial to introducing effective strategies to reduce inequalities in health.

Also for the first time, we have comprehensive information on rough sleepers through a new study that has been warmly endorsed and welcomed by the voluntary sector. We have been able to disaggregate more milestones than last year on urban and rural classifications, an issue that was quite properly raised in the debate on last year's report.

All the statistical information in the report and the technical annexe is produced by Government statisticians to a code of practice. Their work is open to review through the statistical plan and to professional scrutiny by organisations, including by the independent Statistics Commission. The fact that the information is open to professional

scrutiny also demonstrates openness and transparency.

**Richard Lochhead (North-East Scotland) (SNP):** Nineteen milestones in the report do not have any breakdown of comparisons between rural and urban data. We have been promised since the Parliament started that that issue would be addressed and we are still waiting.

**Iain Gray:** As I have said—and will say more about later—we are continuing to invest in the disaggregation of milestones to smaller areas, which will significantly affect the effectiveness of local plans in rural and urban Scotland. I promise Mr Lochhead that the process towards disaggregation will continue. Of course, the ministerial group on rural development has a considerable interest in pursuing progress on this issue.

We are also making progress on accountability. For example, claimant count unemployment is at its lowest level for a generation. The level of underage smoking has dropped and there are signs of a fall in teenage pregnancy rates. The employment position of disadvantaged groups such as lone parents has improved and there appears to be an increase in the employment of disabled and older people. Finally, mortality rates caused by heart disease for older people are falling. Although it is very early days, there are signs of improvement across many of the milestones.

The big question for our country's future is how we are doing as far as Scotland's poorest children are concerned. Are there fewer children in income poverty and are their prospects better? On both counts, the answer is a straightforward yes. Families on low incomes in Scotland have more money than they had five years ago. Furthermore, more help is available for disadvantaged families, and that help is better delivered through programmes such as sure start and new community schools and our investment in child care.

We have also turned round the rising trend that we inherited in child poverty. The proportion of children in low income households rose from 19 per cent in 1979-81 to 34 per cent in 1996-97. The figure is now down to 29 per cent in relative terms and 25 per cent in absolute terms.

All the children's social justice milestones on which we have data are going in the right direction, except one—the milestone on low birth weight babies—which is static. Against what we inherited, that is a remarkable achievement.

**Tommy Sheridan:** Can the minister define absolute poverty?

**Iain Gray:** I need to make progress. I will say something later about how we define poverty.

The fact that that has been achieved against a moving threshold is even more remarkable. Earnings have risen by 8 per cent over the past three years, but the position of the poorest children has continued to improve. The message is plain: poor children are better off and the gap between them and the average is narrowing, although it is still too great. It is also plain that the foundation of that progress is the rise in general prosperity that is being delivered by successful management of the economy. The SNP's separatist ambitions, as couched in its amendment, would destroy that foundation by creating economic instability.

As we have said endlessly, there is no single definition of poverty, and poverty is about more than low income. Last year, as well as providing income data across 20 different indicators in the report, we quoted the survey results as they relate to numbers of children. This year, I am not in a position to give numbers in addition to the comprehensive collection of indicators on low income, because there are technical difficulties with the survey information. However, that does not affect the proportion data, nor the data in the report. We have committed £230,000 to double the size of the sample in Scotland and have agreed on a programme to change the way in which Scottish information is generated, to put the matter right in future.

Year on year, the quality of our data gets better; but we also need to ensure the quality of action such as that which has been taken in Blantyre and North Hamilton, where the social inclusion partnership, working from the social justice milestones, found that there were particular problems with low birth weight babies. Following discussion with local mothers about their needs, an innovative new project—the baby weight gain programme—has just started with the support of the NHS and a major food retailer. That approach is the key—working with communities to identify the action that is required and then forging the alliances that can deliver it. That is one of the ways in which public services can deliver better for our people.

There is no easy or quick way to turn round the situation that we inherited. We still have a great deal to do to ensure that public services such as health, education, housing and the police are delivering for the most excluded and disadvantaged people. We are focusing on what is needed and what works, and we are measuring ourselves against what is possible, not what has always been. That is how we will make our public services better.

The aspiration of social justice and the will to

achieve it come not from the Government, but from the people themselves. We have committed resources so that, in time, the statistical information that will be available at a local level can arm that will with evidence. In support of that, we must unleash the talent of those in the front line of services and allow them the opportunity to input into decision making, to shape and deliver their task, as described by the First Minister when he cited the example of Stirling royal infirmary not 30 minutes ago. We are making progress in key areas and we will build on those achievements, year on year, to meet the commitments that we have made.

John F Kennedy said:

"We are not here to curse the darkness, but to light the candle".

Poverty is the darkness at the heart of our national life. It robs the individual of opportunity and it robs the nation of the enrichment that every one of us can bring to it. We need that light to see clearly the reality and to light our task of dismantling it. I do not doubt that we will hear much cursing of the darkness this afternoon, but it is the light that we need.

I move,

That the Parliament welcomes the Executive's publication of the *Social Justice Annual Report 2001*; notes the progress which is being made, and supports the work of the Executive, local government and other public agencies and the voluntary, community and private sectors in working together to deliver social justice in Scotland.

15:44

**Mr Kenneth Gibson (Glasgow) (SNP):** I congratulate Iain Gray on his appointment as the Scottish Parliament's new Minister for Social Justice—our third in 14 months—and I wish him every success in his new post. I also congratulate Margaret Curran on coming through this week's ministerial cull unscathed.

It hardly seems a year since we debated the previous social justice annual report. Last year, we had two hours for the debate; this year, we have only 90 minutes. Given the importance of the subject matter and the detail of the report, I hope that the issue will be given sufficient time next year so that it can be debated adequately.

**Iain Gray:** It is unfortunate that this year's debate is a little shorter. However, I have read the *Official Report* of Mr Gibson's speech last year and I hope that he will save time by not repeating any of his points.

**Mr Gibson:** I did not read my speech from last year, although I did read the speeches of some of my colleagues, so I am sure that I will not repeat myself. This year, I will focus on a specific subject.

I had intended to compliment the minister in a couple of minutes, but perhaps I will not bother doing so now.

Considering the paucity of Labour's record in social justice, perhaps, to spare the Executive's blushes, we will have even less time to debate the subject next year. Obviously, it is not possible in seven minutes to detail our concerns regarding each of the 29 social justice milestones, so I will focus on only a couple of them before turning to the SNP amendment.

I was pleased to hear the minister's comments on disaggregation, which I focused on in last year's debate. The SNP analysis, which used the same sources of data as the Executive, showed that the coalition is failing to deliver on 13 social justice milestones, needs to raise its game or has made data unavailable on nine milestones and has succeeded on only three.

Milestones 4, 21 and 28 are the successes, although one could argue that, in terms of quality and full-time provision of child care, more could be achieved. Regrettably for Scotland, the Executive is failing with regard to milestones 2, 3, 6, 7, 9, 10, 12, 14, 16, 19, 24, 27 and 29. That fact, no doubt, contributed to the political demise of Mr Gray's predecessor who, until a couple of minutes ago, was sitting behind him like Banquo's ghost.

A recent study showed that Scotland has the third highest level of child poverty in the European Union, after Portugal and Greece. In Scotland, 30 per cent of our children—more than 320,000 children—live in poverty. That is a sad indictment of successive Conservative and Labour Governments.

Child poverty is the denial of a child's basic right to an adequate standard of living. It is a multi-dimensional problem, which starts with inadequate family income. Its exclusionary effects, in terms of access to resources and participation in everyday activities, means that children who grow up in poverty are likely to do less well in school, to have fewer recreational, social and cultural activities and to be more at risk from crime and anti-social behaviour than other children. The life circumstances of children have a powerful influence on how they will live in the future. That impacts fundamentally on the life chances of the succeeding generation. Overcoming child poverty is a fundamental challenge to our society. What happens to the poorest, most vulnerable and least secure children reflects on us all.

Opportunities for children depend not only on social provision, but on family, local community and the wider economic and social environment. However, ending income poverty is not enough on its own to ensure decent opportunities for all children. How far child poverty can be ended and

children's opportunities improved without confronting the broader inequalities in society is open to question. Nevertheless, by focusing on the income and opportunities of the poorest, a start can be made on reducing child poverty. The impact to date shows that much more remains to be done if the goal of ending child poverty in a generation is to be achieved.

Last year, the Scottish Executive moved the baseline for measuring poverty back from 1997-98, as set out in its 1999 document, to 1996-97. That was a feeble attempt to allow the Executive to claim that there had been a fall in child poverty, when the percentage had, in effect, remained static since the early 1990s.

Through a series of written questions, the SNP has gathered information from the Executive, including figures that are often inconsistent. Perhaps as a consequence of such questions being asked, the disclosure of figures has stopped. According to the Executive—and as confirmed by the Scottish Parliament information centre—the number of children, pensioners or people of working age will not be divulged until the accuracy of the figures can be ascertained. Thus, the veracity of ministerial comments earlier in the debate must be open to doubt.

Milestone 12, on rough sleeping, is an area in which Labour has also failed. Prevention of rough sleeping is an area of particular concern. In some areas, half or more of the number of rough sleepers are under 24, yet the Scottish Executive is helpless to enact legislation to restore benefits to 16 and 17-year-olds, because that matter is reserved to Westminster. All charities for the homeless agree that that would be a significant element in preventing much of the homelessness and, ultimately, rough sleeping among young people.

The UK Government's approach to poverty is to concentrate resources on the poor by means of greater selectivity and means testing. Increased support is then rapidly withdrawn from those with more earnings, which extends the poverty trap. There is a danger of creating a situation in which poor families with no pay or low pay receive modest levels of income support or working families tax credit and other similar families receive little state support. If the condition of the poorest families is improved, but not that of families on lower than average incomes, the incentive to self-help may decline. Thus, while the new Labour approach emphasises responsibility and the desirability of more self-reliance, its selective strategy might be undermining what it seeks to encourage. A way forward would be for the UK Government to disregard council tax benefit and housing benefit when calculating working families tax credit.

It is obvious that the policies that are necessary to reduce child poverty revolve mainly round reserved areas. For Scotland to eliminate poverty at the earliest opportunity, independence is the key. As everyone in the chamber knows, the most prosperous nations in Europe are small and independent. They range from Iceland, with fewer than a quarter of a million people, to Sweden, with fewer than 9 million. Austria, Denmark, Finland, Iceland, Ireland, Luxembourg, Norway, Sweden and Switzerland have only a fraction of our poverty, a higher standard of living and greater social inclusion.

Let us consider Finland—the current favourite of Wendy Alexander—as a model for Scotland. Finland emerged from the Russian empire in 1919 with a largely uneducated, poor and mainly rural population, most of whom lived at subsistence level. Over the next 80 years, it transformed itself. The level of poverty in Finland is a fifth of that in Scotland and its economy is competitive in world markets. In Nokia, Finland has a company with global recognition. Unlike us, Finland is a full partner in the European Union. Does anyone seriously believe that that could or would have been achieved had Finland remained part of Russia—something that members of other parties would no doubt have argued for had they been politicians in Europe at that time?

Since the Boston tea party, umpteen nations have gained independence from Britain. Is the minister aware of any nations that now wish to surrender that independence? No, because only independent nations—as Scotland should, and will, be—have the power that is necessary to transform their societies quickly through direct decision making and the harnessing of human and material resources, focusing directly on the elimination of poverty while securing economic and cultural renewal.

By supporting the SNP amendment, members will acknowledge that independence will set Scotland on its true path to a stable and inclusive future for all.

I move amendment S1M-2492.3, to leave out from “the progress” to end and insert:

“the slow progress in addressing social inequality and believes that the Parliament could best succeed in driving forward the social justice agenda if it had the powers of an independent sovereign state.”

15:51

**Mrs Lyndsay McIntosh (Central Scotland) (Con):** I welcome the new Minister for Social Justice to his changed portfolio. Having worked with Mr Gray in the past, I am sure that he will embrace his new responsibilities with the same dedication that he displayed as Deputy Minister for

Justice. I add my thanks that Margaret Curran has retained her position and, of course, I thank Jackie Baillie for her contribution as Minister for Social Justice.

The Executive's publication of the social justice annual report for 2001 is clearly little more than glossy, self-congratulatory nonsense. Labour, with the central objective of its so-called SMART targets—those that are specific, measurable, achievable, realistic and with time scales—is window-dressing, in yet another triumph of spin over substance. The milestones that the Executive has set for itself are milestones on a road to nowhere, and they have quickly become millstones round ministers' necks.

An example of a SMART target in the business community would be a company's stipulating that its sales representatives will increase sales by 20 per cent in, say, November, by advertising its product on television. That sets out the target, who will take action to achieve it, what the action will be and the exact time frame.

By the Executive's admission, eight of the 29 milestones show data that are only constant and show no clear trend; four do not even have data attached to allow us to measure them for progress made; and one is going in completely the wrong direction.

**Cathie Craigie (Cumbernauld and Kilsyth) (Lab):** Will the member take an intervention?

**Mrs McIntosh:** I would love to, but I have only five minutes.

**Mr Gibson:** Go on, give way.

**Cathie Craigie:** Just a wee one.

**Mrs McIntosh:** We will be able to debate the issue again in the future, when we have more than an hour and a half.

Despite what I was saying, the Executive asks us to note the progress that has been made, but the progress makes some report card—it is barely a pass. Some of the Executive's targets are especially weak, as they fail to provide a target time scale and contain no specific information about what will be considered a success year on year. Heck, if such a yardstick were in existence a year from now, that would be an achievement, if the way that we measure waiting lists is anything to go by. When the numbers do not stack up with the results that the Executive wants, we just get a new measurement to use. The Executive decided to call waiting lists “waiting times” instead—and ministers were even late in coming to that conclusion.

Before our opponents turn to the old chestnut and say that they have to deal with what the Conservatives left behind, I remind them that

many of the present problems of social exclusion lie with Labour councils. I further remind them that, in the 18 years of Conservative Government, virtually everyone in society experienced a rise in living standards. On that subject, I quote:

"In real terms"—

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

**Mr Keith Raffan (Mid Scotland and Fife) (LD):** Will the member take an intervention?

**Mrs McIntosh:** Whoa! Wait a minute—I will finish the quotation, then members may argue about it:

"In real terms 90% of Britons are indisputably better off than they were in 1979; the poorest 10% are roughly where they were."

That was from *The Economist* of November 1999 and it may be a bitter pill for some members to swallow.

If Labour is genuine about addressing the problems of social exclusion, it should concentrate on some of the genuine solutions—

**Tommy Sheridan** *rose*—

**Mrs McIntosh:** Does Tommy Sheridan want to make a contribution?

**Tommy Sheridan:** Lyndsay McIntosh said that she would finish her quote and then take an intervention.

**Mrs McIntosh:** I said that to the Liberal and Labour members. I did not say that I would accept an intervention from Tommy Sheridan.

**The Deputy Presiding Officer (Mr George Reid):** Order. Is the member giving way?

**Mrs McIntosh:** No.

**Tommy Sheridan:** Are you feart?

**Mrs McIntosh:** Not at all.

Labour should concentrate on some of the genuine solutions. It should cut red tape and cut tax on businesses to foster an enterprise culture, which would create more job opportunities. Among the measures that have caused disruption and increased bureaucracy is the working families tax credit, which is collected from pay packets and so requires extra business administration. I went to one of those Inland Revenue seminars on the WFTC—one of those situations in which people do not want to say what they do for a living—at which I heard nothing but criticism of the system. The criticism came from employees, from large companies and especially from small owner-operators. The WFTC is truly a millstone for small business.

I shall not even mention extended maternity and

paternity leave, which have brought extra administration on small and medium enterprises, which need to bring in extra help to cover absences. The working time directive has increased paperwork so that the number of hours that a small company's staff work can be measured to ensure that the business does not contravene European directives.

**Cathie Craigie:** Will the member give way?

**Mrs McIntosh:** I am 15 seconds away from finishing.

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

**Mrs McIntosh:** Let me highlight the first of the Executive's milestones. Only last week, the new First Minister reiterated the statement that, "Every child matters" when he stated:

"A better Scotland can make sure that our children do not suffer violence, neglect or failure".—[*Official Report*, 22 November 2001; c 4155.]

Be assured that we will hold him to account for those words.

Our response to Labour's approach to the social justice agenda can be summed up by the person who said that, if Tony Blair

"believes that he is personally able to create a country in which there is no poverty, no hunger and no unhappiness, then he is somebody who should be watched—and closely. The illusion that a political leader can achieve heaven on earth by creating "a system so perfect that no one needs to be good", as T S Eliot put it, is at the root of the totalitarian impulse."

The source for that quotation was Margaret Thatcher.

Given the fact that Tony Blair has taken Margaret Thatcher's advice in the past and adopted a number of Tory-grown policies—politicians still refer to the private finance initiative, not the new unimproved public-private partnerships—the Prime Minister will keep a close eye on events here in Scotland. I urge members to reject Mr Gray's motion, even though some of the speeches will undoubtedly be worthy, and to support the amendment in my name.

I move amendment S1M-2492.1, to leave out from "welcomes" to end and insert:

"notes the information to date which shows that the Scottish Executive still has a long way to go to meet its own objectives against the targets and milestones it set itself on social justice; affirms its commitment to building a civic society based on opportunity and responsibility for all, and calls upon the Scottish Executive to address the problems of crime in Scotland's communities and devolve power to individuals, families and communities as an essential step on the road to achieving social justice."

15:58

**Robert Brown (Glasgow) (LD):** By the time that Lyndsay McIntosh had finished, I was not entirely clear whether she was in favour of or against making progress on social justice targets. Perhaps I missed something.

I add my congratulations to Iain Gray on his new post. The Kennedyesque touches of his speeches look like being the hallmark of his term of office. It is also right to pay tribute to the work that Jackie Baillie did as Minister for Social Justice. She brought commitment, considerable charisma and a warm human touch to her duties. Frankly, I think that she will be a difficult act to follow. If I may, since I was her Liberal Democrat opposite number, I would like to thank her for the help and consideration that she showed me, especially through the challenges of the Housing (Scotland) Bill. I wish her well in the future.

Iain Gray has to pick up the reins and take up the challenge. He must do that at a time when the First Minister is rightly putting increased emphasis on delivery and results, rather than hopeful press announcements and inputs. Social justice is of huge importance for all our people and for our aspirations for a society in which everyone fulfils possibilities to their fullest potential. That is a central Liberal Democrat theme and is central to the work of the Parliament and the Executive.

If I may say so, social justice is sufficiently elusive to offer huge potential for waffle and vague generalisation. It is enormously difficult to identify whether a particular public policy is having or is capable of having a real effect on the achievement of targets or indicators. The whole exercise also creates a field day for the manipulators of statistics and for those who enjoy dancing on the head of a pin.

I am bound to say that confidence is not enhanced by the fact that the page numbers on the annexe to the social justice annual report seem to have slipped a page. For example, when we are directed to page 14 for information on reducing the proportion of children living in workless households, we find that the information appears on page 15. If that indicates that the statistics have been updated, that is fine; but if it indicates slippage and casts doubt on the rest of the statistics, we have to be a little cautious.

Statistics have to be watched carefully. The fact that a survey indicates a 2 per cent movement in this or that is not to be taken as the last word. The report, heavy though it is, does not itself achieve the abolition of poverty. Nevertheless, the publication of the "Social Justice Annual Report 2001" is an important milestone. Much useful information is in it.

I want to concentrate on the situation of elderly

people, partly because they make up such a large part of the poorer section of our society and partly because the way in which we treat them is a litmus test of the quality of our country. Some statistics are more measurable than others—for example, the number of people who contribute towards pensions or who take physical exercise, and the prevalence of chronic respiratory disease—but I am bound to confess my astonishment that figures on older people receiving home-based respite care are not available. Also not available is annual information on those receiving day care services. That echoes a concern that I have had for some time: to what extent do the resources allocated centrally for care—or, indeed, for other issues—produce extra care on the ground? If people are to judge their local authorities on outputs—which is the right way forward—we must at least be able to measure those outputs. I was encouraged when the minister said that he would try to break the statistics down into more manageable and locally identifiable bits.

Has a decision been taken on providing council-level information on returns relating to the Home Energy Conservation Act 1995, a matter on which I had something of a spat with Jackie Baillie and which has still not been resolved? If information on such matters is not made public, we do not have the information that allows us to hold people to account.

The recent announcement by the Office of Gas and Electricity Markets that the controls on power prices are to be lifted is bad news for pensioners. It seems likely to lead to higher prices in the future. It would be a travesty if the £200 fuel payment allowance was given with one hand and taken back with the other.

It is important to acknowledge the interrelationship and partnership between the Parliament and the Executive, the Westminster Government, local authorities and Europe. This is not a matter of changing who makes the decisions; it is a matter of getting the right policies at all levels and ensuring that the levers of power are exercised effectively. It is a pity that, once again, the SNP has diverted this important debate on to constitutional issues.

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

**The Deputy Presiding Officer:** No—the member is winding up.

**Robert Brown:** We want targeted and effective increases in support. We would prefer real-terms rises in pensions to the sort of means tests that we have had in recent years from the Chancellor of the Exchequer. I prefer his 1993 statement, when he said that the aim of the next Labour Government would be to achieve the end of the means test for our elderly people.

The "Social Justice Annual Report 2001" is welcome; greater availability of measurable statistics would be even more welcome. Moving forward on this issue has to be the main objective of the Parliament and the Social Justice Committee.

16:03

**Karen Whitefield (Airdrie and Shotts) (Lab):** I, too, add my congratulations to Iain Gray and welcome him to his post as Minister for Social Justice. I am sure that we will have interesting discussions with him in the Social Justice Committee. I also pay tribute to the work of my colleague Jackie Baillie, who has made a good contribution in her department over the past two years.

The elimination of child poverty in a generation is arguably the most important goal in the "Social Justice Annual Report 2001". I am pleased that our new First Minister has made it one of the key priorities of the Administration. Too many of the young people whom I grew up with in Shotts left school with few or no qualifications. Too few went to study at college or university and too many have been unemployed for long periods since the day they left school.

The Labour Government at Westminster and the Labour-led Executive in Edinburgh are committed to breaking that cycle of poverty and exclusion through the co-ordination of welfare policies with our education, health and social justice policies. We are finally beginning to turn around the shameful legacy of 18 years of Tory Government.

I welcome the reduction in the proportion of our children living in low-income and workless households, which was announced in the report. I also welcome the improvements in the welfare of our young children through the use of effective pre-natal and post-natal measures. In particular, I am pleased that we are reducing the incidence of dental decay in younger children. Unfortunately, Lanarkshire has some of the worst dental health records in Scotland. Improvement in that area is much welcomed.

I am disappointed, if not surprised, that we are facing difficulties in meeting some of our targets for young people. Halving the proportion of 16 to 19-year-olds who are not in education, training or employment is an ambitious goal and achieving it will continue to be a challenge. However, I note that the number of young people aged between 18 and 24 who have been unemployed for more than six months is now less than 4,000. That is 76 per cent lower than in 1997. I also note that the new deal for young people has helped more than 36,000 young Scots into work since the programme began. That is proof that Labour's

policies are working.

In the debate on last year's report, Fiona Hyslop said:

"The debate that we are having today and the report that is in front of us are about data and statistics, but we must remind ourselves that we are actually talking about people's lives". —[*Official Report*, 15 November 2000; Vol 9, c 19.]

It is slightly ironic then that today, Kenny Gibson wanted to trade statistics. Statistics matter, but it is more important that we improve the quality of the lives of the people whom we represent. It is important that people are able to live in warm, comfortable houses; that we improve public health, starting with our children; and that we create safe and vibrant communities across Scotland.

The Labour Government and the Labour-led Executive are delivering by working in partnership towards common goals. As a result of sound economic management, the UK is better placed to withstand the current financial difficulties facing many parts of the developed world. The UK remains on course to continue with significant investment in our public services, thereby protecting jobs and boosting consumer confidence.

The Scottish Executive is playing its part through programmes such as the central heating initiative, the rough sleepers initiative and the health improvement fund, all of which have received significant amounts of extra resources.

**Fiona Hyslop (Lothians) (SNP):** Will the member give way?

**Karen Whitefield:** I am sorry, but I am about to finish my speech. This year's social justice annual report shows that we have come a long way over the past few years. It makes it clear that we have a lot more yet to do to for the poorest members of Scottish society.

Now is not the time for scoring meaningless political points or for promoting the cause of independence. It is a time for concentrating and redoubling our efforts to deliver a better Scotland for all our citizens. I hope that Kenny Gibson will join his leader, John Swinney, who last week suggested that he wanted to work with the First Minister in partnership with the Scottish Executive on those important issues. I hope that he does. It would be far better to do that than to play safe and revert to the intellectual cronyism of sticking with the favourite old ideas and criticisms that we have heard today.

16:09

**Richard Lochhead (North-East Scotland) (SNP):** I point out to Karen Whitefield that independence is about delivering social justice—

the two ideas cannot be divorced.

I congratulate Iain Gray on his new role. I know that he cares about tackling poverty, not only in Scotland, but throughout the world. We have a long way to go to tackle social justice in Scotland. That was acknowledged by the First Minister in sacking Iain Gray's predecessor.

The SNP believes that it is an absolute scandal that a country such as Scotland has so far to go to deliver social justice for its people. The gap between rich and poor in Scotland has grown for decades. Indeed, under this Labour Administration it continues to grow. Many of us in the SNP are fighting to use the resources in Scotland to deliver social justice for our people. That is what inspired many of us to join the SNP and fight for independence.

I turn to the debate between Tony Blair and Gordon Brown about delivering social justice, which is at the heart of new Labour. On the one hand, we have Tony Blair, who wants to go for the headline-grabbing investment announcements, be they in health or education—the populist stuff that gets headlines on the front page of *The Sun*. On the other hand, we have Gordon Brown, who wants to tackle poverty throughout Britain using the fiscal system.

That is a genuine debate, but it is a debate that should take place here, in this Parliament in Edinburgh, not down in London. That is the only way in which the Administration will be able to tackle social justice in Scotland, because the Administration does not have the power under the devolution settlement to use the fiscal regime to tackle poverty. We do not have the cash if we want to have big spending announcements either, because we do not have the powers.

**The Deputy Minister for Social Justice (Ms Margaret Curran):** I have listened many times to Richard Lochhead describe his passion for independence. Can he tell me one thing that an SNP Government would do for the poor in Scotland?

**Richard Lochhead:** I am coming to that. Scotland is a rich country, but we do not have the control of our resources to allow us to put an adequate level of resources into social policy to deliver social justice. That is the key. That is what I am trying to convey to the minister, as she would know if she would listen.

The European Union's first formal assessment of deprivation in the EU found that the UK, Portugal and Greece have the highest concentrations of poorer people in the whole of Europe. The lowest poverty rates are found in Denmark, Finland and Sweden—small independent countries that have even fewer resources than Scotland. Does not that tell the

minister something? The assessment concluded that there is a "clear correlation" between expenditure on social protection and poverty levels.

A recent report in the *Financial Times* with regard to the growth competitive index found that Finland, Norway and Sweden—which are small independent countries with fewer resources than Scotland—have the most competitive economies in Europe, because of their public institutions, macroeconomic stability and technological sophistication.

**Cathie Craigie:** Will the member give way?

**The Deputy Presiding Officer:** No, he is on his last minute.

**Richard Lochhead:** We do not have the public institutions in Scotland because we only have devolution; we do not have a fully independent Parliament. We do not have the macroeconomic powers, so we cannot deliver on that front either. The gist of the problem is that we do not have enough powers in this Parliament to deliver social justice in Scotland.

However, we do have control over approximately £20 billion. Let us turn to the money over which we have control to deliver social justice. We could use that cash more wisely than we do currently. For example, we could give local government a decent cash settlement. Many of the organisations that tackle poverty in Scotland and try to deliver social justice used to be funded by local government, but a lot of that cash has dried up. A lot of the organisations have faced not standstill budgets, but cuts after cuts. We could have joined-up Government in Edinburgh with the Labour-Liberal coalition. Water industry policies hiked up charges but did not give help to low-income households. Eventually, we got a temporary scheme, which does not even help the poorest of the poor, and that was only after two years of campaigning by anti-poverty groups. There is now talk of withdrawing assistance for the voluntary sector and charities that are trying to deliver social justice in Scotland.

There is a slow lane to delivering social justice in Scotland and there is a fast lane. The "Social Justice Annual Report 2001" represents some small steps forward, but the Administration seems perfectly happy to take the slow lane to delivering social justice. The only way to be in the fast lane is by completing the powers of this Parliament and making Scotland independent.

16:13

**Cathie Craigie (Cumbernauld and Kilsyth (Lab):** I join other speakers in welcoming Iain Gray to the social justice brief and thanking Jackie

Baillie for all her work in the past, although as I said to her earlier, she will learn what work is now that she is sitting on the back benches.

Social justice is a phrase that many of us use. I often wonder whether the people we are trying to assist know what politicians and professionals are talking about. Today, having listened to the Tory spokesperson's speech, I am left wondering whether the Tories know what we are talking about when we talk about social justice. I am sorry to offend Lyndsay McIntosh—it is nothing personal—but she did not seem to know why we gather statistics. She should listen to people in central Scotland instead of listening to a few business people.

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

**Cathie Craigie:** I am just getting started. I am sure that Tommy will have an opportunity to comment on what the Tories said.

What is social justice and how can it make a difference to the lives of people in Scotland? How can we engage with the people in trying to achieve our aims? Social justice is about building a fair, caring society in which everyone matters, regardless of their address or background. It is about everyone reaching and fulfilling their potential and aspirations. It is also about the Parliament, in some cases, raising aspirations. Every child, young person and older person should have equality of opportunity in life, equal access to services and the assistance that they need.

As has been said, social justice should be at the heart of all that we do, not only in the Scottish Parliament, but at all levels of government, in voluntary and public sector organisations and in business. Many businesses have Investors in People awards and invest in their work force and communities. For the Scottish Executive's social justice agenda to be effective, every tool available must be used at every level of government and across all portfolios. Social exclusion is not only about a lack of employment or education opportunities; it is a complex issue that involves many combinations of different but linked problems, such as poor housing, poor health and lack of family support. Such problems contribute to social exclusion, to people becoming stuck and to the trap of poverty of opportunity.

As my colleague Karen Whitefield said, Westminster has played a key role—and will do so in the future—on issues such as child benefit, unemployment levels, which are the lowest for a generation, and future plans to deal with unemployment. Those plans were made clear in the Chancellor of the Exchequer's pre-budget statement the other day. The statement was slightly overshadowed in Scotland by what

happened in the Parliament, but it continued the social justice agenda by ensuring that pensioners will be better off and that winter fuel payments and child tax credits are continued. Further steps will be taken to ensure that rising employment is delivered through legislation for a new working tax credit. Welfare reforms will have a noticeable impact on the social justice indicators. From next year, that should be reflected in our targets.

Local government has a major role in achieving our goals. The nature of local government—it delivers education and care services—means that the social justice agenda must be at the forefront of local government policy. North Lanarkshire Council, whose area covers my constituency, has comprehensive social inclusion strategies for young people and the elderly, for example. The council has chosen to present information in a format that complements the targets and milestones laid down by the Scottish Executive. However, they highlight the difficulties in collating data at a sub-Scottish level. One third of the indicators are not available at a local level. The measures and information are not detailed enough. The Scottish Executive must refine the way that the figures are produced. We need more local information.

To conclude, the SNP's criticisms are typical. We should not be surprised. If the facts were as Kenny Gibson and Richard Lochhead highlighted them today, the land of independence would be flowing with milk, honey and oil. The nationalists do not see social justice as important. When one of their front-bench spokespersons was questioned recently in a panel about why she became involved in politics, her main reason was independence. There was no mention of what the SNP could do to improve the lives of everyday people. That is where the nationalists are; they cry from the sidelines without progressing in the right direction.

16:19

**Mr Keith Harding (Mid Scotland and Fife)**

**(Con):** I, too, congratulate the minister on his appointment. My commiserations go to Jackie Baillie. I have enjoyed our debates and jousts over the past year. I am delighted to see that Margaret Curran has survived. No doubt she will take us to task in her summing up, as she usually does.

Once again, the Scottish Executive has published a social justice annual report with limited evidence of action and that shows little genuine success for its policies in addressing the problems of the disadvantaged in Scotland.

I have based my speech on something that I said last year because Jackie Baillie did not listen—I hope the new minister will. Last year, I quoted Dr John Reid MP, in an attempt to appeal

to the then minister's better nature when I asked for a change in philosophy from the big government approach that is the basis of the social justice targets. In May 2000, Dr Reid, then Secretary of State for Scotland, talked of

"a new civic society based on opportunities and responsibilities ... It recognises that government cannot solve every problem, cure every ill. It understands that the state does not have a monopoly on compassion; that social needs can be met by institutions, organisations, and associations, autonomous of—and other than—central government."

In its policies and rhetoric, the Scottish Executive is all about big government and central control. Those policies may eventually achieve their self-selected targets, but they will not go to the heart of the problems of Scotland's less well-off communities.

**Iain Gray** rose—

**Mr Harding:** I am sorry; only an hour and a half has been allocated for the debate and I do not have long enough to take interventions.

Those policies will not go to the heart of the problems, because they work against community action and people who want to take responsibility for themselves, their families and their neighbours.

I will give some examples of centralisation. In education, the excellence fund directs council spending and reduces the valuable and successful local flexibility of devolved school management. In health, the Executive's control of the NHS by ministerial diktat has left a legacy of waiting list failure and demoralised staff. Our councils have seen more ring fencing and conditional funding and are forced to follow the Executive's, rather than local, priorities.

The Executive is failing to bring about a new civic society in Scotland—a natural precursor of and partner to social justice—because it has ignored Dr Reid's stated philosophy. The solution is to reduce the state's involvement and restore the role of personal responsibility and opportunity. We must devolve power to allow Scots to be involved in their children's education through autonomous school boards. We must give people choice and quality in the national health service by emphasising clinical priority and the decision making of clinical staff. We must put in place a welfare system that rewards thrift and responsibility, rather than the feckless. We must complete the housing stock transfer to give tenants, not politicians, control over their housing.

Giving people choice and allowing diversity brings the involvement that builds civic society. We should drop the meaningless and failing targets of big government and empower Scotland's best asset—its people—to build the sustainable solutions that we need.

**Mr Gibson:** On a point of order, Presiding Officer. Mr Harding said that he could not take interventions because he had only four minutes for his speech. He took only three minutes and seven seconds. Is it appropriate for a member to under-use his time and still complain that he has no time for interventions?

**The Deputy Presiding Officer:** That is not a point of order. It is entirely appropriate for Mr Harding to use the time as he sees fit.

16:22

**Andrew Wilson (Central Scotland) (SNP):** I challenge Kenny Gibson, too. The Conservatives have a key contribution to the debate: their silence. The more of it, the better.

The simple truth is that people cannot deliver on the core objective of social justice—the alleviation of poverty—unless wealth creation in society can be improved and wealth can be distributed equally. The creation of wealth is the only way of tackling absolute poverty and the redistribution of wealth is the only way of tackling relative poverty. Both are vital, and the devolution settlement is impotent to deliver both.

Devolution has created a demand for faster change, without equipping politicians, as elected representatives of the people, with the power to deliver. The outcome is a trajectory of relative decline in the wealth of our economy, compared with that of other countries, and a relative rise in inequality.

If the system cannot deliver, it is up to us as the representatives of the people to challenge the system. That is the point of independence, whether people like it or not. If we do not believe that the structures of government are equipped to deliver, it is our right to challenge the system. That is what the SNP seeks to do with the constitutional argument. We do not argue that point because of a constitutional abstract; we argue the point because we want to use the powers of a normal country to deliver on the social justice that everyone wants in Scotland.

**Cathie Craigie:** Will the member give way?

**Andrew Wilson:** No, thank you.

When Labour politicians such as Cathie Craigie take their minds away from their obsession with constraining the constitutional growth of Scotland and put them to delivering the system that can improve social justice, we might be able to step forward into a more coherent debate.

Labour members are complacent. They prefer to leave the growth of Scotland's economy and successful wealth creation to London—and to redistribute only at the margins—rather than to take charge of our own growth and wealth

creation.

**Cathie Craigie:** Will the member give way?

**Andrew Wilson:** No. Cathie Craigie has heard the point. Labour will not take charge of Scotland's wealth creation and distribute for Scotland. How can politicians seriously affect the level of social justice if they cannot affect growth and wealth? How can they affect the level of redistribution in our society through government if they cannot make key choices about the overall size of government and the level of government intervention in wealth creation?

We are on a low-growth trajectory. The level has been 2.1 per cent in the past three decades, compared with 2.4 per cent in the UK. If that simple, minor gap had been filled, every Scot would have the equivalent of £1,200 more in their pocket, which would be a massive boost to our ability to alleviate poverty. It is that low-growth trajectory in wealth creation that is damaging this country's ability to deliver.

Secondly, and more important, as a society we do not have the chance to make the adult, democratic choices about the role of government, how big government should be and how we will redistribute our wealth. The simple point is that devolution has none of the power to do that. At present, as members may be aware, the United Kingdom allocates roughly 40 per cent of its economic wealth through government, in some form of redistribution. That percentage is ahead of the United States, Korea and Turkey, but it is behind Germany, France, Canada, Austria, Belgium, Denmark, Finland, Greece, the Netherlands, Norway, Sweden, Switzerland and a host of other countries, most of which are also wealthy.

**Alex Johnstone (North-East Scotland) (Con):** Will the member give way?

**Andrew Wilson:** I will take the member's point if he keeps it brief.

**Alex Johnstone:** Andrew Wilson's notion of which country is ahead and which one is behind is quite the reverse of that of the majority of people who are concerned about the economic well-being of the country.

**Andrew Wilson:** The freshness of Alex Johnstone's mind is belied by the fact that he has entered the debate. The point is that all those countries, in terms of wealth created per head, outpaced the UK—which, incidentally, after 20 years of his lot and four years of Labour, is well down the league table. The UK is not a successful economy. Even within the United Kingdom, the level of economic inequality is much higher than that found across most of those European countries and social democracies, because they

are smaller states. We expect the Labour benches to recognise that, even if the Tories do not.

There is no correct figure to define the size of a state; it is a matter of democratic choice. Our argument today is that, through the Scottish Parliament, we should give the people of Scotland the right to make that democratic choice themselves. It is an abdication of responsibility to say that we will wait for good old Gordon to deliver. The evidence is that he will never deliver. Scotland must equip itself with its own powers. We need the choice to determine for ourselves how we are going to grow our economy faster and how we will redistribute the wealth within it. That is what we want to see in the Scottish Parliament. We have put our trust in the Scottish Parliament and in a Government; it is a shame that Labour and Tory members do not.

16:27

**Tommy Sheridan (Glasgow) (SSP):** It is indicative of the Tories' commitment to social justice that its principal speakers are not present for the debate, but return to the chamber for their contributions. The second speaker has left the chamber. He is not interested in engaging in the debate. The Tories' commitment to social justice is a nonsense. In 1979, the Tories inherited 5 million people who were living on the official poverty line. By the time that they left Government, the figure was 14 million. That shows the Tories' commitment to social justice.

The second point—

**Mrs McIntosh:** Will the member take an intervention?

**Tommy Sheridan:** Yes, I will take it. Unlike Lyndsay McIntosh, I am not feart.

**Mrs McIntosh:** I am delighted that everybody will now look at Tommy Sheridan's attendance in the chamber and at his commitment to all the other things that we debate.

**Tommy Sheridan:** I do not have a problem with Lyndsay McIntosh looking at my attendance in the chamber. Given that she is a principal speaker, I hope that she will stay for the rest of the short time that is left for the debate.

I asked the minister a question earlier. He did not give me an answer. I will ask him again and I hope that he will answer this time. He will be aware that the European Commission has urged all European Union countries to establish a minimum income table to show the minimum income below which anyone is living in absolute poverty. As far as I am aware, neither in Scotland nor across the UK do we have a definition of a minimum income. Will the minister tell us what he means by absolute poverty?

**Iain Gray:** As I said in my speech earlier, there are a number of different ways to examine and define poverty. Income is one of those ways. In the report, the central definition of absolute poverty measures income against a fixed baseline, which, in this case, is 60 per cent of the Great Britain median income in 1996-97. That figure is then uprated to remove the effects of inflation. The figure is a comparison with the median income across the country.

**Tommy Sheridan:** That is what I thought. What the minister described is a measure of relative poverty. He has not described a measure of absolute poverty, as he does not have one. The Scottish Executive should establish one—it needs a minimum income below which a person is in absolute poverty.

The task of central Government and of the Scottish Executive is clear. It is to tackle the single biggest problem that relates to poverty and inequality in this country, which is the distribution of wealth. The minister has not effected an improvement in the distribution of wealth. In fact, the Government's figures for income after housing costs show a 200,000 drop in the number of children in relative poverty. At that rate of improvement, it would take not 20 years to eliminate child poverty but 80 years. The reason for that is that while poverty has been almost static, the number of millionaires throughout the UK has doubled and there has been an increase in those at the top of the pile who have got richer and richer on the basis of the UK Government's stealth tax policy. The Government has moved away from progressive policy, and redistributes wealth through indirect taxes, which hammer the poor and the pensioners.

Challenging the SNP earlier, the Deputy Minister for Social Justice asked what that party would do. In an independent socialist Scotland it would be easy. We would own our wealth, oil, gas and electricity, and use those resources to effect a fundamental improvement in the living standards of ordinary men and women throughout the country. However, before we get there, why does the minister not abolish the council tax and introduce a fairer system of local taxation, based on income and therefore ability to pay, in order to improve directly the disposable income of our low-paid workers and pensioners? Why does he not abolish water rates and introduce a water tax that is based on income, and that therefore is progressive and will increase the disposable income of not only the low-paid and pensioners but benefit recipients. That is how the minister could effect an improvement in the disposable income of the poorest. That is the way in which, even with the limited powers of the Parliament, he could deliver social justice.

16:31

**Donald Gorrie (Central Scotland) (LD):** I suggest that we are asking the wrong question. There is a lot of good stuff in the report, some improvements have been made and the Executive and local councils have promoted many good projects. I am not trying to be critical; I am merely suggesting another approach.

We look around and see that a lot of people are poor. Being good-hearted people we think that that is bad and we should do something about it. The question we ask is, "What can we do to help you?" That is the wrong question. The question should be, "What can we do to help you to help yourself?" The top-down approach is endemic in Governments, even good-hearted ones. We have great schemes to improve education, health and housing in poor areas. That is all fine, but it does not go to the heart of the problem.

Why are there so many poor people in certain areas? What do they need and want to lift themselves up? It is the same with individuals and communities. It is partly based on a lack of trust. We do not trust poor individuals. We trust rich people such as bankers, who will put a lot of money into information technology stocks. Those collapse and we lose all of our money. The Parliament has an excellent additional pension scheme, which is entrusted to some people who have lost most of our money.

We trust that sort of person, but not poor people. We do not trust poor communities. We should ask how people can help themselves in a legal—or reasonably legal—manner. For example, we could persuade the banks to lend a lot of money to local credit unions, and similar bodies where there are not credit unions. The Executive could guarantee the interest on loans—so long as people satisfied the local credit union that they were trying honestly to do good things—for five years or so. We could encourage people to start using those loans and show a bit of enterprise. I am sure that there is as much enterprise in Easterhouse or Muirhouse as there is in Bearsden or Cramond, but the people do not get a chance. If we give them a chance, they may start in a small way and build up. Some of them will waste the money and some of them may be dishonest about it, but the project will take off and many people will start their own business or co-operative or whatever.

Something similar could be done in the voluntary sector. At the moment, we invent lovely schemes. We say that there must be a certain scheme in a certain deprived area to achieve a certain goal, and we ask voluntary bodies to bid for it. What we should do is trust the people in those voluntary organisations—youth groups, pensioners groups, enterprise groups or organisations helping disadvantaged people in different ways—and help

them with core funding. The lack of core funding in the voluntary sector is critical to the poverty problem in our less well-off areas.

We should help people to help themselves in those ways, rather than assuming that we have the answers. I do not have the answer. I do not even understand a lot of the problems. If people in deprived areas think that something else is a priority rather than what I think is a priority, that is good. They should get on with it. I hope that we can think about taking that approach, even if it is only in trial schemes, as well as the well-trying approach, which is well-meant and does a certain amount of good but which I think misses the target.

16:36

**Jackie Baillie (Dumbarton) (Lab):** The past few days have indeed been a time for reflection for many of us—for those who have left ministerial office and for those who are taking up challenging new portfolios. I genuinely welcome Iain Gray's appointment as Minister for Social Justice, not least because I count Iain as a friend, but also—and perhaps more important—because he has the ability and commitment to develop the social justice agenda.

As we reflect, it is not to the past that we look but very much to the future. We are united in our pursuit of social justice and in our passion for politics as a means of achieving fundamental change to heal the divisions in our society and to ensure opportunity for all the people of Scotland. Nowhere is that more significant than in our ambition to end child poverty.

Many members will know that I spent many years of my working life in some of the most disadvantaged housing estates in Glasgow and the west of Scotland. I saw at first hand what poverty does to children and to their families. It causes a huge disparity in life chances, massive health inequalities, lack of opportunity and very poor levels of educational attainment. Children who live in poverty are destined for later unemployment, lower earnings, higher mortality, alienation and disaffection, and a cycle of poverty and despair visits itself on successive generations.

Reversing that pattern is a formidable task. We inherited a rising trend, the Tory legacy of a staggering 34 per cent of children living in poverty. That figure is now down to 25 per cent in absolute terms and we are on course to having 100,000 fewer children in Scotland living in poverty.

We have long believed that having a strong economy and a strong society are two sides of the same coin. The economic stability achieved by the Labour Government at Westminster has enabled the promotion of social justice through initiatives

such as the introduction of the working families tax credit, record increases in child benefit, the new child tax credit and the proposals for a child trust fund providing all children with a capital asset that will help them to tackle poverty in later life.

It is all about putting more money into people's pockets, but it is important to recognise that poverty is not about income alone. I am glad that Andrew Wilson has returned to the chamber. I tell him that the SNP needs to get away from its obsession with the constitution and from the constant series of transitional demands on the road to the so-called nirvana of independence. The people of Scotland expect delivery now and that is what the Labour Executive is doing.

We need to tackle—

**Mr Gibson:** Will Jackie Baillie give way?

**Jackie Baillie:** No, I do not need to give way any more. Kenny Gibson can sit down. [*Laughter.*]

**Mr Gibson:** I do not remember Jackie Baillie taking any interventions previously.

**Jackie Baillie:** That was because Kenny Gibson had nothing new to say. It is worth his while to listen to what I have to say.

We need to tackle the poverty of ambition that exists in many families and communities. We need to improve their quality of life. In particular, we need to give children the best possible start in life. Three main factors affect children's opportunities: their family circumstances, environment and access to services. I welcome the fact that the Executive is working on all those fronts through a number of initiatives, from the sure start programme, which helps parents to develop parenting skills, to improving the environment with better housing and safer streets.

I was going to mention one other area of work, but I know the time and see the Deputy Presiding Officer looking at me under his bushy eyebrows. I will therefore wind up.

The key issue for Parliament is that every policy, action and spending commitment should underpin our determination to wage war on poverty and achieve social justice for everyone in Scotland. I will risk copying the minister by quoting John F Kennedy, who said:

"Our purpose is to defeat poverty ... and our goal is to ... influence history instead of merely observing it."

**The Deputy Presiding Officer:** Colin Campbell should give the briefest of snippets.

16:41

**Colin Campbell (West of Scotland) (SNP):** All members today have been of good intent and want to eradicate poverty and achieve social

justice. I spent four years of my career in Ferguslie Park in Paisley and 16 years in Easterhouse in Glasgow. I am fully aware of the difficulties that prevail in those areas and the lack of hope and opportunity that often characterises people's lives. I am in politics for that reason alone. I do not follow some chimera of independence simply because, when I woke up one morning, it seemed a good idea. Somewhere in my life, I awakened up and realised that being British was not working for the majority of people in the country in which I live. I joined the SNP for that reason alone.

I see Margaret Curran wants to speak, but I have only two minutes. I am sorry.

I realise that there is an intellectual debate or deep political debate, but we agree on 80 to 90 per cent in respect of the issue. We disagree on the means by which our objectives would be most readily attained. If Scotland were an independent nation, it would be the 10<sup>th</sup> richest nation on the Organisation for Economic Co-operation and Development list of rich nations, yet 30 per cent of our children are in poverty. I find that totally unsustainable. Independence would move up the speed with which we could address our people's problems. I cannot understand why the bright, intelligent people on the other benches—

**Ms Curran:** Name them.

**Colin Campbell:** That would be invidious and teachers do not do that kind of thing. I cannot understand why the bright, intelligent people on the other benches who wish to achieve the same ends as we do lack the nerve, vision and guts to take on board additional responsibilities and do what is normal, as other free nations do.

**The Deputy Presiding Officer:** I apologise to Elaine Smith, who again was not called. We are tight for time and I request closing speakers to tighten their speeches if possible.

16:43

**Mr Keith Raffan (Mid Scotland and Fife) (LD):** I congratulate the minister on his elevation. I hope that he will not be a total loss to the field of drug misuse in which he is much respected. I know that he will continue to show great interest in the issue, which figures in the annual report in his new portfolio.

I also congratulate Margaret Curran on surviving. We obviously had the debate on protecting our natural heritage just in time. That must have seen her through. I am sorry to see Jackie Baillie on the back benches, but she will both strengthen and grace them. She will be a significant loss to the voluntary sector. I will always remember her kindness and support when I was her rather junior opposite number covering social

inclusion, the voluntary sector and drug misuse. I am sure she will contribute forcefully and constructively to our debates.

Much has been said about the statistics and wealth of information in the reports. We are grateful to the Executive for that. However, they must be treated with caution. They are a guide to policy needs and resource allocation, but little more.

Milestone 25 refers to

"reducing the incidence of drugs misuse in general and of injections and sharing of needles in particular".

It says that there is some evidence of a decrease in the misuse of drugs, which highlights why we must handle the statistics with care. Just two weeks ago, the centre for drug misuse research published its national and local prevalence study of drug misuse. That study contained significant and disturbing figures. For example, its estimate of the number of injecting heroin addicts was 55,000, compared with a previous figure of just over 30,000. At the time, the Minister for Justice described those latest figures as the most robust that we had ever had. They are probably a more accurate basis for policy and resource allocation than the ones in the social justice annual report.

The other important statistics that perhaps back up those figures are those on the street price of drugs. Over the past five years—according to the UK Government's own figures—the price of class A drugs has dropped by between 20 and 40 per cent. If enforcement policy was succeeding and seizures were having an impact, those street prices would be going up. Frankly, enforcement policies are not working. We need far greater efforts to cut demand rather than supply. We need more emphasis and more spending on treatment, rehab and education. A whole spectrum of treatment should be available. I hope that the new Minister for Social Justice and the Deputy Minister for Justice—who I presume will take over from his predecessor in chairing the cross-ministerial committee on drug misuse—will bring about such changes. I welcome Richard Simpson's appointment to that post, to which he brings great experience.

The milestones are interrelated. Milestone 25 is related to milestone 10, which is to do with truancy—in other words, levels of unauthorised absence in primary and secondary schools. Those levels have shown a slight increase, which is relevant in that a far higher percentage of truants, compared to other young people of their age, get involved in drug and alcohol misuse. We must work harder to reduce truancy. There have been some good pilot projects—the project at Alloa Academy is an excellent example—that have brought about real improvement. Those projects

need to be adopted more widely.

Milestone 18 refers to the alcohol data and says that the figures are broadly constant. In fact, the only figures that are given are those for 1995 and 1998, which show that one in three men and 50 per cent of women consume more than 21 units of alcohol. The fact is that while there are about 55,000 heroin-injecting addicts in Scotland, there are probably more than 250,000 severe or chronic alcohol misusers. There is a large disparity between the spending per head on tackling drug misuse and the spending per head on tackling alcohol misuse.

We need to bridge that gap. For too long, alcohol misuse has been overshadowed by drug misuse. Drug misuse is the more sensational and newsworthy topic, but alcohol misuse is far more widespread and causes far more violence, particularly domestic violence. Drug misuse tends to result in theft, which is serious enough, but the problems that result from alcohol misuse are more widespread and serious. I was recently at a meeting of the DAAT—drug and alcohol action team—for Fife. I was very impressed by the meeting and its proceedings. However, I got the strong impression that alcohol was the poor relation in terms of emphasis and resources.

We await with eagerness the Executive's national plan on alcohol, which I understand is being published shortly. I hope that that will redress the imbalance in resources that I have referred to.

**The Presiding Officer:** I have just taken the chair and I am sorry, but you are way over time for your speech.

**Mr Raffan:** That is fine. I have come to a natural conclusion. Thank you very much. As usual, the issue is one of more resources.

16:48

**Bill Aitken (Glasgow) (Con):** We have this type of debate year in, year out like some monotonous, never-ending groundhog day. It achieves nothing.

In a gesture of perhaps uncharacteristic generosity I congratulate the Minister for Social Justice on his appointment. I congratulate the Deputy Minister for Social Justice on her survival, for the time being. I also congratulate Jackie Baillie on her real achievements during her time in office. I am sure that she will not be like Banquo's ghost, as Kenny Gibson suggested unkindly. A cherubic Lady Macbeth might be a more appropriate description.

**Andrew Wilson:** Is the member suggesting that the former minister has blood on her hands? That is an appalling suggestion.

**Bill Aitken:** I am certain that she has no blood on her hands at the moment, but give her a year or so.

On a more serious note, the annual report is absolutely worthless. I note that Lyndsay McIntosh described the document as "glossy, self-congratulatory nonsense". She was wrong; it is self-congratulatory nonsense with a matt finish. The fact is that, time and again, the Executive makes proposals that are not proposals. It makes recommendations that are not recommendations. It publishes targets that are meaningless. For example, Labour now seems to have a 20-year plan to achieve social justice. That is four times longer than the plans that the Minister for Education and Young People's role model, Joseph Stalin, used to make.

What will we achieve by debating a social justice annual report year in, year out? Let us consider some of the things that are in the annual report. I am one of the few people who actually read it. What we find is:

"Our long-term targets are to:

➤ Defeat child poverty in Scotland within this generation" and

➤ Reduce inequalities between communities"

What does that mean? The report goes on and on in that vein. As Lyndsay McIntosh said, any degree of realism is sadly lacking from the report. If it is to be worth while at all, the targets must be in the report. They must be definable, they must be measurable and they must have time limits.

**Mr Gibson:** What did the Tories do to eliminate inequality and poverty in the 18 years in which they were in office?

**Bill Aitken:** That is an interesting question. If we consider some of the figures—it just so happens that I have some of them here—we see that, during the 19 years of Conservative Government, by many of the criteria that are outlined in the annual report, things got better for the vast majority of those who lived in Scotland. What does Labour do?

**Jackie Baillie:** I have no blood on my hands.

If what Bill Aitken says is true, how come poverty reached an all-time high of 34 per cent under the Tories?

**Bill Aitken:** If we measure poverty by the criteria that applied in 1979 and continued until the Conservatives left office, we see that there was a material improvement in the living standards of people in the United Kingdom and Scotland.

Jackie Baillie's point will simply not wash. Predictably, she says that the Conservatives are to blame. Who ran the schools? Who ran housing?

Labour councils did. One contribution to the debate that I thought contained sound common sense was that from Donald Gorrie, who said that we should let people do things for themselves. That was perhaps Jackie Baillie's main achievement in her period in office. She introduced the Housing (Scotland) Act 2001, which will give people control of their housing. That in itself will be a meaningful contribution to social justice.

16:53

**Linda Fabiani (Central Scotland) (SNP):** When Wendy Alexander launched the tracking mechanism for social justice, she spoke in the foreword to the pathfinder document—"Social Justice...a Scotland where everyone matters"—about, among many other things, progressive politicians and vision. She said:

"Today, Scotland's Parliament and Executive should be no less ambitious in our time".

I will pay one tribute to Jackie Baillie: she was never quite as windy as Wendy was. That was much welcomed.

Donald Dewar said in the same document:

"The purpose of this report is to commit Scotland to a set of targets that can only be achieved if we follow them up by action and change."

Action and change are the point. What should have been a trailblazing document, a raft of policies to set Scotland on course to eradicate child poverty and a bonfire of inequalities has turned into a quagmire of inaction and a sad indication of the impotence of Labour's Scottish ministers. I do not believe that that comes from incompetence this time. It is because the power and influence that we need to make Scotland a socially just country have been retained by Westminster.

Scotland's ambitions are being ignored by the Government in Edinburgh. Once again, the little green book provides some perspective in its statement that, when setting targets, we have "to measure what matters". However, although we have the power to measure, we do not have the power to effect change. The document says:

"Delivering social justice will ... need a more effective rethink of how to allocate and use public budgets."

The Executive can think all it likes, but the most important budgets are controlled in London. All we have in Scotland is a gaggle of Labour ministers who are powerless in the face of forces that they cannot control.

The Executive might be quite happy to allow that to continue, but I am not. Like every member of the SNP, I came into politics to change the lives of Scottish people for the better. We know what

needs to be done and what needs to be changed to improve Scotland and we will work tirelessly to ensure that that happens.

I will even tell the Executive what it will have to do to improve Scotland. If it is truly serious about changing the face of Scottish society and if it really wants to make a difference to the lives of Scots from children through to pensioners, it must have the power to make such a change. As that power currently resides in Westminster, it has to be brought back to Scotland. The Parliament and Government must have the power to change taxation, alter benefits and revise employment law—and those are just the powers that are needed for social justice.

In short, Scotland needs to become a proper nation again. If we are to improve the lives of our people and lift children out of the poverty trap—and I do not mean by 1 per cent over four years, because goodness knows how long it will take us at that rate—and if we are to give our pensioners a decent standard of living and insist that families have enough to live on, we have to take back the power to legislate on those issues.

I will make it even more simple. Scotland must become a normal, independent nation state where we are free to make our own choices, to choose how we spend our money, and to decide what laws we make—indeed, where we have the freedom to be normal.

I know that the Executive does not have the vision to join us on that journey just now, but I also know that it will try to claim the credit for starting that journey once we arrive at our destination. The Executive has to get off its knees, dispose of the begging-bowl mentality and stop looking to London. It has to start standing up for itself and for Scotland. It was elected by the people of this nation to deliver for them, not to be the puppets of another Parliament. However, it has failed to deliver time after time and it will continue to fail as long as it cannot truly stand up for Scotland.

The Executive should be grateful to the SNP. This afternoon, we are giving the Executive a chance to begin to learn how to stand up. If it takes that opportunity and votes for the SNP amendment, it will have started learning. I ask members to support our amendment.

**The Presiding Officer:** I do not want to interrupt the minister, as I often have to do at this time of day. Members who have come into the chamber are really obliged to sit and listen to the wind-up speeches. I call Margaret Curran.

16:58

**The Deputy Minister for Social Justice (Ms Margaret Curran):** When I do the graveyard slot, I always feel like I am giving a lecture on poverty in a pub. Everyone is talking and no one is paying the remotest bit of attention. However, I will do my best to struggle on regardless. As many members have mentioned, there have been many changes to the ministerial teams. However, I feel that such debates are my groundhog day, as even this afternoon I am responding as usual to the same members.

We have had an interesting debate this afternoon. Indeed, one of the best speeches came—not surprisingly—from Jackie Baillie. I must put on record my very strong acknowledgement of Jackie's contribution to the social justice portfolio and indeed to the field in which she has such an outstanding reputation.

**Mr Gibson:** Many members have eulogised Jackie Baillie today. So why was she sacked? Was it because she failed in her job or was it because she failed to back Jack McConnell? Was it incompetence or cronyism?

**Ms Curran:** I have to repeat the same point that I make in every debate. SNP members just want to be frivolous and talk about personalities. We want to talk about the policies that will deliver for Scotland. Yet again, within seconds, I have cut across my own earlier commitment to remain calm and measured and have adopted my usual approach.

As I said, the debate was interesting. I want to respond to several points that were raised. Cathie Craigie made a very interesting point about the need to disaggregate statistics to ensure that we have the proper measures and know which levers to pull at a local level. We are committing resources to address that issue.

Karen Whitefield flagged up the difficulties in getting young people into work and higher education. I am happy to tell her that we are committed to examining the issue.

Robert Brown talked about his frustration at not finding some of the statistics on elderly people in this year's report. Those statistics should be in next year's report.

I want to address the details of the report, although much of the debate has been about the politics of social justice and how we can progress that debate, rather than the details of the policy.

We got the debate in the round. The Conservatives dodged responsibility for their abject failures in the past—that is not unusual. We also heard a clear exposition of why the SNP supports independence. That is certainly worthy. I understand that the SNP is the party of

independence for Scotland, and I recognise that Colin Campbell is sincere in his belief that Scotland should be independent and in his commitment to social justice in Scotland. That has never been my argument with the SNP. My argument is that the SNP has a responsibility to say what it would do with full governmental powers and what it would expect to deliver.

I say to Andrew Wilson that many SNP members are on record as saying that they are committed to making the Parliament work and think that the Parliament can deliver—albeit imperfectly according to their analysis. However, Andrew Wilson said that the Parliament can make no contribution to social justice. He should not have voted for the Parliament and should not be sitting here if he thought that it could make no contribution to social justice.

Mr Sheridan at least offered us the spectacle of mass nationalisation as the only answer to poverty. He wants to nationalise all the industries—that is his answer. He asked the SNP members whether they would do that to promote social justice, and I await their response with deep interest.

The SNP's key point was that the choice is between London—England—or Scotland. However, we Labour members work with our comrades in Great Britain to deliver our policy—it is not a question of either/or. If I had to put my family's security in the hands of a chancellor, I would choose Gordon Brown over Andrew Wilson any day.

**Linda Fabiani rose—**

**Ms Curran:** I am sorry, but I do not have time for interventions.

The nationalists try to tell us that social justice could be better achieved by divorcing Scotland from the UK, but the opposite is true. It is thanks to the economic stability that has been achieved in the UK by Gordon Brown that Labour is able to deliver reforms and initiatives to promote social justice. Nothing that Labour has achieved in the promotion of social justice—in either Westminster or Edinburgh—would have been possible without the economic stability that has come from dealing with debt, introducing the welfare to work strategy, tackling unemployment and social and economic failure and getting inflation and interest rates under control. We can deliver economic efficiency and a social justice agenda. We await any analysis from the SNP to indicate that it can do that as well.

Many members—notably Bill Aitken, in his winding-up speech—have said that we are making no progress. That flies in the face of a wealth of independent analysis and review. We know that the chancellor's budget changes since 1997 are

delivering for families with children. The average Scottish lone parent family is £1,100 a year better off in real terms as a direct result of the changes. The Government's modelled estimates for the reduction in the number of children in poverty have been independently verified and are widely accepted and acknowledged. For example, the Scottish Council Foundation recently described the effect of the five Labour budgets, in moving 100,000 Scottish children out of poverty, as a remarkable achievement. Commenting on this report, Professor Peter Kemp, from the department of urban studies at the University of Glasgow, stated:

"Although some might think that progress to date is modest, in fact defeating child poverty is something that will (as the PM noted) take a generation and can't be done overnight. The main thing at this early stage is that the indicators are moving in the right direction."

A key point that emerged in last year's debate, which I made a commitment to address—I think that Mike Rumbles articulated it strongly—was the need to integrate action on the rural affairs agenda. I am pleased to say that we are well into implementing the recommendations of the rural poverty and inclusion working group. I acknowledge the fact that we still have more to do, but we have disaggregated 10 social justice milestones for rural areas and we intend to progress that work.

The improvement in the employment of lone parents—from 42 per cent in 1997 to 53 per cent in 2001—is especially welcome. Helping parents, especially lone parents, to support their families is a key to ending child poverty. We understand how that helps the equality agenda. We announced a package of special support for child care costs for lone parents moving into further or higher education to enable them to get the qualifications that they need to earn enough to support their families.

In contrast to the situation in other European countries, employment rates for lone parents are low here. Perhaps surprisingly, they are even lower than those for mothers in couple households. We acknowledge that we have to turn that situation around and we are beginning to do that.

As Iain Gray said in his introduction, we are not being disingenuous but are telling the Parliament where we are not making progress. We intend to have a debate, not just in the Executive, in the Social Justice Committee or in the chamber but with the country and with all the key agencies that need to help us to deliver our policies.

We have made much progress in the delivery of the social justice agenda. The report gives us the focus for working together to tackle the biggest challenges. We are continuing to fine-tune our

policies and seek greater integration of all agencies and service providers. We are encouraged by the wealth of innovation and creativity and the sheer determination to make things work better on the ground. I can see that happening again and again across Scotland. It is now time to focus on what needs to be done. It is widely recognised that tackling poverty and social injustice demands action on a number of fronts. We have taken that determined and focused action across a range of levers to deliver systematic change and we have produced the detailed evidence by which we can be held to account by the Parliament and by the communities that Donald Gorrie talked about.

Social justice remains the underlying theme of the Executive. Our activities stretch across the Executive and we will report in detail to the Parliament. That is quite proper and is the best action that the Executive can undertake.

## Parliamentary Bureau Motions

17:06

**The Presiding Officer (Sir David Steel):** I call Euan Robson to move motion S1M-2481, on the suspension of standing orders for the purposes of the Scottish Local Government (Elections) Bill.

*Motion moved,*

That the Parliament agrees that Rule 9.5.3A of the Standing Orders be suspended for the purposes of the Scottish Local Government (Elections) Bill.—[*Euan Robson.*]

**The Presiding Officer:** I call Euan Robson to move motion S1M-2490, on the approval of statutory instruments.

*Motion moved,*

That the Parliament agrees that the following instruments be approved—

The Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No 10) (Scotland) Order 2001 (SSI 2001/406);

The Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No 11) (Scotland) Order 2001 (SSI 2001/420);

The Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No 12) (Scotland) Order 2001 (SSI 2001/423); and

The draft Budget (Scotland) Act 2001 (Amendment) Order 2001.—[*Euan Robson.*]

**The Presiding Officer:** I call Euan Robson to move motion S1M-2494, on the designation of lead committees.

*Motion moved,*

That the Parliament agrees that the Local Government Committee be designated as lead committee in consideration of the Scottish Public Sector Ombudsman Bill and that the Health and Community Care Committee and the Social Justice Committee be secondary committees.—[*Euan Robson.*]

## Motion Without Notice

17:07

**The Presiding Officer (Sir David Steel):** I am minded to accept a motion without notice from Patricia Ferguson on the membership of committees. The terms of the motion are the same as those of motion S1M-2495, which was set out in the Business Bulletin. Is it agreed that a motion without notice be moved?

**Members indicated agreement.**

*Motion moved,*

That S1M-2499 be taken at this meeting of Parliament.—[*Patricia Ferguson.*]

*Motion agreed to.*

*Motion moved,*

That the Parliament agrees that the following Members be appointed to Committees—

Tom McCabe and Des McNulty to replace Dr Richard Simpson and Mike Watson on the Finance Committee;

Sarah Boyack to replace Hugh Henry on the European Committee;

Susan Deacon to replace Patricia Ferguson on the Procedures Committee and on the Standards Committee;

Jackie Baillie to replace Cathy Peattie on the Education Committee;

Angus MacKay to replace Andy Kerr on the Transport and the Environment Committee;

Alasdair Morrison to replace Mary Mulligan on the Justice 2 Committee;

Alasdair Morrison and Irene Oldfather to replace Cathy Jamieson and Dr Elaine Murray on the Rural Development Committee; and

Tommy Sheridan to be appointed to the Equal Opportunities Committee.—[*Patricia Ferguson.*]

**The Presiding Officer:** I have a request from Michael Russell to speak to the motion.

17:08

**Michael Russell (South of Scotland) (SNP):** Political parties have an absolute right to allocate members to committees—I have taken part in that process myself. However, there is one change in the list in the motion that is contrary to the best interests of a committee. I have the permission of the person involved to say what I am going to say, although she may be embarrassed.

I did not vote for Cathy Peattie in this morning's election of the Deputy Presiding Officer, but she has been a distinguished vice-convenor of the Education, Culture and Sport Committee and has contributed an enormous amount, particularly in the cultural areas.

I know that the die is cast as far as this motion is concerned, but I point out to Patricia Ferguson that, if a contrary view were expressed by the time that the Education, Culture and Sport Committee meets next week and Cathy Peattie were to be allowed to remain in her position, the other members of the Education, Culture and Sport Committee—for whom I think I can speak on this matter—would be happy. Cathy has contributed greatly to what we do. For instance, she contributed some important information to our Scottish Ballet report, which we published today and in which she played an important part. In saying that, I am saying nothing against Jackie Baillie, whom I would be happy to see in the committee.

I make this statement in the spirit of cross-party co-operation and I hope that it is accepted in that spirit. I will not move against the motion, but I think that my point had to be made.

17:09

**The Minister for Parliamentary Business (Patricia Ferguson):** It is heartwarming to see Mr Russell's concern for a Labour member and I am sure that Cathy Peattie will treat his words with due regard. Obviously, this is an internal matter for the Labour party and is something that we will discuss with Cathy Peattie. It is not a matter for this chamber.

## Decision Time

17:09

**The Presiding Officer (Sir David Steel):** The first question is, that amendment S1M-2487.1, in the name of Peter Peacock, which seeks to amend motion S1M-2487, in the name of Tricia Marwick, be agreed to. Are we agreed?

**Members:** No.

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

**FOR**

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (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)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 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)  
 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)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Radcliffe, Nora (Gordon) (LD)

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)  
 Smith, Mrs Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### AGAINST

Adam, Brian (North-East Scotland) (SNP)  
 Campbell, Colin (West of Scotland) (SNP)  
 Canavan, Dennis (Falkirk West)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Elder, Dorothy-Grace (Glasgow) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Gibson, Mr Kenneth (Glasgow) (SNP)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Lochhead, Richard (North-East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McLeod, Fiona (West of Scotland) (SNP)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Paterson, Mr Gil (Central 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)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)  
 Wilson, Andrew (Central Scotland) (SNP)

#### ABSTENTIONS

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)  
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)  
 McLetchie, David (Lothians) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Mundell, David (South of Scotland) (Con)  
 Scott, John (Ayr) (Con)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Wallace, Ben (North-East Scotland) (Con)  
 Young, John (West of Scotland) (Con)

**The Presiding Officer:** The result of the division is: For 66, Against 34, Abstentions 15.

*Amendment agreed to.*

**The Presiding Officer:** The second question is, that motion S1M-2487, in the name of Tricia Marwick, on proportional representation in local government elections, as amended, be agreed to. Are we agreed?

**Members:** No.

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

#### FOR

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (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)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 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)  
 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)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 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)  
 Smith, Mrs Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### AGAINST

Canavan, Dennis (Falkirk West)  
 Harper, Robin (Lothians) (Green)  
 Sheridan, Tommy (Glasgow) (SSP)

#### ABSTENTIONS

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)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Elder, Dorothy-Grace (Glasgow) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Fergusson, Alex (South of Scotland) (Con)  
 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)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)  
 McLeod, Fiona (West of Scotland) (SNP)  
 McLetchie, David (Lothians) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Mundell, David (South of Scotland) (Con)  
 Neil, Alex (Central Scotland) (SNP)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Scott, John (Ayr) (Con)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Wallace, Ben (North-East Scotland) (Con)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)  
 Wilson, Andrew (Central Scotland) (SNP)  
 Young, John (West of Scotland) (Con)

**The Presiding Officer:** The result of the division is: For 66, Against 3, Abstentions 46.

*Motion, as amended, agreed to.*

*Resolved,*

That the Parliament notes the Scottish Executive's continuing commitment to the pledge made in its

*Programme for Government* to make progress on electoral reform, to the principles of renewing local democracy as set out in the Kerley report, including the importance of the member/ward link in local government, to the need to secure general consent and wide support for the system of electing local councils and to producing a timetable for further progress with urgency.

**The Presiding Officer:** The third question is, that amendment S1M-2486.1, in the name of Wendy Alexander, on the Scottish Transport Group pension scheme, be agreed to. Are we agreed?

**Members:** No.

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

#### FOR

Aitken, Bill (Glasgow) (Con)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Fergusson, Alex (South of Scotland) (Con)  
 Finnie, Ross (West of Scotland) (LD)  
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)  
 Gallie, Phil (South of Scotland) (Con)  
 Gillon, Karen (Clydesdale) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Harding, Mr Keith (Mid Scotland and Fife) (Con)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)  
 Johnstone, Alex (North-East Scotland) (Con)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 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)  
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)  
 McLetchie, David (Lothians) (Con)  
 McMahan, Mr Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)

McNulty, Des (Clydebank and Milngavie) (Lab)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Mundell, David (South of Scotland) (Con)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, John (Ayr) (Con)  
 Scott, Tavish (Shetland) (LD)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North-East Fife) (LD)  
 Smith, Mrs Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Wallace, Ben (North-East Scotland) (Con)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)  
 Young, John (West of Scotland) (Con)

#### AGAINST

Adam, Brian (North-East Scotland) (SNP)  
 Campbell, Colin (West of Scotland) (SNP)  
 Canavan, Dennis (Falkirk West)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Elder, Dorothy-Grace (Glasgow) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Gibson, Mr Kenneth (Glasgow) (SNP)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Lochhead, Richard (North-East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McLeod, Fiona (West of Scotland) (SNP)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Paterson, Mr Gil (Central 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)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)  
 Wilson, Andrew (Central Scotland) (SNP)

#### ABSTENTIONS

Marwick, Tricia (Mid Scotland and Fife) (SNP)

**The Presiding Officer:** The result of the division is: For 81, Against 33, Abstentions 1.

*Amendment agreed to.*

**The Presiding Officer:** The fourth question is, that motion S1M-2486, in the name of Fergus Ewing, on the Scottish Transport Group pension scheme, as amended, be agreed to. Are we agreed?

**Members:** No.

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

#### FOR

Aitken, Bill (Glasgow) (Con)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Fergusson, Alex (South of Scotland) (Con)  
 Finnie, Ross (West of Scotland) (LD)  
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)  
 Gallie, Phil (South of Scotland) (Con)  
 Gillon, Karen (Clydesdale) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Harding, Mr Keith (Mid Scotland and Fife) (Con)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)  
 Johnstone, Alex (North-East Scotland) (Con)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 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)  
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)  
 McLetchie, David (Lothians) (Con)  
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Mundell, David (South of Scotland) (Con)

Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, John (Ayr) (Con)  
 Scott, Tavish (Shetland) (LD)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North-East Fife) (LD)  
 Smith, Mrs Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Wallace, Ben (North-East Scotland) (Con)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)  
 Young, John (West of Scotland) (Con)

#### AGAINST

Adam, Brian (North-East Scotland) (SNP)  
 Campbell, Colin (West of Scotland) (SNP)  
 Canavan, Dennis (Falkirk West)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Elder, Dorothy-Grace (Glasgow) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Gibson, Mr Kenneth (Glasgow) (SNP)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Lochhead, Richard (North-East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McLeod, Fiona (West of Scotland) (SNP)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Paterson, Mr Gil (Central 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)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (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 81, Against 34, Abstentions 0.

*Motion, as amended, agreed to.*

*Resolved,*

That the Parliament notes that Scottish Ministers have secured from HM Treasury a substantial pay out for Scottish Transport Group Pension Scheme former

members despite the absence of any legal entitlement; further notes that any change to the amount to be distributed to former members is a matter for HM Treasury, and finally notes that the key remaining step is the winding up of the pension scheme, which is a matter for the scheme's trustees.

**The Presiding Officer:** The fifth question is, that amendment S1M-2492.3, in the name of Kenneth Gibson, on social justice, be agreed to. Are we agreed?

**Members:** No.

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

#### FOR

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

#### AGAINST

Aitken, Bill (Glasgow) (Con)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Fergusson, Alex (South of Scotland) (Con)  
 Finnie, Ross (West of Scotland) (LD)  
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)  
 Gallie, Phil (South of Scotland) (Con)  
 Gillon, Karen (Clydesdale) (Lab)

Godman, Trish (West Renfrewshire) (Lab)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Harding, Mr Keith (Mid Scotland and Fife) (Con)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)  
 Johnstone, Alex (North-East Scotland) (Con)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 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)  
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)  
 McLetchie, David (Lothians) (Con)  
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Mundell, David (South of Scotland) (Con)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, John (Ayr) (Con)  
 Scott, Tavish (Shetland) (LD)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North-East Fife) (LD)  
 Smith, Mrs Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Wallace, Ben (North-East Scotland) (Con)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)  
 Young, John (West of Scotland) (Con)

#### ABSTENTIONS

Harper, Robin (Lothians) (Green)

**The Presiding Officer:** The result of the division is: For 33, Against 81, Abstentions 1.

*Amendment disagreed to.*

**The Presiding Officer:** The sixth question is, that amendment S1M-2492.1, in the name of Lyndsay McIntosh, on social justice, be agreed to. Are we agreed?

**Members:** No.

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

#### FOR

Aitken, Bill (Glasgow) (Con)  
 Canavan, Dennis (Falkirk West)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Fergusson, Alex (South of Scotland) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Harding, Mr Keith (Mid Scotland and Fife) (Con)  
 Johnstone, Alex (North-East Scotland) (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)  
 Scott, John (Ayr) (Con)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Wallace, Ben (North-East Scotland) (Con)  
 Young, John (West of Scotland) (Con)

#### AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Harper, Robin (Lothians) (Green)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 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)  
 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)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 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)  
 Smith, Mrs Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### 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, 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)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McLeod, Fiona (West of Scotland) (SNP)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (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 16, Against 67, Abstentions 31.

*Amendment disagreed to.*

**The Presiding Officer:** The seventh question is, that motion S1M-2492, in the name of Iain Gray, on social justice, be agreed to. Are we agreed?

**Members:** No.

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

#### FOR

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Canavan, Dennis (Falkirk West)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (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)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jackson, Gordon (Glasgow Govan) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 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)  
 McMahan, 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)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 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)  
 Smith, Mrs Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

**AGAINST**

Adam, Brian (North-East Scotland) (SNP)  
 Aitken, Bill (Glasgow) (Con)  
 Campbell, Colin (West of Scotland) (SNP)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Elder, Dorothy-Grace (Glasgow) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Fergusson, Alex (South of Scotland) (Con)  
 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)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)  
 McLeod, Fiona (West of Scotland) (SNP)  
 McLetchie, David (Lothians) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Mundell, David (South of Scotland) (Con)  
 Neil, Alex (Central Scotland) (SNP)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Scott, John (Ayr) (Con)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Tosh, Mr Murray (South of Scotland) (Con)  
 Wallace, Ben (North-East Scotland) (Con)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)  
 Wilson, Andrew (Central Scotland) (SNP)  
 Young, John (West of Scotland) (Con)

**ABSTENTIONS**

Harper, Robin (Lothians) (Green)

**The Presiding Officer:** The result of the division is: For 67, Against 47, Abstentions 1.

*Motion agreed to.*

That the Parliament welcomes the Executive's publication of the *Social Justice Annual Report 2001*; notes the progress which is being made, and supports the work of the Executive, local government and other public agencies and the voluntary, community and private sectors in working together to deliver social justice in Scotland.

**The Presiding Officer:** The eighth question is, that motion S1M-2481, in the name of Tom McCabe, on the suspension of standing orders, be agreed to.

*Motion agreed to.*

That the Parliament agrees that Rule 9.5.3A of the Standing Orders be suspended for the purposes of the

Scottish Local Government (Elections) Bill.

**The Presiding Officer:** The ninth question is, that motion S1M-2490, in the name of Euan Robson, on the approval of Scottish statutory instruments, be agreed to.

*Motion agreed to.*

That the Parliament agrees that the following instruments be approved—

The Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No.10) (Scotland) Order 2001 (SSI 2001/406);

The Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No.11) (Scotland) Order 2001 (SSI 2001/420);

The Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No.12) (Scotland) Order 2001 (SSI 2001/423); and

The draft Budget (Scotland) Act 2001 (Amendment) Order 2001.

**The Presiding Officer:** The 10<sup>th</sup> question is, that motion S1M-2494, in the name of Euan Robson, on the designation of lead committees, be agreed to.

*Motion agreed to.*

That the Parliament agrees that the Local Government Committee be designated as lead committee in consideration of the Scottish Public Sector Ombudsman Bill and that the Health and Community Care Committee and the Social Justice Committee be secondary committees.

**The Presiding Officer:** The 11<sup>th</sup> question is, that motion S1M-2499, in the name of Patricia Ferguson, on the membership of committees, be agreed to.

*Motion agreed to.*

That the Parliament agrees that the following Members be appointed to Committees—

Tom McCabe and Des McNulty to replace Dr Richard Simpson and Mike Watson on the Finance Committee;

Sarah Boyack to replace Hugh Henry on the European Committee;

Susan Deacon to replace Patricia Ferguson on the Procedures Committee and on the Standards Committee;

Jackie Baillie to replace Cathy Peattie on the Education Committee;

Angus MacKay to replace Andy Kerr on the Transport and the Environment Committee;

Alasdair Morrison to replace Mary Mulligan on the Justice 2 Committee;

Alasdair Morrison and Irene Oldfather to replace Cathy Jamieson and Dr Elaine Murray on the Rural Development Committee; and

Tommy Sheridan to be appointed to the Equal Opportunities Committee.

## Audiology Services

**The Presiding Officer (Sir David Steel):** The members' business debate is on motion S1M-2436, in the name of Mike Rumbles, on digital hearing aids and a review of audiology services.

*Motion debated,*

That the Parliament notes that the Scottish Executive is conducting an audiology services review; recognises that many hard of hearing and profoundly deaf people are still provided with out-dated analogue hearing aids; is aware that new digital hearing aids can improve the quality of life for those who need them; realises that digital hearing aids are not widely available on the NHS in Scotland and are expensive to purchase privately; understands that the cost can be dramatically reduced by a system of bulk-buying; further notes that such a scheme has been introduced into 20 NHS hospitals in England, and considers that the Scottish Executive should make a commitment to provide digital hearing aids on the NHS in Scotland.

17:18

**Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** I thank the members of the Parliamentary Bureau for accepting my motion for debate. The issue is important to many people throughout Scotland. I take the opportunity to congratulate Mary Mulligan on her new appointment.

The background to the debate is that, some 18 months ago, I highlighted the problems faced by my constituents in West Aberdeenshire and Kincardine in obtaining digital hearing aids. Last year, the then Minister for Health and Community Care informed me that the aids were indeed available on the national health service. I soon found out that Grampian University Hospitals NHS Trust was unfortunately unable to fund them.

I asked the minister a parliamentary question about when the Scottish Executive expected digital hearing aids to be made available through the NHS in Grampian. The then Deputy Minister for Health and Community Care replied that the decision was for the health board. He said that the decision had to be taken locally, based on local priorities. He informed me that nine different types of digital hearing aids were available in Scotland through the health service. He invited me to submit any information that I had to his officials, who were at that time carrying out a survey of health boards and trusts to assess the situation.

Since then, I have continued to pursue the issue with ministers by lodging questions. On 1 November, I asked the then Deputy Minister for Health and Community Care—I see that Malcolm Chisholm is in the chamber—to give the same assurance that has been given to patients in England and Wales, who have received a pledge that they will have access to digital hearing aids

within the next three years. I believe that the same pledge will soon be given to patients in Northern Ireland.

I call on the Scottish Executive to implement the bulk-buying scheme that, in England, has cut the cost of digital hearing aids to the health service from about £2,500 to about £250. In answer to another written question on 9 November, the Scottish Executive confirmed the good news that the aids are now available through the national health service at prices ranging from £120 to £535, which is way below their private cost.

However helpful the minister is today, it is not satisfactory to know that, although the aids are available throughout Scotland, funding decisions by health boards must be made locally. That simply means that the aids are not available to those who need them.

I recently met Lilian Lawson, the director of the Scottish Council on Deafness. I believe that she is in the public gallery today, together with representatives of the Royal National Institute for Deaf People and several other groups with an interest in the issue. Lilian's organisation contacted every health board to ascertain the situation following Malcolm Chisholm's welcome £10 million boost to the NHS for community care earlier this year. The responses were less than encouraging. The worst was the response of Lothian Health, which said:

"No funding was invested specifically in hearing aids ... colleagues did not identify this as a priority need."

Grampian Health Board did not even reply, although in its defence I should say that the chief executive assured me on Monday that the board had not received the letter. The best response came from Highland Health Board, which confirmed that £100,000 was allocated for the purchase of digital hearing aids. However, the response from throughout Scotland has been completely inadequate and local health boards cannot be allowed to get away with that.

There is no doubt in my mind that audiology services throughout Scotland are neglected. The RNID survey shows that more than 400,000 people could benefit from hearing aids, while only 170,000 have them. One third of hearing aids are never or rarely used. There is an acute shortage of trained audiologists and inadequate funding to recruit and train more. Not everyone can benefit from, or even wants, a digital hearing aid, but the number of people who have contacted me to tell me the real difference that digital technology can make is astounding.

I want to focus now on waste. Yes, I said waste. I have just said that one third of hearing aids are rarely or never used. The Audit Commission, in its report of March last year, said that that happens

"because of the poor quality of aids and the advice given. This is due to a combination of poor technology, rushed fittings, patchy fitting skills and inadequate guidance and support for hearing aid users. This represents a waste of money, as well as excluding deaf or hard-of-hearing people from society."

This is a big social exclusion issue. I am sure that the minister will agree with the findings of the Audit Commission. However, it is not sufficient just to agree with the sentiments; we need action. Mary Mulligan and Malcolm Chisholm, that is where you come in. I acknowledge that the Scottish Executive is conducting an audiology services review, but it is not due to report for another 12 months. The ministers will surely agree that we cannot fall behind England, Wales and, as I hinted earlier, Northern Ireland.

It is not enough to say that local health boards must decide on their priorities. I acknowledge that there is great pressure on the health budget and that the minister may not be in a position to provide more funds for audiology services nationally, but I note the UK Government's intention to increase health spending, as announced yesterday by the Prime Minister. That will have consequences. All I ask is that, when the minister responds at the end of the debate, she will do what she can to address my points.

Of course I would like her to commit new funding, especially after the Prime Minister's announcement. However, if nothing else, I call for her to take action to highlight the importance of audiology services to the deaf and hard of hearing, and to make the importance of the issue clear to health boards, asking them specifically to reassess their priorities and take effective action. If we have a truly national health service, we cannot simply leave it to local decisions as to when, if ever, health boards go digital.

There are a great many people waiting for the minister to respond. I hope that Mary Mulligan will respond positively and that she will ask the health boards to take the action that is needed.

**The Deputy Presiding Officer (Mr George Reid):** I cannot extend tonight's debate, so I ask members to try to keep their speeches to three minutes.

17:25

**Cathie Craigie (Cumbernauld and Kilsyth) (Lab):** I congratulate Mike Rumbles on securing tonight's debate. As members will know, I convene the Scottish Parliament cross-party group on deafness. That group was launched following a successful members' debate last year. So many members were present at that debate that we agreed that it was an issue that we would be interested in pursuing. Since then, I am pleased to report that the group has made good progress on

many fronts in promoting the interests of deaf, deafened and hard-of-hearing people in Scotland.

I welcome the RNID's commitment to highlighting the issue of digital hearing aids; I have received several postcards from constituents. I wrote to Malcolm Chisholm on their behalf and was encouraged by his response.

The situation is not as black and white as it may seem. I understand that digital hearing aids offer help to those with mild or moderate hearing loss—they often work best for those who have a newly acquired light or moderate hearing loss. They do not suit all deaf or hard-of-hearing people and I have been told that many have felt let down by the hype. However, according to two of Scotland's leading audiologists, in 85 per cent of cases, digital aids are superior to current practices.

I understand that in Scotland there are more than 150 different models of hearing aid listed on Scottish contracts. Of those, there is a choice of 11 NHS digital aids, which are available at all sites throughout Scotland. In England, only 20 sites have a choice of only two NHS digital hearing aids. I understand that digital aids will not be generally available in England until 2002. I do not believe that we can say that all is good in England and that all is bad in Scotland.

If a deaf or hard-of-hearing person would benefit, a digital hearing aid should be available to them. However, it is clear that digital hearing aids are not the only clinical solution, nor always the most effective one. However, I am concerned that not all those who could benefit from one have access to a digital hearing aid. There is a mechanism to achieve that—through the good practice guidelines—but it is not clear that the resources are there to back that up.

I wrote to the chief executives of Greater Glasgow Health Board and Lanarkshire Health Board—those are the boards that cover my constituency—for information on the use of digital and analogue hearing aids in their areas. According to Greater Glasgow Health Board, it simply does not have the resources to implement the best practice guidance. The cost of implementing that guidance is estimated to be between £1.5 million and £2.5 million in the Glasgow area. That must be addressed.

I welcome the setting up of the audiology review working group and the work of securing an extension of the group's sub-group—the audiology needs assessment group. I am pleased that that now includes a member of the RNID, who is also a member of the cross-party group on deafness and is a deaf hearing aid user.

Last night, at the cross-party group's annual general meeting, we received a report on the work of the audiology review working group. The scope

of the review has been increased, which is a welcome development. Mike Rumbles mentioned the different work that is being done across Scotland and in the various health board areas. He mentioned Lothian Health as a health board that has a lot of catching up to do. However, last night, the work at St John's hospital in Livingston was brought to our attention. A sensory impairment centre was recently opened at the hospital. Members of the cross-party group highlighted the good practice of that department. I would like to see the good practice of St John's hospital rolled out across Scotland. The guidance from the Executive is well-intentioned, but firmer guidance must be given to local health boards to implement a policy that will improve audiology services for all deaf and hard-of-hearing people throughout Scotland.

17:29

**Mr Andrew Welsh (Angus) (SNP):** I welcome the new minister, Mary Mulligan, and hope that she soon settles into her new role.

I congratulate Mike Rumbles on securing the debate, and the RNID on its excellent work to highlight the situation with regard to digital hearing aids. As Mike Rumbles said, a great many people are waiting for a response from the Government. I hope that we get it.

The issue is quality of life. Like many members here this evening, the issue was brought to my attention by numerous letters and cards that I received from constituents. On their behalf, I wrote to Malcolm Chisholm highlighting the concern that, of the 170,000 hearing aid users in Scotland, only 0.6 per cent have access to free digital hearing aids on the NHS.

According to the RNID, most NHS hearing aids are based on technology that is 20 or 30 years out of date. In its report entitled "Fully Equipped" the Audit Commission went into more detail. It is worth quoting its findings:

"Reports suggest that a third of"—  
analogue—

"hearing aids are infrequently or never used because of the poor quality of aids and the advice given. This is due to a combination of poor technology, rushed fittings, patchy fitting skills and inadequate guidance and support for hearing aid users."

All that can be dealt with if there is the will to do it and the resources are provided. The report continues:

"This represents a waste of money, as well as excluding deaf or hard-of-hearing people from society."

That is at the heart of the debate. The report further states that digital hearing aids

"deliver superior performance, particularly in eliminating

background noise ... and can be programmed to meet individuals' specific needs ... Clinical trials have found that users with digital aids increase their use of the aid (from an average of 6 hours per day to 11 hours per day)".

Those are useful outcomes, and we should aim to assist them.

As has been said, in England the Government is taking direct action to address the issue. Already, 13,270 digital hearing aids have been fitted as part of its pilot project. Preliminary evaluation results look good with respect to hearing aid use and benefit compared with analogue aids. The difference that is made to people's lives cannot be overstated. The new digital technology allows people to live fuller and more independent lives.

In response to my letter, Malcolm Chisholm stated:

"digital instruments may not offer a significant improvement for all patients and as you will appreciate, each individual case must be a matter for the clinical judgement of the clinicians concerned."

Indeed, minister, digital hearing aids may not benefit all patients, but it is clear from the evidence of the RNID, the Audit Commission and those who currently are benefiting from digital hearing aids that digital hearing aids offer a significant improvement on the present situation.

The minister further stated:

"digital hearing aids would be supplied whenever clinical judgement indicates that they would provide benefit to the patient involved that would not be provided by other types of hearing aids."

If that were the case, undoubtedly more than 0.6 per cent of the 170,000 hearing aid users in Scotland would be making use of free digital hearing aids on the NHS.

For a relatively small price, the Government could improve the quality of life of a large number of Scots. It is time for the Executive to act and to give a firm commitment to digital hearing aids for all who require them in the NHS system. That is the sort of commitment that I want to hear from the minister at the end of the debate. I certainly hope that we will hear it.

**The Deputy Presiding Officer:** I repeat my warning that speeches should be closer to three minutes, please.

17:34

**Ben Wallace (North-East Scotland) (Con):** I apologise to Mike Rumbles, because after I deliver my speech I will have to leave the chamber because I have a doctors appointment at 6—we know how long we have to wait nowadays for one of those.

I congratulate Mike Rumbles on bringing the

subject to the chamber today. Coincidentally, about a month ago I had a letter from a constituent in the Bridge of Don. He was an ex-Scots Guard, and wrote to me and to his constituency MSP on the subject. He served with the Army for 30 years and then with the police in Aberdeen. His hearing has deteriorated recently, and he wrote to say that it had been recommended to him that he should get a digital hearing aid, but that it would cost him £1,500. However, such a hearing aid would cost less where his daughter lives in England, under one of the schemes there. He asked me questions that I ask the minister to answer: how can that be? Is that right?

The problems that are associated with digital hearing aids are nothing new. They are part of the problem of postcode prescribing, on which I would like to expand. Postcode prescribing has worsened in the past four years. Hearing aids join the list of items that are affected, such as beta interferon, gold for arthritis, Zyban and all the others. Many members find such problems being mentioned in their postbags. People do not understand why they cannot get the drugs or aid that they are told is available on the national health service. Where they live precludes them from receiving those treatments.

Health boards are squeezed by other pressures such as working time directives and health technology inflation, which rises faster than funding increases. In the end, certain patients lose out. In Grampian, people are penalised further by the Arbutnott formula, which does not recognise health boards' needs and does not work fairly. My constituents have reason to feel aggrieved because they are being missed out.

The Conservatives want the Executive to follow a policy that we proposed, which is the idea of an exceptional medicines fund. Such a fund would sit at the centre and would allow the funds for approved medicines and aid to be protected from other pressures that the health boards are under. That might be only a short-term solution to postcode prescribing, but we acknowledge that. I agree with Mike Rumbles's suggestion that bulk buying is a way in which to driving down costs. Abroad, digital hearing aids—even when they are acquired privately—do not have the same price tag as they do here.

I urge the minister to tackle the problem of hearing aids alongside the problem of postcode prescribing. It is simply not good enough to deny treatment to many people in society because of where they live. Because the public is informed about what is on offer, leaving it up to health boards to set local priorities is not a satisfactory answer. I thank Mike Rumbles for introducing the debate and I give him my full support.

17:37

**Robert Brown (Glasgow) (LD):** This afternoon, we debated the social justice annual report, one of the objectives of which is to ensure active, independent and healthy lives for older people. It is common sense that if people cannot communicate fully with others there is a considerable lessening of their ability to take part in ordinary everyday life. That is what lies behind the debate that has been brought so opportunely by Mike Rumbles.

In Mike Rumbles's speech we heard that there will not be a report on the audiology services review for about 12 months. I was told that that report would be available in September; 12 months sounds worse than that. Why cannot we ask the minister to reconsider the issue? Does it take that long to produce a review? Can we draw together the relevant people in the field and consider the need to encourage more people to become audiologists, who—after all—take a bit of time to train? Can we consider bulk buying? Can we pull together the strands of the issue and try to get an early decision?

The issue is not very complicated. Since the Parliament came into existence, reports have been instructed and awaited. Parliament is drowning in reports, but on such an issue we want reasonably urgent action. We might not be able to dot every i and cross every t, but if the matter progresses and some of the 170,000 people that Andrew Welsh mentioned benefit from the use of digital hearing aids, the advantage to society and to individuals who are currently unable fully to take part in society would be enormous.

Not everyone can be helped—we accept that. Some people need assistance in using the devices or in ascertaining whether they need them. In a situation in which one third of people who have hearing difficulties do not use the available devices, the waste that Mike Rumbles mentioned is substantial. Something must be done about that urgently as a health priority. People's ability to be involved in normal society and to communicate is important. I hope that the minister will take my comments on board and try to move the issue towards a decision earlier than the audiology services review promises.

17:39

**Stewart Stevenson (Banff and Buchan) (SNP):** I congratulate Mike Rumbles on securing the debate and I congratulate Robert Brown on reminding us that the debate is not really about digital hearing aids, but about people and how the lack of appropriate, available and affordable technology affects their lives. We should remember that nearly 750,000 people in Scotland are hard of hearing and that perhaps 500,000

might benefit from the technology that is the subject of the debate.

In my business career, blind people and deaf people worked for me. They were highly skilled graduates who worked in computer technology. The blind people coped very well, but the deaf people—who had the burden of not having a visible disability—found it much harder to deal with the world in which they had to operate. Therefore, deaf people and people who are hard of hearing require our support and encouragement.

Digital hearing aids have been available on the NHS for many years; many people would benefit from them, but only two health boards in Scotland prescribe them. As Mike Rumbles said, one of those health boards is Highland Health Board, which has a budget of £100,000 for audiology. I understand that that board prescribes such aids only for children and that it has yet to extend its support to the adult population, but provision for children is good practice. Fife Health Board is piloting a scheme and focusing on audiologists.

Disparity of provision puts many people at a severe disadvantage. A constituent of mine attended a clinic in Elgin—part of Grampian Health Board's area. She could not obtain a digital hearing aid, although her condition was assessed as being such that she would benefit from one. Other people at the same clinic, who were from Inverness, were in a different position, even though they had a similar condition. That represents postcode prescribing at its worst and we should do something about it. The pilot schemes that have been established south of the border show that such aids can improve people's hearing and quality of life.

I am lucky; my hearing is tested every two years as part of the renewal of my pilot's licence, and I can see the deterioration in my hearing every two years. Fortunately, I am not yet hard of hearing, although my wife suggests that I am hard of hearing from time to time. We hope that the Executive—which is clearly not hard of hearing—will not be hard of hearing.

17:42

**John Scott (Ayr) (Con):** I congratulate Mike Rumbles on initiating the debate. In my time as constituency MSP for Ayr, I have received my biggest mailbag on the issue that is under discussion; there is little wonder that that is the case. In Scotland, 720,000 people are deaf or hard of hearing. As has been said, 500,000 of those people would benefit from hearing aids.

It is a national scandal that fewer than 150,000 of those 500,000 people have hearing aids and that, of them, just over 0.5 per cent have digital hearing aids. To say that provision for the deaf is

significantly underfunded is a huge understatement. Not enough money, staff, training, or equipment is available to address the problem. That is why the debate is very important.

For a relatively small amount of money, the quality of many people's lives could be enhanced easily and quickly. Of the 500,000 people who need hearing aids, 350,000 are aged over 60. The neglect of the problem in Scotland is a form of agism that must be addressed.

In Ayrshire, 46,000 people are deaf or hard of hearing, yet the total budget to address their needs was only £393,000 in the previous financial year. I am well aware that that budget was overspent by £88,000 and that it required a top-up from the Scottish Executive, but the fact is that last year, only £481,000 was spent to serve the deaf people of Ayrshire. I will put that into perspective: that is only £10 per deaf person in Ayrshire, which is not a huge amount.

The debate must focus on the future, which means that digital hearing aids must replace analogue hearing aids. It is regrettable that there is in Ayrshire no NHS provision of digital hearing aids—not even for children—yet more than 13,000 digital hearing aids have been fitted in England. The RNID is firmly of the opinion that they must be used in Scotland. That is why I believe that, in the Parliament today, we must agree firmly that the current policy is agist, that it lags behind England and Wales, that the time for talking has passed and that the time to invest in solutions is now.

That is why the Parliament might want to agree today that some of the £86 million that was allocated by the chancellor on Tuesday to public services in Scotland should be spent on audiology. A very small part of that money would make a huge difference to almost half a million people in Scotland. I urge the Executive to consider carefully that proposition.

17:45

**Nora Radcliffe (Gordon) (LD):** I congratulate Mike Rumbles for highlighting, through the debate, the issue of the cost to the individual of a digital hearing aid that must be purchased privately.

Digital hearing aids could and should be available on the NHS to all who could benefit from one. In England, through bulk buying, the cost of a digital hearing aid has been reduced from a four-figure sum to about £150. Surely we can do likewise. At the moment, it is possible to get a digital aid in Scotland if one is lucky enough to live in an area in which such aids are provided on the NHS. My constituents in Gordon, in common with many others throughout Scotland, are not so fortunate.

My Westminster colleague, Malcolm Bruce, is the UK vice-president of the National Deaf Children's Society. Malcolm is a long-term campaigner for service provision for deaf people. He knows at first hand the difficulties and service shortfalls that such people encounter because his first daughter was born deaf. In September, Malcolm Bruce and I wrote jointly to Susan Deacon about the necessity for increasing investment in audiology services and for eliminating regional variations in digital hearing provision. Some aspects of her response encouraged us.

She mentioned the Executive's review, which will have input from RNID Scotland and service users. The review will, we hope, be the basis for considerable improvement in services. Susan Deacon also mentioned the "Good Practice Guide on Adult Hearing and Fitting Services", which was issued in March. The guide recommends that digital aids should be supplied when clinical judgment indicates that they would be beneficial. She informed us that 11 different forms of hearing aid are currently included in the national health service in Scotland's contract range. Susan Deacon also said that the Executive is monitoring actively the extent to which good practice guidance is being implemented in the NHSiS.

Today's debate is a good opportunity to put forward the facts and figures about digital hearing aids in our areas and the experiences of our constituents. I am sure that our new Minister for Health and Community Care will find that feedback useful, and that progress will result.

I would like to raise two other matters. The first is the shortage of trained staff. I would be interested to know whether the Executive plans to support the introduction of a degree course in audiology in Scotland, because there is not such a course in any institution in Scotland. That would surely have an impact on the ease with which trained staff could be recruited when they are needed north of the border. When specialist skills are in short supply, there is no reason why newly trained people should have to move far from the area in which they have trained, which will have become an area that they know, in which they might have accommodation, in which their friends stay and where their partners have jobs.

I also want to highlight the importance of deaf-awareness training for staff. I have been appalled by the experiences of deaf and hard-of-hearing friends in hospitals. People who work in a hospital setting—of all sectors of society—should understand the importance of knowing whether a patient is deaf or hard of hearing. It is also important that staff take that fact into account in the way in which they communicate. In a hospital, a patient's failure to communicate or to realise that

they have not been heard or understood could, in some circumstances, be a life-or-death mistake.

As I said, I hope that the minister is getting stimulus from the debate to move matters forward on the provision of services for deaf people.

17:49

**Ms Sandra White (Glasgow) (SNP):** I thank Mike Rumbles for securing this debate. I also welcome Mary Mulligan to her post.

I fully support Mike Rumbles's motion for the Executive to make a commitment to provide digital hearing aids on the NHS. That is long overdue. For too long, audiology services and the deaf have been sorely neglected by Scottish society.

Mike Rumbles mentioned that people had written to MSPs; I am sure that, like me, he has a pile of correspondence. I received copies of questions that constituents had put to the Government, the latest of which is dated 23 November. One of the questions was about pilot schemes. As we all know, the answer given was that pilot schemes operate down south, in England. I ask the minister why schemes have not been set up in Scotland.

Another question concerned the central purchasing of digital hearing aids, which has already been mentioned. The answer that we received was that central purchasing has been possible since June 1999. Why is the option not being taken up? A third question concerned free digital hearing aids from the NHS. The answer that we received was that they were already available free. Why is that option not being taken up? Two speakers—Mike Rumbles got it right—indicated that the problem lies with health boards. That is a big problem.

When members from all parties lodge questions on this issue, the answer that they receive is always, "It is up to each individual health board." I think that the Parliament must say to health boards, "It is time that you gave out digital hearing aids. Go into bulk purchasing. Give them out free." In written answers Susan Deacon indicated that digital hearing aids are available free, that it is possible to bulk-buy and that pilot schemes are on-going. It is high time that we and the Executive told the NHS, "It is time that you took your finger out and got on with it. The hard of hearing in Scotland are fed up waiting."

I hope that the Deputy Minister for Health and Community Care responds to some of those issues. We pussyfoot about too much with trusts and the NHS in Scotland. It is time that the Parliament exercised some authority and gave deaf people in Scotland what they deserve—better digital hearing aids.

17:51

**The Deputy Minister for Health and Community Care (Mrs Mary Mulligan):** I thank members for their kind words and congratulate Mike Rumbles on securing a debate on this topic, which is of considerable interest to many MSPs. If the debate had happened last week I would probably have been sitting beside him. However, as they say, a week is a long time.

I would like to spend a little time filling in some of the background to this issue. In March 2001 we provided NHS boards and trusts and GPs with good practice guidance on hearing aid fitting and services. That guidance was commissioned from the Medical Research Council Institute of Hearing Research and contains recommendations for good practice drawn from the results of research. It was intended that it should be used as a framework for service provision. That framework took account of the wider aspects of the service, such as follow-up assessments and rehabilitation support, and emphasised that this was not a simple technical matter of hearing aid provision.

Members should note that we issued the guidance because we had concerns about a lack of consistency of provision across Scotland. Ben Wallace made a point about that. Changing clinical practice can sometimes take time, so we are actively monitoring the progress of health boards in taking on board the guidance. In fact, the chief executive of the NHS in Scotland has written to the chief executive of each NHS board to ask how it is complying with the guidance. Once we have received all the replies we shall decide what further action to take to ensure that the guidance is followed.

**Mr Rumbles:** How recently did the chief executive write?

**Mrs Mulligan:** I can say only that he wrote fairly recently. If Mike Rumbles wants a specific date I will get back to him. We are awaiting the replies, which will give us a fuller picture of what is happening.

We want and expect further progress to be made. We all want a good hearing service and we need to accept that there are many different aspects to that. Hearing aid selection is just one of those. In Scotland, a wide range of digital and analogue hearing aids is available. Eleven types of digital aid are available on the NHS through Scottish healthcare supplies. As a result of bulk purchasing, the costs associated with digital hearing aids are much more reasonable than those sometimes quoted. In Scotland the costs range from £120 to £535. That price range overlaps with that of analogue aids.

Not all analogue aids available on the NHS are cheaper than digital aids, so it is not simply a

question of the cost of the hearing aid. The use of digital aids has increased over the past two and a half years, since we first established a central supplies contract for digital aids.

As has been said throughout the debate, usage increased from 0.5 per cent to 0.6 per cent within a year. This year the figure has already doubled to 1.4 per cent. I am sure that we all want that figure to increase further if that is the right way to go, but we must ensure that provision of hearing aids depends on the individual's needs.

Our guidance to health boards makes it quite clear that only where clinical assessment shows that only a digital device will meet the needs of a patient should they get one. I have deliberately used that phrase because, as members know, there is some dispute about how many people would really benefit from digital aids. We recognise that digital aids can be the best option in certain situations, but we do not have the evidence to show that they are the answer to all hearing impairment.

Clinicians are divided. Some believe that digital hearing aids are the best option for everyone, but others believe that analogue aids do the job just as well. In fact, many of the analogue aids now issued by health boards are very sophisticated. They are not the outdated aids that have been referred to.

This evening the pilot project in England has been mentioned. As I said, there is uncertainty throughout the United Kingdom about the benefits of digital aids. When the National Institute for Clinical Excellence conducted an appraisal of digital versus analogue aids, it failed to identify any significant differences between high specification analogue aids and certain digital aids. As hearing aid services in England were seen as old fashioned, the Department of Health in England initiated a modernisation programme that included a pilot project at 20 NHS sites. *[Interruption.]* I am sure that the fireworks that we can hear are not intended especially for this debate. It is important to emphasise that the English project is a pilot project and that it does not cover the whole country. As I said, 20 sites have been identified.

The pilot project is not yet complete, but when it is the results will have to be independently evaluated by the Medical Research Council before any of us can be sure what conclusion to draw from them. The purpose of the pilot is to find out whether providing digital aids for all is the right way forward.

**Ms White:** As the minister says, a pilot project is being conducted at 20 sites in England. Would not it be beneficial to set up a pilot scheme here in Scotland? What is the Executive's view on that?

**Mrs Mulligan:** One of the advantages of still being part of the United Kingdom is that we can share knowledge across boundaries. The English pilot project has already been set up and is in operation. We will therefore have an early opportunity to examine its results.

We believe that it is important to look at the broader picture. To that end, we have commissioned a thorough review of audiology in NHS Scotland. The review has a broad remit and will be able to consider all the issues that are important to people with a hearing impairment. It will provide us with an informed, objective basis for decisions.

The review has already established the level and distribution of hearing impairment in Scotland and the extent to which that pattern is reflected in patient referrals. Separate working groups are examining issues affecting adults and children. Those groups will meet two or three times between now and the beginning of January to develop the detail of user perception surveys and to take on board the views of a wide range of stakeholders. Work on gathering together relevant national and international standards is nearly complete.

In the area of deafness, the review will take account of the results of the English pilot project. It will certainly consider hearing aid provision, but the entire procedure will come under scrutiny, not just the issue of analogue versus digital hearing aids.

The RNID, the Medical Research Council, the Public Health Institute for Scotland, and the Clinical Standards Board for Scotland are all working with us to deliver the review of audiology services in Scotland. We feel that that is the right approach and that it will enable us to ensure that the needs of patients are properly addressed.

I do not know whether there are plans at the moment for an audiology degree course in Scotland, but I will be more than happy to respond to Nora Radcliffe's inquiry when I have that information.

The issue at stake this evening is not whether patients receive a digital hearing aid or some other type of aid. The important issue is whether patients' hearing impairment is satisfactorily dealt with and whether the type of hearing aid provided is provided as the result of a clinical decision based on each individual's needs.

I hope that Mike Rumbles accepts that guidance on provision has been issued and that we will seek to ensure that there is a thorough review of how that is being implemented.

*Meeting closed at 18:00.*

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