

# **MEETING OF THE PARLIAMENT**

Wednesday 5 December 2001  
(*Afternoon*)

Session 1

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## Scottish Parliament

*Wednesday 5 December 2001*

*(Afternoon)*

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

### Time for Reflection

**The Presiding Officer (Sir David Steel):** To lead our time for reflection, I welcome Mr John Scott, of the Christian Scientists.

**Mr John Scott (Christian Science Committee on Publication Scotland):** Thank you for the invitation.

At the heart of the work that the Parliament is doing is an overriding sense of care: a sense of care for the needs of all of us who live in Scotland. That is evident in the legislative work that the Parliament undertakes, from consideration of the Adults with Incapacity (Scotland) Bill to consideration of the Regulation of Care (Scotland) Bill itself. In every instance, care and compassion for the individual is the Parliament's primary concern. I say that because I have felt it in my own brief contacts. As committee members who create the legislation, members have shown willingness to respond, warmth and courtesy—in short, a real sense of care.

I have dwelt on the sense of care at the heart of our devolved Government because, since the events of 11 September, our lives have been shaped by a global dimension of care. Our mental landscape has changed for good. Those events have been forcing us to think more caringly of our neighbours everywhere—of those of different religious backgrounds or none. As concerned citizens, we are reaching out more sympathetically to those around us. In essence, the need to love our neighbour is now paramount.

At the same time, we have been looking more than ever before for answers beyond ourselves, in a spiritual dimension. We ask:

"Have we not all one Father? Hath not one God created us?"

Those words come from the book of Malachi in the Bible. However, the rhetorical question:

"Have we not all one Father?"

is implicit in all the monotheistic religions.

The person who discovered and founded Christian Science over a century ago, Mary Baker Eddy, wrote:

"God is universal, confined to no spot, defined by no dogma, appropriated by no sect."

That must be true of our search for a more inclusive sense of peace, a more inclusive sense of care and a more inclusive sense of family.

In common with all Christians, Christian Scientists turn to the Lord's prayer. We are also encouraged to include a short prayer, which is simply called "The Daily Prayer". As all here are committed to government in a wide sense and to the need to express more care for others, I will close with this prayer:

"Thy kingdom come;" let the reign of divine Truth, Life, and Love be established in me, and rule out of me all sin; and may Thy Word enrich the affections of all mankind, and govern them.

## Points of Order

14:34

**John Scott (Ayr) (Con):** On a point of order, Presiding Officer. Have you received any notification that the Minister for Health and Community Care or one of his deputies might want to make a statement on the current crisis facing the Beatson oncology centre where the situation is deteriorating almost hourly? You will be aware that the Beatson is now seriously understaffed and that its ability to deliver a competent service to 60 per cent of the Scottish population is being called into question. It is a matter of great public concern, and that is why I seek a statement from the minister or one of his deputies.

**The Presiding Officer (Sir David Steel):** I understand your concern. I am aware that the minister is visiting the unit today. I note that there are questions in tomorrow's business bulletin on which supplementary questions on that issue would be in order, and I expect to call them. However, I have had no request as yet for a minister to make a statement on the matter.

**Nicola Sturgeon (Glasgow) (SNP):** Further to that point of order, Presiding Officer. You will be aware that I lodged an emergency question this morning on the crisis at the Beatson oncology centre. You declined to select that question, as you are entitled to do. However, given the fact that the crisis has deepened considerably since the deadline for lodging questions for tomorrow's question time, given the importance to Scotland of the Beatson oncology centre, as the cancer centre that serves 60 per cent of Scotland's population, and given the fact that ministers should be accountable to this Parliament as well as making visits to the centre in question, may I respectfully ask you to reconsider your ruling?

**The Presiding Officer:** The answer is no, you cannot. I have considered the matter carefully. Let me make it clear that, when I decide on emergency questions, my decision does not reflect in any way the importance or urgency of the issue. The standing orders make it quite clear that I must be satisfied that the question is sufficiently urgent to be answered that day. I have taken into account what is set down for tomorrow. Because the minister is visiting the unit today and because there are questions in the business bulletin for tomorrow, there will be an opportunity for the Parliament to call ministers to account tomorrow. As the length of time that I allow for any question is a matter for my own discretion, I take due note of the importance of this issue. I have no knowledge of any statement that may be made, but members will have a chance to ask questions on the matter tomorrow.

## Gypsy Travellers and Public Sector Policies

**The Presiding Officer (Sir David Steel):** The next item of business is a debate on motion S1M-2439, in the name of Kate MacLean, on behalf of the Equal Opportunities Committee, on the committee's inquiry into Gypsy Travellers and public sector policies. I invite all members who want to take part in the debate to press their request buttons now so that I can work out a batting order. I have pleasure in inviting Kate MacLean to open the debate.

14:37

**Kate MacLean (Dundee West) (Lab):** I welcome the opportunity to bring this debate to the chamber this afternoon. I begin by thanking Delia Lomax, adviser to the Equal Opportunities Committee for the inquiry. I also thank members of the committee, past and present. We have had quite a few changes in membership, so a lot of people have been involved in the inquiry. I think that some former members of the committee will be speaking in this afternoon's debate, which is good. I thank members of the committee clerking team, who put a tremendous amount of work into the report. I also thank all the individuals who gave written and oral evidence to the committee.

In particular, I thank the young Gypsy Travellers who came to give evidence to a special meeting of the committee, and the Gypsy Traveller families who welcomed us into their homes and spoke to us frankly about the discrimination and hardship that they face on a daily basis. They did so in spite of the fact that they had no reason to believe that the inquiry would be any more noteworthy than the numerous studies and inquiries that have been conducted in the past but which have made no significant difference to their lives.

I would like to say a little about the background to the inquiry, which demonstrates the accessibility of the Parliament and, in particular, of the committee structure. The issue of discrimination against Gypsy Travellers was first brought to the attention of Michael McMahon, the reporter on race issues, by a letter from an individual Traveller early in 2000. The full committee initially heard evidence from organisations that represent Gypsy Travellers and from individual Gypsy Travellers. We were so concerned at what we heard that we decided to appoint an adviser and conduct a full inquiry to ascertain the level at which public sector policies discriminated against Gypsy Travellers.

The inquiry itself took nine months. We received 75 written submissions from a wide range of organisations and individuals, including local authorities, health boards, voluntary organisations

and Gypsy Travellers themselves. We heard oral evidence from 39 witnesses from 17 different organisations. As well as hearing evidence in Edinburgh, committee members visited sites throughout Scotland to hear evidence from site residents.

In addition, in what was generally regarded as an innovative way of completing the consultation process, we held a civic participation event in the chamber. It involved those who had given evidence to the committee, as well as MSPs and civil servants from various departments. That enabled all those who had given evidence to comment on the Scottish Executive's response and inform the debate today. The outcome of the event was an overwhelming endorsement of the committee's report. There were also recommendations to improve communication and establish multi-agency approaches to service development and provision.

Following that, the committee published its report in June 2001. The report contains 37 recommendations, which can be broken down into a general recommendation about status—which I will return to—and four broad areas of service delivery. I will outline those areas, but other members of the committee will cover them in more detail.

The first area relates to accommodation. The report covered a range of issues relating to the standards and location of accommodation, on-site facilities, the management and cost of local authority and private sites and the lack of facilities for roadside encampment. One issue related to the definition of "home" in housing legislation, which denies Gypsy Travellers the right to tenancy succession and accruals of discount, and the opportunity to have mixed tenure through stock transfer in the same way that local authority tenants in the settled community have.

On education, worrying evidence highlighted key areas of difficulty in accessing services for Gypsy Traveller children and in the management—or lack of management—of interrupted learning. Poor provision of pre-school and special education, transport difficulties and lack of flexibility in cultural awareness were discussed. Last but not least, evidence highlighted the intolerable levels of bullying and harassment that Gypsy Traveller children experienced at school. That was starkly highlighted by a recent Save the Children report, which indicated that almost 80 per cent of Gypsy Traveller children do not receive much formal secondary education. The most worrying evidence that the committee heard was given by young Gypsy Travellers themselves. All stated that, in the light of their own experiences at school, if they had children, they would not send them to school.

On health and community care, institutional

discrimination was identified as an issue in health service provision. There were examples of poor staff attitudes, GP practices refusing to register Gypsy Travellers and a general refusal of treatment throughout the medical service. There were examples of good practice, but they were few and far between. From the evidence that the committee took on health issues, it should not have surprised us that the life expectancy of Gypsy Travellers is low. However, we were shocked to hear that life expectancy is only 55 years old, the same as that in this country in the 1930s.

On police and criminal justice, key issues were raised about frequent site visits for checks on property and vehicles. Those were much more frequent than in a settled community. There was a lack of awareness of Gypsy Travellers' lifestyles and culture and there were complaints of intimidation and threatening attitudes during evictions from roadside encampments. Over-policing of Traveller communities and a lack of liaison with other statutory agencies were also identified as issues. As I said, other committee members will cover those areas in more detail.

I will make some brief comments on the Executive's response to recommendation 2 of the report, which the committee found to be disappointing in general. Recommendation 2 states:

"All legislation and policies should be framed on the understanding that Gypsy Travellers have distinct ethnic characteristics and should therefore be regarded as an ethnic group, until such time as a court decision is made on recognition as a racial group under the Race Relations Act 1976."

The Scottish Executive's response was:

"The Scottish Executive is committed to equality of opportunity for all. Working within the broad definition of equal opportunities in the Scotland Act 1998 and as part of its mainstreaming equality approach, the Scottish Executive will look to build Travellers as a group in its own work."

That answer probably typifies the Executive's responses, which seem to fall into two categories: the problem is somebody else's responsibility, such as the local authorities' or the health boards', or the issue is already covered by or will be covered by a Scottish Executive policy. If it is covered, it is obvious that the policy is not working, because Gypsy Travellers are facing discrimination in every area of public service delivery.

It is bizarre that Irish Gypsy Travellers have the protection of being recognised as a distinct ethnic group for the purposes of the race relations legislation while travelling in Scotland, but that Scottish Gypsy Travellers do not have the same protection. I urge the Scottish Executive to afford Scottish Gypsy Travellers the same protection and

dignity of being treated as an ethnic group in their country.

Last Friday, I attended the "Equal Futures" conference in Glasgow, during which secondary school children asked questions of MSPs—Linda Fabiani, Robin Harper and Jamie McGrigor also attended. Facing schoolchildren can sometimes be daunting because it is more unpredictable than speaking to conferences involving adults. There were lots of good questions, but one question that received warm applause from the children was asked by a young Gypsy Traveller who wanted to know why the Scottish Executive would not agree to the recommendation to recognise the ethnic status of Gypsy Travellers in Scotland. It seems strange that a roomful of school kids can recognise the merit of that when the Scottish Executive does not. I could not answer the question because I do not know why the Scottish Executive will not agree to the recommendation or why the Executive's response is not more positive. I hope that, in responding to the debate, the minister will give a commitment to review the Executive's position on the issues that have been raised.

I have 20 minutes, but as many members want to speak, I am happy to cut my remarks short. The Equal Opportunities Committee invested a great deal of time and commitment in the inquiry. More important, the Gypsy Traveller community in Scotland invested a great deal of hope in the inquiry. On behalf of the committee, I urge the Scottish Executive to take a leading role in tackling the widespread discrimination that is experienced by Gypsy Travellers. The committee is determined to proceed with the issue and I hope that that can be done in partnership with the Executive. We are determined that the report will not be allowed to gather dust on a shelf. I hope that that determination will be seen not as a threat to the Scottish Executive, but as a promise to the Gypsy Traveller community in Scotland.

I move,

That the Parliament notes the 1st Report 2001 of the Equal Opportunities Committee on the *Inquiry into Gypsy Travellers and Public Sector Policies* (SP Paper 356).

14:47

**Mr Kenneth Gibson (Glasgow) (SNP):** I am pleased to be able to speak in the debate.

In the report of the Equal Opportunities Committee, several observations and recommendations are made as a result of evidence that was taken. Although evidence was taken between 23 May 2000 and 19 June 2001, it appears to me that some aspects of the report are built on sand. For example, as the Scottish Parliament information centre research note

admits, there appear to be no accurate figures on the number of Travellers in Scotland—population estimates range from 3,000 to 23,000—or on their broad geographic distribution. It is surprising that numbers are not better known, as a considerable proportion of Travellers are settled.

Similarly, although we have a snapshot of the appallingly low life expectancy of Travellers in Argyll, volume 2 of the report admits a lack of accurate health statistics for Travellers in the United Kingdom as a whole and in Scotland alone. Without detailed research, how can we act appropriately to reverse apparently very high levels of mortality? Research that suggests that Gypsy Travellers in Argyll, for example, can expect to live only two thirds as long as non-Travellers—which Kate MacLean touched on—is cause for alarm.

In addition, accidents, suicides and chronic health problems are generally more prevalent among Gypsy Travellers than they are among non-Travellers. Those conditions are worsened by a lack of access to health education, not to mention health care facilities where Travellers might experience discrimination—in the form of negative attitudes and refusal of treatment—by GPs and their staff.

Accessibility to community care—a service that, in theory, is provided by local authorities—is also lacking in some instances. In practice, many Gypsy Travellers experience extended delays in the assessment and implementation of their requests as a result of yet another example of discrimination.

It is clear that there exists an abundance of discrimination and a deficit of cultural awareness and knowledge about Gypsy Travellers and other travelling peoples. That is further reflected in how some members of the police force treat their communities. The behaviour of some of the police towards Gypsy Travellers is characterised by frequent site visits for checks on vehicles and property; an obvious lack of awareness of Gypsy Traveller lifestyles; an ignorance of the rights that those people hold; and intimidating and threatening attitudes during evictions.

Recommendation 34 states:

"Racial diversity strategies and training materials for the police and other relevant bodies in the criminal justice system should include reference to Gypsy Travellers as a separate ethnic group."

The thrust of that recommendation is synonymous with that of most of the other recommendations in the report, which refer to travelling people as a distinct ethnic group and assign terminology to refer to all Traveller groups as Gypsy Travellers, although Travellers may fall into distinct cultural groups, such as new age travellers, Gypsy



Travellers and show and fairground travellers.

It might be easier for us to lump all Travellers together under one label, but doing so diminishes the identity and culture of each group. To classify all Travellers as an ethnic group when it appears that not all wish to be so labelled looks merely expedient and ignores specific needs and community desires. For example, in Elizabeth Jordan's report, "Traveller Pupils and Scottish Schools", show and fairground travellers reject the term "ethnic" and describe themselves as a business community. Just because those who discriminate against Travellers consider them all to be the same, it does not mean that the Parliament should.

On mobility, we have a snapshot from Save the Children's 1996 report, "The Right to Roam: Travellers in Scotland 1995/96", but no detailed information to enable us to deal comprehensively with the requirements of differing Traveller groups and their children. Such research is urgently needed and I urge the Scottish Executive to undertake it.

Education is a key issue that deserves attention. I have said that a lack of cultural awareness contributes heavily to the exclusion of Gypsy Traveller children, but other factors also contribute to that exclusion. We have information on Traveller education that makes it clear that 80 per cent of children in those communities fail to attend secondary school and that 59 per cent fail to attend primary schools. No information is provided on how many Travellers participate in further or higher education. Although low participation is undoubtedly exacerbated by bullying and discrimination, does anyone seriously doubt that the most significant factor is frequent travel from area to area and the inevitable disruption to education that that causes?

A fortnight ago, a report in *The Herald* made it clear that moving school is a traumatic event for any child, who will lose six to nine months of educational attainment on average as a result. I remember moving school when I was eight and how distressed I was to leave my old home and friends. How much more difficult must it be if that occurs regularly in a child's life? Therefore, we must question the practicality of eliminating educational exclusion from semi-nomadic communities and whether such lifestyles are appropriate in serving the educational needs of Traveller children in the 21<sup>st</sup> century.

My concern is that the rights of individual children to an equal opportunity to reach their full potential would be inevitably compromised if—

**Kate MacLean:** Will the member give way?

**Mr Gibson:** Yes.

**Kate MacLean:** The member seems to argue against travelling and Gypsy Travellers having the right to lead the lifestyle that their culture dictates. The debate should be about how the same services and outcomes can be given to Gypsy Travellers, despite their lifestyle, not about arguing against travelling per se.

**Mr Gibson:** What is important is giving all children an equal opportunity in life. Society is not always to blame. The lifestyle choice of Traveller parents has an influence on their children's education. Pursuing such a lifestyle may be the parents' choice, but it may not necessarily be the choice of their children.

**Mr Michael McMahon (Hamilton North and Bellshill) (Lab):** The point of the report was that travelling is not a lifestyle choice; it relates to the ethnicity of a group of people in Scotland. Their ethnicity cannot be divorced from society. It makes them what they are. The tenor of Kenny Gibson's argument is that Gypsy Travellers choose the lifestyle and therefore choose their problems. They do not make that choice.

**Mr Gibson:** Perhaps the member should listen to the rest of my speech. However, I certainly think that children do not have a choice of lifestyle.

Even if all the recommendations of the Equal Opportunities Committee report are implemented, and even with good will and full co-operation from all public service agencies, a modern education and the social and cultural enrichment that it provides may remain out of reach for many Traveller children, as will choices for them in later life.

I quote from Elizabeth Jordan's report:

"You spend all night reorganising your groups and teaching plans so that they won't be isolated [in the class], and then they don't come back! It gets a bit frustrating, but it's just their culture. We're used to it here."

Those are the words of a teacher in a school with regular comings and goings of Gypsy Travellers. They sum up the reality for schools that try to accommodate Traveller children. Although society must reach out to this disadvantaged group, it is important that Travellers work with schools and respect their circumstances and need for communication and co-operation. Flexibility is stressed in the Equal Opportunities Committee report and is a two-way street.

The Equal Opportunities Committee report makes six recommendations on education, ranging from assistance in purchasing school uniforms to providing

"community rooms or portacabins on sites to facilitate educational provision".

Although the former recommendation will undoubtedly assist social inclusion, the latter

appears to do the opposite by discouraging attendance at mainstream schools. As with so many aspects of the report, the themes of inclusion and autonomy seem to run counter to each other.

The committee appeared to acknowledge that by stressing

“the importance of a place to stay as a basis of service provision, that having no address (or an address that was identified as Gypsy Traveller site accommodation) may lead to subsequent refusal or difficulties in accessing service provision and a general disenfranchisement from the democratic process”.

In that respect, recommendation 21, which appears to encourage adult learning and the dissemination of information, is welcome.

With a full census of the numbers of Gypsy Travellers, new age travellers and show and fairground travellers, important recommendations on matters such as consultation and participation in local authority decision making and public service provision can be made, not least the provision of resources for community development and capacity building. However, the Scottish Executive would have to issue clear guidance on the provision of funding to, and by, local authorities.

If Travellers move across local authority boundaries, the local authority of origin might be reluctant to continue to provide resources. Furthermore, in such cases, health boards might feel that responsibility would no longer be theirs. Distinct budgets might also impact more directly and unfairly on individual councils. As a result, it might be more effective to allocate moneys directly on behalf of Traveller communities through local authorities and health boards. Public service provision could then follow mobile Travellers in a more joined-up way. To achieve that, the Scottish Executive would have to provide resources directly and ring-fence them for no other group.

Ring-fencing of funding by local authorities, as suggested by recommendation 24, would be too inflexible. It would lead to budget overspend and underspend as Travellers moved from area to area and populations fluctuated. A centrally directed budget for all Traveller public services would allow more focused, long-term and seamless provision for this disadvantaged group. It would also make it easier for mobile and nomadic Travellers to liaise with and consult public service agencies in a more co-ordinated way rather than having to do so with all eight police boards, 15 health boards and 29 mainland local authorities. That would allow the development of long-term relationships and partnerships.

A particular concern is the condition of so many of the sites that are available to Gypsy and other

Travellers. A lack of basic amenities in this day and age is unacceptable and discourages a more settled and socially inclusive lifestyle. As a result, recommendations on enhancing site facilities are to be commended. We particularly welcome the provision of play facilities and barrier-free and adapted amenity chalets. However, we should explore the possibility of community ownership, tenant management co-operatives and registered social landlords.

Although there are many laudable recommendations in the Equal Opportunities Committee report, there is no suggested timetable for action. Surely if real progress is to be made, SMART—specific, measurable, attainable, realistic and timed—goals must be set. However, we appeared to have been presented with more of a wish list than a set of achievable objectives. There is also an absence of information on whether the Traveller communities across Scotland agree with some or all of the report’s recommendations. As a result, it would be useful if the minister could advise us which recommendations the Executive partly or fully accepts and of the timetable for consultation, participation and delivery.

14:58

**Mr Jamie McGrigor (Highlands and Islands) (Con):** It gives me great pleasure to speak in this debate. Although I am no longer a member of the Equal Opportunities Committee, I thoroughly enjoyed taking an active role in the report on Travellers in Scotland. I am grateful to the many people I met who invited me into their homes and gave me an all-too-brief insight into their way of life.

I was moved by many of the stories that I heard, especially those about the bullying of children and the feeling of isolation experienced by many in the travelling community. Such isolation is a paradox. Many Scottish Travellers can claim origins in a tradition and culture that can be traced back to the nomadic hunter-gatherers of ancient Scotland. That tradition and culture led to strong bonds that built up a deep pride in home and country—traditional values that most Scots respect and that form the great strength of our nation. Although sadly those values are being eroded by the speed and pressure of modern life, they are still strong among travelling communities. That should be recognised and respected.

The Travellers would have a great deal more to offer Scotland if there were more interaction between them and the static community. However, that interaction is not happening and is not likely to happen unless the situation changes dramatically. As I visited sites throughout Scotland, I got the impression that Travellers feel that they get little out of society and so do not experience a

tremendous desire to put a great deal into it. Any group in society that feels discriminated against turns inwards and tends to become defensive and distrustful.

Scottish Travellers should be recognised as a group that is culturally different, not racially different. However, the real tragedy is the fact that a so-called inclusive Scotland, dominated by a socialist regime that champions social inclusion, is anti-social in its approach to Travellers. The Equal Opportunities Committee's report was a good idea and I congratulate Kate MacLean, the other members of the committee and particularly the clerks of the committee on the thoroughness of their work. The Scottish Gypsy Traveller Association thinks that the report is excellent. However, the Executive's response has been disappointing. It seems to say that all is well and that there are no major problems and it passes the buck to local councils. In other words, it appears to be burying the report.

No action appears to have been taken to remedy some of the acute problems that I identified when I contributed to the report. For example, when I visited a site at Dumbarton, I found negotiating the access extremely difficult, even though I was in a Land Rover. The pot-holes were so deep that any normal cars, vans or lorries would soon have been badly damaged. I mentioned that fact to the then minister, Jackie Baillie, when she appeared before the Equal Opportunities Committee on 5 June. The site is in her constituency and I hoped that she might visit it and experience the approach road. I do not know whether she went there, but no repairs have yet been undertaken.

The same problem exists at the Dunholligan site near Lochgilphead, where the access, which is shared with the Forestry Commission, is if anything worse than that at Dumbarton—there is no tarmac there at all. The rents that Travellers are paying to the council for their site are often as high as the rent that is charged for a five-apartment council house, so they should at least have a reasonable approach road and proper drainage. I also heard general complaints about the cost of the electricity that was supplied and the fact that only council electricity cards could be used. In some cases, electricity bills were given with little, if any, detail of specific charges.

At the site in Spean Bridge, a barrier was installed for which only the site manager had a key. If he was not available, emergency fire or ambulance services would have had difficulty in gaining access. Moreover, people's cars and vans were trapped in the site except when the site manager was present. I am told that the site dwellers have now been given keys, so the report has achieved something concrete.

The position of some of the Traveller sites leaves a great deal to be desired, especially the one at Kentallon, which is situated in a large quarry that seldom, if ever, sees the sun and is subject to dangerous rock falls. Although the original idea behind the sites was to integrate Travellers gradually into the local communities, that has not often worked, as, in many instances, Travellers find council houses difficult to obtain. Many would like to buy their sites from farmers but are prevented from doing so by draconian planning laws.

I leave the question of health and education facilities for Travellers to my colleagues. I say only that it is alarming that a section of Scottish society appears to feel so neglected in the 21<sup>st</sup> century.

The contribution that Travellers make to the economy is still useful. Tattie and berry picking has become largely mechanised, but from Campbeltown to Ullapool and all over the Scottish islands, Travellers still gather whelks and winkles, which are sold to shellfish exporters. One exporter told me that he relies on the Travellers for 70 per cent of the collection of those shellfish. I believe that that is the case in many areas. For example, in the area of Lochaber alone, around Loch Eil, there might be 20 Traveller families undertaking such work on a monthly basis. They spend money locally and the profits that are generated by the exporters mean that local garages benefit from servicing vehicles and from other business.

Those types of shellfish can be gathered only by hand and their value to the Scottish economy runs into millions of pounds. Were it not for the Travellers, not enough volume would be gathered to make the activity commercially viable and the industry would suffer. Sometimes a conflict can arise between local crofters and the Travellers over where and when the shellfish should be gathered. That situation would be improved by more interaction and discussion between the interested parties. I call on the Minister for Environment and Rural Development to consider that when the Executive examines the management of our coastal waters.

Kenny Gibson is right: Travellers choose to live as they do and no one should try to interfere with that choice. They have the same rights and responsibilities as other groups in society, but they have become isolated and deserve better recognition.

I call on MSPs of all parties to visit their local Traveller sites and listen at grass-roots level to Travellers' concerns. I also ask the Travellers to invite their MSPs and welcome them as they welcomed me, to promote a more trusting and understanding partnership between the Parliament and Travellers. Any consultation should be undertaken with Travellers and not only with

groups representing them, whose members may not be Travellers themselves.

15:05

**Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** I endorse what members have said and I congratulate Jamie McGrigor on managing yet again to bring shellfish into a debate in the Scottish Parliament. I say that with good humour, as Jamie McGrigor was a thoughtful member of the committee.

It has been a pleasure to be on the Equal Opportunities Committee. I have not been able to give it as much time as I would have liked, owing to my responsibilities to the Holyrood project, but I am proud of what we have done. It has been a pleasure to serve on the committee.

As Kate MacLean stressed, the fact that the committee deliberated on the issue and the report is before us today is a tribute to the Scottish Parliament and highlights one of the things that we do best. Would such a report have been produced by Westminster? You must be joking. However, we have done it and for that I pay tribute to my colleagues and the clerks.

Reference has been made to specific recommendations in the report. By way of two illustrations, I want to show the bad and the good. It would be unfair of me to mention names or locations, but some years ago in the Highlands there was an unfortunate case that demonstrates all that was and is worst in our society.

A mother had a number of children who suffered from a degenerative disease. In the years before local government reorganisation, there was a joint attempt by the district and regional councils' housing and social work departments to take that family out of their deeply unsuitable accommodation in a remote rural area and to buy and improve a decent house for them that would allow easy access to social services, doctors and hospitals. Both councils acted together and the project proceeded. The lady was thrilled to bits that she was going to get a house. At that point, I am afraid, we looked into the heart of darkness. There was a campaign to prevent the family from getting the house. The lady's husband had a truly shocking criminal record—he was and is a violent man. However, he was in prison at the time. The fiery cross was raised to prevent the family from getting their house and, unfortunately, enough politicians were picked off by the campaign that the vote, which took place in the run-up to Christmas, went the wrong way. That is the one time in my life when I have looked right over the precipice into the evil that lives in us all.

I use that illustration as an example of the worst sort of thing that can happen. That family is still in

their house in the wrong location and one of the children has died. I think that there is some hope that the family will be provided with a suitable house in the near future, but that will be years after the event. It is deeply shocking that, in a country that prides itself on having seen off the evils of Nazi Germany, something like that could happen.

On a lighter note, although the lairds often get a bad press these days, one laird—the Duke of Westminster, believe it or not—has long had a strong reputation for looking after the travelling people. Travelling people always said that, if they went to his door, they would get a haunch of venison, a dram in their hand and whatever else they needed. There is a famous story, which I think is not apocryphal but true. One day before the war, the Queen's gynaecologist was a guest of the duke when it was reported to the big house that one of the Traveller ladies was giving birth to a child in a tent. Although the Queen's gynaecologist was dressed for dinner in black tie, the duke took it upon himself to order his guest—Sir Somebody-or-other—to go out in the rain and deliver that baby, however much he protested that he did not want to. That act has never been forgotten and is an example of something good. The record is patchy—there is both bad and good.

The issue that we are debating is to do with the recognition of Gypsy Traveller culture. Within the past few years, a splendid book was published that quotes Alec John Williamson, a native of the village of Edderton, which I live close to. It was called "The Summer Walkers". I deem the book to be significant in pointing up a unique way of life and culture, which is in danger of being lost unless we recognise it for what it is. I remember writing to Alec John Williamson and congratulating him on the book. I hope that it will be considered the foundation of a celebration of a way of life.

Our guest for time for reflection mentioned that we must "love our neighbour"—I think that I quoted that correctly. Some love more than others do. I believe that the solution is simple. It is not really about the Executive or about councils. It is about every one of us reaching out to Gypsy Travellers.

John Farquhar Munro and I were talking beforehand about the fact that, in the past, a close community existed in the Highlands. Travelling people were known and had friendships across boundaries. The situation may be the same today or it may not be; I am not sure. It is easy to look back at the health records of the past and talk about life expectancy, for example, but I am not sure that social communication with Gypsy Travellers is all that it was in the past. I apologise for my slightly conservative view on that. There is room for improvement.

I am proud to be associated with the committee's thorough report. I wish that more of my fingerprints were on it. I commend it to the Parliament. The fact that the report was undertaken and is being debated today means, I believe, that we are advancing, but there is much still to do.

15:11

**Elaine Smith (Coatbridge and Chryston) (Lab):** I join Kate MacLean in thanking the clerks, Delia Lomax, everyone who gave evidence to the committee and Michael McMahon, who originally raised the issue in his role as race reporter.

During the inquiry, the committee took a great deal of evidence on the many issues that impact on Gypsy Travellers in Scotland across many services. One of the most important and fundamental facts to be established was the current status of Gypsy Travellers as an ethnic group. In response to a question of mine, the then Minister for Social Justice, Jackie Baillie, confirmed that a change in law was not necessary to establish that status but that a test case would be required to determine the issue. Nadia Foy, a young Gypsy Traveller who gave evidence to the committee, highlighted the importance of that when she said:

"To start any kind of change, we need to be classed as an ethnic minority group. We need to have rights and stature." —[*Official Report, Equal Opportunities Committee*, 1 May 2001; c 1202.]

Recommendation 2 of the committee's report says:

"All legislation and policies should be framed on the understanding that Gypsy Travellers have distinct ethnic characteristics and should therefore be regarded as an ethnic group, until such time as a court decision is made on recognition as a racial group under the Race Relations Act 1976."

That is, to my mind, the most important recommendation in the report—the rest of the report flows from that premise. I agree with the remarks that Kate MacLean made on that issue at the beginning of the debate.

The inquiry proved that Gypsy Travellers are subject to endemic institutional racism. We heard many appalling and heart-rending examples of that, which, to be frank, I could not have begun to imagine existed. Again, the words of another of the young people who gave evidence, Sharon McPhee, sum up the situation. She said:

"We are not animals; we are people." —[*Official Report, Equal Opportunities Committee*, 1 May 2001; c 1189.]

Members of the Equal Opportunities Committee agreed that we would each consider different aspects of the report today. I could happily have addressed any of the issues on which we took

evidence. However, I will focus on education for Gypsy Traveller children. The current arrangements are clearly failing. Only 20 per cent of those children receive secondary school education, according to the recent report by Save the Children, to which Kate MacLean referred. That figure is totally unacceptable. It contravenes a number of international frameworks, including the United Nations Convention on the Rights of the Child.

The Equal Opportunities Committee's report makes a number of recommendations to tackle the problem. It addresses a number of issues, including pre-school education, transport, the relevance of the curriculum and alternative provision to school-based education. It also addresses adult education and lifelong learning.

We need to ensure that, as far as possible, Gypsy Traveller children are offered an education that is compatible with their culture and ethnicity. That does not have to be any one kind of education, to refer back to Kenny Gibson's remarks. Different choices and different ways of delivering can be provided in different circumstances. What is for sure is that the authorities must remove barriers to ensure that a learning environment is provided that addresses the needs of those children and allows them to reach their full potential.

If we look at the evidence, we can see that bullying is rife. From the evidence, we know that, when a child who has been physically attacked fights back in self-defence, the authority figure often blames them for the troublemaking rather than addressing and stopping the bullying. We have also heard of incidents in which the teaching that is given to Gypsy Traveller children consists of getting them to sit quietly at the back of the class with a comic or segregating them into a different room.

I make no apology for quoting Sharon McPhee, one of the young people from whom we heard, as it is important that we hear the young people's words. She said:

"The children are treated like idiots. I would like that to change. I would like to see bullying of Traveller children at school stop. I would like a better response from teachers. They should be trained to deal with Traveller children; they are not." —[*Official Report, Equal Opportunities Committee*, 1 May 2001; c 1186.]

**Dr Winnie Ewing (Highlands and Islands) (SNP):** Children are the ones who do the bullying. The reports that I have read usually talk about guidance for teachers, parents, boards and schools. I wonder whether Elaine Smith agrees that the education curriculum for all children should contain an explanation of the culture and ethnic uniqueness of the Gypsy Traveller.

**Elaine Smith:** I thank Winnie Ewing for her intervention; I agree with what she said. Members will see from the evidence that we took that some of the young people have been going around schools and talking about their experiences. Perhaps we need a bit more of that in our schools. I see the Minister for Education and Young People nodding, which is a good sign.

There is an argument that a degree of self-exclusion exists among Gypsy Traveller families. Kenny Gibson touched on that to some extent. It is a complex issue and I do not have time to explore it fully, but it seems perfectly understandable for a parent to be reluctant to send their children to school if they or their other children were bullied and traumatised at school. If my child had had experiences such as those in the examples that the committee heard, I would not wish to send him into such an environment. Given that he is not a Gypsy Traveller, he will not face that kind of discrimination.

I return to Sharon McPhee's words, which sum up the issue. She said:

"People treat us perfectly and everything is great until they find out that we are Travellers, when their attitude changes completely, and we become rubbish."—[*Official Report, Equal Opportunities Committee*, 1 May 2001; c 1190.]

The Equal Opportunities Committee set out at length straightforward proposals to tackle the problems that I have mentioned, so it was disappointing to read the Executive's response on many of the issues, particularly education. The Save the Children submission said that much of the Executive's response can be summarised as either, "It is a matter for local authorities, to be addressed at local level", or, "The issue raised is/will be covered by this or that policy." Nearly all the submissions to the committee on nearly all the issues of service provision—including education—spoke about the need for national co-ordination to iron out the discrepancies between local authorities and to ensure consistency of good standards wherever Gypsy Travellers are staying. The Executive seems to have ignored those proposals. I contend that that paternalistic attitude could be viewed as an example of institutional racism.

To provide an education that fits the needs and aspirations of the children of Gypsy Travellers, we need input and action from the people and representatives of the Gypsy Traveller community and from the settled community and we need interaction between the two communities. It will not be acceptable to either grouping to agree with the Executive's view that everything is covered by existing or planned provision or is up to local authorities or other bodies.

The Executive can address some issues. This

morning, I discovered an example of people on a Gypsy Traveller site who have asked for a mobile library to visit them. Most authorities have not considered providing that service. Inverness Library, however, thought that it was a way forward and is making great strides with it. Local authorities can make different provisions, but are they doing so? I do not think so. They need guidance on such issues.

I say to the Executive that a better deal is needed, to use its own terms. The Equal Opportunities Committee's report can form the basis for that. I urge an Executive rethink and I look forward to the minister's response.

I finish with the words of Nadia Foy:

"We are looking for respect and for the same rights as anybody else."—[*Official Report, Equal Opportunities Committee*, 1 May 2001; c 1185.]

Is that too much to ask for in a multicultural and supposedly tolerant Scotland that is striving to achieve social justice? I think not.

15:19

**Irene McGugan (North-East Scotland) (SNP):**

As a member of the original Equal Opportunities Committee, I can recall when the inquiry was first proposed. I commend the committee's current members for producing such a comprehensive report of its inquiry into Gypsy Travellers and public sector policies. Although parts of it make depressing reading, outlining the shocking barriers that the Gypsy Traveller community faces when it tries to access services that the settled population takes for granted, the report contains many constructive recommendations for positive action.

I intend to focus on the experiences of children and young people from the Traveller community, particularly on their difficulties in accessing education services that will meet their needs. The media attention surrounding last week's publication of Save the Children's new report, "Denied a Future?", brought home to us all the shameful reality of what amounts to a mass denial of education to Gypsy Traveller children. Few of us could have failed to be moved by the description given by a young woman in a television interview of how she had been driven out of school by relentless racist bullying.

School-based education, geared as it is towards the settled community, can be problematic for Gypsy Travellers. Bullying is often a major factor in young people's opting out of the system, particularly at secondary level. More flexibility must be introduced to the school system and more needs to be done to develop non-school-based education services, perhaps by harnessing the expertise of informal community educators, by using facilities on site, by using family-focused

provision or by emulating successful projects such as the skool bus, a mobile educational facility set up by the Travellers School Charity.

Such alternatives seem to provoke two different reactions. On the one hand, travelling parents and children are enormously enthusiastic to embrace informal, culturally sensitive education that is available on their terms. On the other hand, there is sometimes a distinct lack of enthusiasm, support and resources among those working in the education system, who would rather include Gypsy Travellers in the current model.

I am aware that some Gypsy Travellers and members of other minorities find objectionable the inference that there is a norm to which minorities should all aspire and conform. We should take care not to impose the values of the settled majority on those for whom nomadism is an equally valid—and preferred—way of life. In a similar vein, the use of the term “interrupted schooling” as opposed to “interrupted learning” suggests that any kind of learning other than school-based learning, such as family-based or community-based learning, is valueless.

On the positive side, there are now many alternatives to conventional qualifications. For example, Aberdeen College offers a range of distance-learning courses, which are open to all. Lessons can be learned from other initiatives, such as notschool.net, a pilot home-based learning project in Glasgow that has successfully used education services to reconnect a group of disengaged young people. Travelling students can now be easily connected via computers to schools or colleges. Mobile provision such as that offered by the skool bus is another option. We just need a bit more vision.

Although Gypsy Traveller families have traditionally opted out of the system, that does not mean that they wish to deny their children a good education. Additional support must be made available to schools and parents in order to improve continuity of school education for travelling children. Greater flexibility, for example through supported home-based programmes and flexi-schooling, must also be considered.

If we are meaningfully to tackle the deep-rooted discrimination that continues to blight the lives of the Gypsy Traveller community, a major shift in emphasis is needed towards consultation and active participation by members of that community in identifying and meeting its needs.

The time for excuses has run out. I call on the Executive to accept the recommendations of the Equal Opportunities Committee and, in particular, to take the lead in developing strategies that will address the diverse needs of the Gypsy Traveller community.

15:24

**Cathy Peattie (Falkirk East) (Lab):** Scottish Gypsy Travellers are an indigenous part of Scottish culture and their stories and songs have been passed down through many generations. However, they feel that they are an excluded group, which is indeed the case.

I chaired one of the workshops at the Gypsy Travellers participation event that was held at the Parliament. People thought that the work that was being done in the Parliament was important and that the Equal Opportunities Committee had taken a great deal of evidence. They were hopeful that the Scottish Parliament and the Scottish Executive would listen to what the committee was saying.

There has been a great debate about the issue of ethnicity. Many Gypsy Travellers feel that, unless they are regarded as an ethnic minority, they will never be treated properly. It is important for the minister to comment on that issue.

Younger members of the community spoke about the discrimination that they face. Members from all parties have referred to that evidence. My colleague Elaine Smith quoted a number of the comments that the young people made. The young people expressed the frustration that they felt about the education that they had been offered. Many young people in Gypsy Traveller communities have opted out of education. However, they ask for no more than the bairns in settled communities ask for.

As part of the Equal Opportunities Committee's inquiry, my colleague Kate MacLean visited Duddingston. While she was speaking to the adults inside, the bairns outside were drawing up a list of things that they wanted in their community. They asked for the same things that my bairns and other members' bairns would ask for: somewhere to play and be safe, where there are books and videos and where they can gather with other young people in the evening, such as a youth centre. Those are basic things that all young people want. They want to play, they want a decent standard of living and a decent education, and they want to be safe. My bairns and every bairn in every community would say that they wanted the same things; Gypsy Traveller young people have a right to expect those things.

There is real consensus about the need to change our approach. It is not good enough for us to say that we support lifelong learning and that we are going to come in to educate Gypsy Traveller young people. We need to talk to folk, to listen to them and to involve the Gypsy Traveller community in educational planning. There is no point in delivering a lifelong learning programme that is totally irrelevant to young men and women in the Gypsy Traveller community. If that happens,

they will just opt out. We need something that people agree with and that will take them forward.

We need a strategy. We need the Executive to talk to local authorities. We need a joined-up approach. We need teachers and educators to sit down with the Gypsy Traveller community to examine what is needed. We need to reach a consensus and to monitor the implementation of what has been agreed. We need people to examine how the policy is working and, if it is not, we need someone with clout to say, "Get this right."

Folk have waited far too long. The bairns who drew the pictures that I showed members have reasonable expectations. Their expectations are not high. They are not asking for too much. They are asking for a decent standard of living and for their culture and that of their families to be recognised.

15:28

**Phil Gallie (South of Scotland) (Con):** I do not know the detail of the Equal Opportunities Committee's report as well as many people in the chamber know it. My colleague Brian Monteith, who is much better informed on the subject than I am, had intended to take this slot in the debate, but unfortunately he has had to call off. I have had time to scan the report, as I have many of the reports that the Equal Opportunities Committee has produced, and I recognise many of the issues that it raises from my experience as a councillor in Cunninghame district in the 1980s, as MP for Ayr and, latterly, as an MSP. The situation of Gypsy Travellers affects all of us in our constituencies.

We have not always had the best of contacts with the Gypsy Traveller community. On occasion, Travellers cause upset in communities, particularly when they move into urban areas. Some also fail to conform to the standards of cleanliness that are expected of people who live in the immediate surroundings.

**Kate MacLean:** Will the member give way?

**Phil Gallie:** There is widespread criticism of Gypsy Travellers because of that issue and it is raised in every member's constituency.

**Kate MacLean:** Has Phil Gallie any evidence to suggest that a higher proportion of people in the Gypsy Traveller community do not have high standards of cleanliness than in the settled community? I suggest that he does not.

**Phil Gallie:** Yes; unfortunately I have evidence from sites in North Ayrshire, from my days as a councillor in Cunninghame District Council. Cathy Jamieson will no doubt recognise the more recent example of the site at Heathfield in Ayr, where Travellers move in and cause people considerable difficulties.

We live in a democracy and we cannot always impose the standards of MSPs or of people in the community on others. This is a democracy and people must have a choice about how they want to live their lives.

When I looked at a definition of Travellers earlier, an amusing thought crossed my mind. According to Kendrick and Clark, the early origins of the Scottish Traveller community go back to

"a tradition and culture which can be traced back to the nomadic hunter gatherers of ancient Scotland."

Therefore, travelling and Travellers have been with us for many years. I pick out one element of that definition: the fact that Travellers were nomadic hunters. On a serious note, how will Lord Watson's bill, which deals with hunting with dogs and which the Parliament is going to pass, affect Travellers who, for years, have used their dogs to hunt and provide food?

**Cathy Peattie:** If that is the case, it is surprising that not one Gypsy Traveller who gave evidence raised that issue as a concern. Is not that odd?

**Phil Gallie:** I cannot say whether that is odd or not, as I was not a member of the committee. If I had been, there is no doubt that I would have asked that question—it is a question that remains to be asked. I leave the thought in members' minds that, while some MSPs suggest that we should recognise Travellers' habits and traditions, we might be imposing a standard on Travellers.

**Tommy Sheridan (Glasgow) (SSP):** I seek an explanation for Phil Gallie's comments. Does he accept that, historically, we were all at one time hunters?

**Phil Gallie:** Yes, I entirely accept Tommy Sheridan's point. As I understand the situation, Travellers still hunt today for their own purposes and as part of their way of life. I stand to be corrected—perhaps other members will do so—but I believe that hunting is an aspect of the travelling lifestyle that the chamber has not taken into account.

Health and education are important matters. Standards must be maintained for all our citizens. I recognise that a problem exists and I have been told that the committee was somewhat disappointed with the Executive's response to the report. To my mind, many of the issues that are considered in the committee's report should be dealt with at local level. For example, recommendation 8 deals with Traveller liaison officers. Every local authority should appoint such an officer, to ensure that people get a fair crack of the whip. I go further: as we all think that local health services are important, perhaps there should be Traveller liaison officers in the health service, too. They could form a bridge and ensure



that people who move into an area are not deprived of key medical services, which we all take for granted. I acknowledge that that would have to be done within the current limitations of the health service.

Jamie Stone's comments were moving when he talked about Travellers' housing problems. The issue of housing seems to be slightly diminished in the report, although one or two of the recommendations deal with it. Perhaps the onus should pass to Communities Scotland, which has responsibility for ethnic groups. The minister should consider that area.

I do not knock the report—indeed, I commend it—but I am not sure that Jamie Stone was correct when he said that Westminster has never dealt with Travellers. I think that a select committee way back in the 1970s produced a report, in response to which the Government eventually produced legislation to ensure that every local authority in Scotland provided a site. Perhaps one of the disappointing factors is that local authority provision of facilities on such sites has not come up to scratch. For example, no leisure facilities are provided for children. As Cathy Peattie mentioned, the sites do not meet the standards that should be expected, especially given the high cost of staying on them, which Jamie McGrigor pointed out.

At a time when our rural communities are suffering so much stress, perhaps there is room for local authorities to be a little more lax in granting planning consents. Perhaps local authorities could relax what they are prepared to accept when Travellers want to set up on designated land with the consent of the landowners. Such a relaxation might well be helpful to and welcomed by the Travellers.

I have another arrangement, so I shall not be present when the minister winds up. I know that that cuts across tradition, so I apologise in advance.

15:36

**Mr Gil Paterson (Central Scotland) (SNP):** As a Johnny-come-lately to the Equal Opportunities Committee, I pay tribute to the committee members for putting in the hard graft.

I welcome the committee's report on Gypsy Travellers, whose way of life is under threat due to society's negative views of their culture. Other members will highlight the problems that the Traveller community faces because of local authorities' responses to requests for accommodation and education. I will highlight how, when Gypsy Travellers access health services, they face problems that are due largely to the stigma that is attached to their way of life.

Official figures suggest that there are between 10,000 and 15,000 Travellers in Scotland, yet there is a dearth of research into their health status. Anecdotal evidence and a few small-scale studies suggest that travelling people have higher morbidity rates and higher mortality rates than do the settled population. Dr Iain McNicol, who is a general practitioner in Argyll, told the committee that a small survey that he carried out in his area showed that the average life expectancy of the Gypsy Travellers with whom he had contact was 55 years. I think that Kate MacLean mentioned that, too. When we consider that the last time the average life expectancy in Scotland was 55 was in 1932, it becomes clear how badly served Gypsy Travellers are by the health service.

Those who gave evidence to the committee commented that one of their main problems was the inability to obtain basic medical services because of attitudes in GP surgeries. The reason given for refusing treatment was that, because Gypsy Travellers are not settled in one area for a long period, GPs would be affected financially and so are unable to accept such patients. The Executive's evidence shows that that is untrue: patients can be accepted on a temporary basis without affecting GPs' income.

The big problem regarding Gypsy Travellers' access to health services is the stigma that is attached to their way of life. The Executive must tackle that, as it must any other discrimination, as a matter of urgency. When the committee took evidence, the experiences of homeless people and people with mental health problems who used the health service were used to show what could be done to break down the barriers for Gypsy Travellers.

The Parliament must lead by example in an effort to change the stereotypes that too often appear in the media. Such stereotypes are prevalent in all walks of life about anyone who is different. That means challenging our newspaper editors and television producers to show what life is like from all perspectives. The lifestyle and culture of Gypsy Travellers go back centuries. In the diverse society in which we live, that tradition and lifestyle should not be lost because of ignorance. If Gypsy Travellers' problems are to be solved, those of us in the wider community must learn to understand their way of life. That can be done only with the help of Gypsy Travellers.

As legislators, we must ensure that Gypsy Travellers have access to all services and we must ensure that all barriers are broken down. Communication between those who access services and those who provide services must improve dramatically. Service providers must take on board the specific needs of this section of society, but the Executive must put in place the

resources required to provide quality services for all users in Scotland.

In written evidence to the Equal Opportunities Committee, Jackie Baillie stated:

"Travelling People are entitled to the same range of primary care services as any other patient - including health advice, consultations, examinations and immunisations against a range of diseases."

It is good to know that the recommendations that the committee made on health have been accepted by the Executive. As the then health minister wrote in 1998, it is time for the

"NHS to live by the spirit and not just the letter of existing legislation."

If the recommendations of the Equal Opportunities Committee are fully implemented, the access to medical care that many of us take for granted will no longer be unobtainable by the Gypsy Traveller community.

15:41

**Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** I am not a member of the Equal Opportunities Committee but I have read the report quite thoroughly. It is first class and a lot of effort has obviously gone into it. It covers a wide range of issues, but I want to focus on only one specific issue, to do with recommendation 11 on page 12 of the report.

My experience as the constituency MSP for West Aberdeenshire and Kincardine makes me feel some doubt about recommendation 11. In paragraph 48 of the accommodation section, under the heading "Unauthorised camping", the report says:

"Particular issues identified by Gypsy Travellers and others included:

- the blocking off of traditional stopping places and the lack of short-term or transit sites when travelling;
- lack of services such as toilet facilities, water, skips and rubbish collection ...
- lack of consistency in enforcement by local authorities and the police".

I do not want to get into a debate about what is guidance and what are guidelines, which would be reminiscent of another debate, but the committee's recommendation 11 states:

"National good practice guidance for local authorities and police forces on the management of unauthorised camping should be developed".

In my experience, in Kincardineshire, south of Stonehaven on the coastal tourist route, there have been regular problems with Travellers camped in lay-bys and places that are quite inappropriate. I have raised the issue with the Executive on a number of occasions over many

months and I note its response to recommendation 11. The response is consistent with the information that the Executive has given to me.

In its final report, published in November 2000, the advisory committee on Scotland's travelling people set out guidelines for dealing with unauthorised encampments. The guidelines are there and should be in place. I know that they are in place in several local authorities, one of them being Aberdeen City Council. I do not often give plaudits to Aberdeen City Council, but I will do so on this occasion: it has a first-class site at Clinterty. The only difficulty is that it is not used. Aberdeenshire Council does not have authorised sites. That is something that I have pressed Aberdeenshire Council to sort out. Until the council has authorised sites, it is quite wrong to try to move Travellers from the unauthorised sites south of Stonehaven and at Garlogie in my constituency.

**Brian Adam (North-East Scotland) (SNP):**

Does the member agree that the Executive response is disappointing, in that the Executive has wound up its scheme of giving grants to local authorities to provide such sites? Does he agree that it would be wise for the Executive to reconsider reinstating the grant arrangements?

**Mr Rumbles:** I am not going to give the councils any excuse for getting off the hook. It is something that councils must do. I would like the Executive to restore the grants, because I know how hard-pressed the authorities are—particularly Aberdeenshire Council—but I am not going to let Aberdeenshire Council off the hook. I have pressed the council on the matter and it knows that it has to provide the sites. The council is short of money and grants would be useful.

I query recommendation 11 of the committee report because I believe that guidelines are already in place and that the issue for us should be to ensure that the guidelines are put into practice. Until we get properly authorised sites with all the necessary facilities, there will be problems relating to unauthorised sites.

**Kate MacLean:** The point that the committee was trying to make is that there should be long-term sites and places where Gypsy Travellers can pull off the road and have access to facilities. Some facilities should be available to prevent the kind of problems that members have raised. The member might not be aware that Fife Council has a co-operation policy in place. It is early in the process, so I am not sure how it will work, but the council is providing basic facilities, such as water, toilets and skips, in designated areas where people can pull off the road for a short time. The lifestyle of Gypsy Travellers means that it is necessary to have both long-term sites and places where people can stop in the short term, which

have facilities so that people do not leave a mess. If Mike Rumbles did not have a toilet or a bin collection service, he would leave a mess outside his house, too.

**Mr Rumbles:** I understand that point, but I have another reasonable point. Perhaps I can give an example, of which the committee may not be aware. Recently, in the centre of Stonehaven—the largest town in my constituency—Travellers forced the locks on a site and moved in next to other people who were paying to be there. They caused difficulties. The problem is that there are no authorised sites that the Travellers can use in the south of Aberdeenshire. There are real problems and it is wrong to gloss over them.

**Mr McMahon:** We did not.

**Mr Rumbles:** Well, I had the impression that the report glossed over the problems as though they did not exist. I will take an intervention from Michael McMahon if he will clarify that.

**Mr McMahon:** The purpose of providing sites was to address those problems. We were not covering up those problems or pretending that they do not exist; we were trying to find a way of dealing with them. If the member reads the report in that light he will see it as a positive measure in addressing the points that he makes.

**Mr Rumbles:** I accept that. It is an excellent report, with one reservation. The committee has done an excellent job.

15:48

**Mr Michael McMahon (Hamilton North and Bellshill) (Lab):** As colleagues have mentioned, the members of the Equal Opportunities Committee—none more so than me—were somewhat dejected by many of the points in the Executive's response to the inquiry. However, having heard the speeches made by Phil Gallie and Kenny Gibson, I have to say that any comments that the Scottish Executive made were far superior to those made in their speeches. Indeed, I question whether Kenny Gibson has read the report. I defy him to name any representative body of the Gypsy Traveller community that did not support or endorse our report.

**Mr Gibson:** First of all, I would like to thank the minister, who at least applauded my speech—perhaps she does not agree with Michael McMahon.

In any debate there will be a difference of opinion. I was trying to say that, although social justice is important, social responsibility is important too, and society in general is not always to blame for the specific problems suffered by specific groups. Often, such problems are due to

the way of life that those groups choose. I was trying to say that for certain individual children, the model that most people in society adopt is probably the best. If my children were bullied at school, it would not be an excuse for them to opt out of the educational system—they might have to go to another school or deal with the issue in school. That is the point that I was trying to make.

**Mr McMahon:** All Kenny Gibson has done is to reinforce the fact that he completely missed the point of the committee's report. He said that being a Gypsy Traveller was a lifestyle choice. It is no more a lifestyle choice for someone to be a Gypsy Traveller than it is for a black person to be black. They are an ethnic minority. Kenny Gibson should not use the term new age traveller in connection with Gypsy Travellers.

**Mr Gibson:** It is detailed in the SPICe report.

**Mr McMahon:** That is not the report I am talking about. It does not at any point refer to new age travellers; that was not part of the inquiry. Kenny Gibson has repeatedly compared the Gypsy Traveller community with the new age traveller community. They are not in any way comparable.

In the light of what can only be described as the Executive's apathetic approach to the widely welcomed recommendations suggested in the report and in an attempt to address the needs and specific considerations of Gypsy Travellers, the committee was left with no option but to say that it wished

"to express its disappointment in the tone and extent of the Executive's response to its report. The Gypsy Traveller community and others shared this disappointment."

I welcome members of the Gypsy Traveller community and their representative bodies, who are in the public gallery.

The committee went on:

"Whilst accepting that not all of the recommendations contained in the report are the direct responsibility of the Scottish Executive, the Committee does feel that the Executive has an important role in spearheading anti-discriminatory practice."

That commitment is not evident enough in the Executive's response.

I am sure that colleagues in the chamber will agree that everyone should be able to live in a decent and secure home and that provision of safe and affordable accommodation, free from discrimination and the fear of racial harassment, is central to the creation of any sustainable strategy in that regard.

It is vital that the Scottish Executive does more to promote racial equality and eliminate institutional racism throughout its activities. That should undoubtedly include the Gypsy Traveller community. Social barriers, many of which will be

perpetuated by the Executive's disregard for our popularly supported recommendations, often make that difficult to accomplish.

The key findings of the report highlighted Gypsy Travellers' widespread experience of systematic failure among local authorities and organisations such as the police and health boards in ensuring that they have access to the same level of services and legal rights as are available to other inhabitants of Scotland. The all-too-frequent response of the Executive is to pass the buck; it indicated that many of the problematic issues should be addressed at local level and are a matter for local authorities. That is simply not good enough. Local authorities need guidance which, on the evidence of the Scottish Executive's response, will not be forthcoming.

**Brian Adam:** The problem with the report is that it still allows local authorities to decide whether to provide such services. I do not have a problem with local authorities deciding how to provide services; the difficulty is what they have been left with. Is it a choice as to whether they will provide those services? Does Mr McMahon agree that that is where the weakness in the Executive's response lies?

**Mr McMahon:** I agree that there are difficulties for local authorities in determining what they should do. That point came through loud and clear in all the evidence that we took. Everyone at local authority level knew that they wanted to do more but needed guidance on what they should do. Such guidance is missing from the Scottish Executive's commitments.

The committee concedes that many of the policies mentioned by the Executive in its response are commendable. However, for many in the Gypsy Traveller community, such policies often fail to materialise in the Executive's practical aims or policy objectives. Evidence taken by the committee showed that having no address, or one identified as a Gypsy Traveller site, may lead to subsequent refusal or difficulties in accessing services and a general disfranchisement from the democratic process. That is an essential finding of the inquiry.

It is urged that, for the purposes of future amendments to housing legislation, the definition of home should be reconsidered, to include Gypsy Traveller sites. That is why the committee called for a review of alternative management and ownership arrangements for local authorities and the development of model tenancy agreements for Gypsy Traveller sites managed by local authorities and registered social landlords. Although some guidance is available, there should be a review and significant monitoring of the key role of site managers in providing support and information services for site residents, making accountability

an essential component of the job.

Our report showed that private sites should be subject to the regulations and standards applicable to local authority sites and that local planning authorities should be required to identify the need for Gypsy Traveller site provision and land for sites in statutory plans, using the community planning framework.

Consultation and co-operation are the key. Improvement programmes should be developed in consultation with Gypsy Travellers and representative organisations on such issues as location, design, facilities and services. At the Cairntow site, which Jamie McGrigor and I visited, we saw a group of accommodation facilities forced into the back of a quarry with 18-inch icicles running down the inside of the quarry. That was considered acceptable accommodation for a local authority to identify as a site.

**Elaine Smith:** Does Michael McMahon agree that much more training must be done on site management? Does he also agree that we should not necessarily assume that the best site managers are those with a housing background and that people from many different backgrounds could be better placed to be site managers?

**Mr McMahon:** They would certainly be better than some people who have a military background, who have brought that experience to their managing of sites.

Equal opportunities is described as the prevention, elimination and regulation of discrimination. On the Scottish Executive's equality strategy, which endeavours to address equal opportunities issues, the committee was under the impression that equality lay at the heart of strategic development for the potential fulfilment of all. Unfortunately, that commitment is not entirely evident in the Executive's response. The committee requests that the Government take a leading role, as it has done on other racial equality issues, in providing appropriate guidance, support and information to Gypsy Travellers and other relevant organisations, as well as actively promoting initiatives that are designed to combat discrimination towards that group.

We must embrace the diversity of the different cultural communities of Scotland, and their needs must be recognised and dealt with accordingly. We hope that the Parliament recognises the fundamental human rights issues highlighted in our report and that it will support our recommendations, urging the Executive to act on the findings that have been raised in today's debate.

**The Deputy Presiding Officer (Mr George Reid):** I call Brian Adam, to be followed by Tommy Sheridan.

15:57

**Brian Adam (North-East Scotland) (SNP):** Thank you, Presiding Officer.

I now welcome Mr Tosh to the chair. This is his debut. [Applause.]

As a youngster growing up in rural Banffshire, I was aware that travelling people were very much part of the rural landscape. I was always amazed at the construction of their makeshift tents and the smoke curling out of the hole at the top. I do not know whether any other members from the north-east enjoyed as much as I did the descriptions of travelling people that Hamish Watt used to give in his regular columns—which are much missed—in *The Press and Journal*. My recollection is that, on the whole, travelling people were always tolerated, helping with odd jobs on farms and in households. People knew that they would soon move on to another location.

It seems that today we are less tolerant as a society of others who prefer not to live in little square boxes on housing estates. If Scotland is to be the racially tolerant, open and welcoming society that we all want, I hope that we can start by ensuring that our indigenous travelling people are treated with the dignity, respect and tolerance that we would expect for ourselves. Unfortunately, we have all read about and seen on television the increasing discrimination experienced by Romany people in some eastern European countries. That is not the kind of example that we want to follow.

The Equal Opportunities Committee is to be congratulated on the work that it has done and on the report that it has produced. However, I take issue with the title of the report. I know that, in the north-east, the travelling people themselves prefer to be referred to as “travelling people” or “Travellers”, and that is how they are referred to. The word “Gypsy” is rarely used and is often regarded as offensive. Even “Romany” is more commonly used and more acceptable than “Gypsy”.

As well as debating the rights of the travelling people, we must also take account of their responsibilities. My colleague Mr Gibson has received a certain amount of opprobrium for his attempts to address that issue, as to some extent has Mr Rumbles. Along with rights come responsibilities, but first of all we need to ensure that the rights are set out, and the report goes a long way towards doing that.

I also have considerable reservations about designating Travellers as an ethnic minority. Travellers are Scottish and a traditional part of Scotland. Our society is not homogenous. There is a range of people with different backgrounds and approaches.

**Mr McMahon:** Does Brian Adam accept that, unless the Gypsy Traveller community is identified as a distinct ethnic minority, it will not be given access to protection under the Race Relations Act 1976?

**Brian Adam:** I was going to talk about that, had Mr McMahon given me the chance to continue.

It is a sad reflection on society that the only way in which we appear to be able to protect groups is to label them as ethnic minorities, to ensure that they have access to services and facilities to which everybody should have access. However, if that is the only way that we can do so, so be it.

The Executive should be thoroughly ashamed of the response to the report. The tone and curt replies shove all the responsibilities on to local government. The Executive fails to recognise that the Scottish Government also has a role to play. It is trying to avoid its responsibilities for the prejudices in society that the report tries to highlight. By all means, we should allow local authorities and health authorities to develop the delivery of services to which everybody should have access. In essence, the Executive's response to the report is that it would like authorities to do things, but will not make them do things. It will not make them provide services. There should be a framework to allow local decision making on how to deliver services, and not decision making on whether to deliver services.

The Executive must ensure that best practice and provision of sites and services is replicated throughout Scotland. Mr Rumbles highlighted the fact that, in Aberdeenshire, there is not the required number of sites. That is true in a number of areas. He rightly praised Aberdeen City Council for the provision of a sufficient number of sites in the city of Aberdeen. However, there was considerable debate in the city about the provision of those sites. The only way in which that provision appeared to be acceptable was to provide one site, although the view of the travelling community was that there ought to be more than one site and that there should be a site to the north of the city—which exists—and another to the south of the city. That did not happen because of the not-in-my-back-yard syndrome that exists in society.

We ought to encourage local authorities to appoint liaison officers for Travellers. There ought to be a duty for that to happen. Sites ought to be provided and there should be site managers and liaison officers. Perhaps more thought should go into where sites are located, particularly with respect to accessibility. Although the site at Clinterty in Aberdeen is good, as Mr Rumbles pointed out, it is not well used. By their very nature, Travellers tend to have some means of transportation, but they do not necessarily have a

range of transport. They may have only one vehicle. If there is no access to public transport from a site, that might not be the best site, especially if we are trying to encourage Travellers to make use of local health and education services or other amenities.

The Executive can ensure that when, for example, it requires training to be undertaken in the national health service, the police and education services on racial discrimination, the place of Travellers in our society can be highlighted. If the Executive is as committed to social inclusion as its rhetoric and spin would have us believe, its response to the Equal Opportunities Committee report must be radically different.

Social inclusion must provide for Travellers who have contributed so richly to Scottish cultural life. After all, who has not been moved by Jeannie Robertson's songs? She has left a rich heritage for our society, not just in respect of material with which we are familiar—Cathy Peattie is nodding her head—but through a number of her descendants who have contributed significantly. I am thinking of Stanley Robertson, who was a friend. I know that some of the family decided that travelling is no longer for them and have become part and parcel of the settled community.

The issue is not only about being moved by wonderful music, but about ensuring that all aspects of the life, ways and culture of Travellers are respected. They are part of the community of Scotland.

**The Deputy Presiding Officer (Mr Murray Tosh):** I call Rhona Brankin, to be followed by Alex Johnstone. If they manage speeches of five minutes, I will call Tommy Sheridan.

**Tommy Sheridan:** I am sorry to interrupt when you are in the chair for the first time, Presiding Officer, but George Reid clearly said that I was next in the debate. Is there a reason why that has been changed?

**The Deputy Presiding Officer:** Mr Reid did not leave a note to that effect, Mr Sheridan. No discourtesy is intended and I will try to share the remaining time equally. If you wish to be called before Mr Johnstone, I am sure that he will not mind. However, I have asked Ms Brankin to speak.

16:06

**Rhona Brankin (Midlothian) (Lab):** As Michael McMahon did, I welcome the representatives from the Gypsy Traveller communities who are with us today. Some of the people who were involved in the research that underpins the report are also here and they, too, are welcome.

As someone who has been privileged to work for

many years with Gypsy Traveller families, I was appalled by some of Phil Gallie's remarks. They serve to highlight the need to combat and challenge the stereotyping that underpins prejudice in society today.

I want to talk about some of the barriers that face young Gypsy Travellers, specifically bullying and name-calling in schools. Bullying and name-calling go on in all schools and recognising that is a first step towards dealing with them. However, recent research shows that they are one of the main barriers to the successful performance and inclusion of young Gypsy Travellers in schools.

Indeed, Save the Children and the University of Edinburgh have produced research reports that highlight the problem. I back up what the University of Edinburgh wrote, just this week, about the fundamental need to listen to what young Gypsy Travellers tell schoolteachers. It is simply not good enough to say that we have multicultural, anti-racist and inclusion policies in schools. A classic response of schools has been to say, "We have got the policies. There is no problem here."

Policies alone are not enough. We need to bring about a fundamental change in the attitudes of pupils, staff and parents. Of course our schools have a responsibility to deal effectively and swiftly with specific instances of name-calling and bullying. In addition to that, they must address some of the wider peer group issues in schools. Schools could do more by recognising the importance of social relationships in the curriculum and in formal and informal relationships between teachers and pupils and among pupils.

Tackling attitudes requires a change in the culture of schools. The role of staff development is absolutely essential to that. More is required than sending support teachers on in-service courses—we must effect a fundamental change in attitudes in the culture of the whole school. That means that staff development opportunities must be afforded for all teachers. We must examine teacher training to ensure that education in anti-racism, multiculturalism and social inclusion is included.

Furthermore, I seek an assurance from the minister that, when schools and local authorities are inspected, she will ensure not only that they all have policies in that area, but that those policies are regularly evaluated to check that they are making a difference. A fundamental way of evaluating those policies is to talk to the young people who are involved. We should ask them what their experiences of schools are. As some other speakers did, I will wind up by quoting a young Gypsy Traveller girl. When asked how she would like schools to change, she replied simply that she would like the boys and girls not to call her names and the teachers to believe her.

**The Deputy Presiding Officer:** It gives me great pleasure to call Tommy Sheridan, to be followed by Alex Johnstone.

16:10

**Tommy Sheridan (Glasgow) (SSP):** I commend the Equal Opportunities Committee's report. The committee has admirably retained its independence and its ability to criticise the Scottish Executive in a way that it felt necessary. It is vital for the Parliament's success that committees retain that robust independence and that when they do not agree with the Scottish Executive—regardless of whether they are members of a party in the Executive—they remain willing to make valid criticisms. The Parliament is all the better for that.

The report is a genuine attempt to reach out to an excluded, often ignored, much misunderstood and certainly discriminated against community in our midst. The Gypsy Traveller community seeks one goal above all: to be given the status of an ethnic group. I make no apology for concentrating on that part of the report, because that is the thread that runs through the report. If the Gypsy Traveller community had ethnic minority status, many of the recommendations would be unnecessary. Because it does not have that status, the recommendations are necessary, to try to include that excluded group.

Given that point of view, I was disappointed by the SNP's earlier comments. In such an important discussion, it is wrong to speak about a lifestyle opportunity and choice. If the Gypsy Traveller community had ethnic minority status, that would answer the ridiculous assertion that such people have taken a lifestyle opportunity, because no one chooses to be a member of an ethnic minority. Gypsy Travellers are an ethnic minority and deserve the status of an ethnic minority.

The report deserves to be taken seriously. I am worried that the Scottish Executive's list of responses passes the buck. Several times, the Executive passes the buck to local authorities in a politically dishonest way, without providing the extra resources that local authorities require to employ new officers and new site managers and to develop new sites. The idea that local authorities should become responsible for more work, despite the fact that their budgets are already hard-pressed and the Executive offers no new resources, is not good enough.

**Mr Rumbles:** I agree that local authorities are not adequately resourced, but that should not prevent them from putting policies into practice now. Does Tommy Sheridan agree?

**Tommy Sheridan:** Absolutely. I agree that local authorities should put the issues into practice, to

include an excluded part of the community. My point is that because the Scottish Executive recognises that exclusion in its recommendations, it should surely recognise the resource implication of implementing those changes. That is lacking in the Scottish Executive's response.

**Mr Gibson:** I said in my speech that the money that is required should come directly from the Scottish Executive, and I gave reasons for that. The committee's recommendation 24 says:

"Consideration should be given by local authorities to ring-fencing or top-slicing resources for specific initiatives and interventions".

The report itself—not just the Executive—makes that point.

**Tommy Sheridan:** The problem with recommendation 24 is that, even if we decide to divide an already inadequate cake differently, the cake is still inadequate. Until the Executive recognises the resource implication and supplies the extra resources that are required for these necessary changes, we will not be able to include this group properly.

I draw the chamber's attention to recommendations 2, 22 and 37 in the committee report. Recommendation 2 is quite clear. It says:

"All legislation and policies should be framed on the understanding that Gypsy Travellers have distinct ethnic characteristics and should therefore be regarded as an ethnic group".

The Executive has responded:

"The Scottish Executive is committed to equality of opportunity for all. Working within the broad definition of equal opportunities in the Scotland Act 1998 and as part of its mainstreaming equality approach, the Scottish Executive will look to build Travellers as a group in its own work."

I am sure that the minister will accept that that response is inadequate, and I hope that she will have the honesty to admit as much in her summing-up.

The framing of the Executive's response to recommendation 22 is very unfortunate. The recommendation relates to the issue of education and the need to recognise Gypsy Traveller communities as an ethnic minority in HM Inspectorate of Education reports. The Executive has responded:

"Quality indicators for self-evaluation by schools and for school inspections are currently being revised ... There will be specific references to Traveller children in the footnotes to the quality indicators on 'Meeting pupils' needs' and 'Pastoral care'."

It is not good enough to recognise Traveller children in a footnote. They demand and deserve to be given ethnic minority status.

It is proper that the report's recommendations end with recommendation 37, which states the

report's main thread of the need to recognise

"Gypsy Travellers as a distinct ethnic group".

To this recommendation, the Executive has responded that it

"intends to publish detailed legislative proposals on best value in local government in the autumn. These proposals are likely to introduce a duty of best value on local government that will include an obligation to have regard to equal opportunities."

Unless those people are given ethnic minority status, that will not be good enough. Once that status is given, equal opportunities will mean something to them. I appeal to the minister to spend time explaining to the chamber whether she will give ethnic minority status to the Gypsy Traveller community, and if not, why not.

16:17

**Alex Johnstone (North-East Scotland) (Con):**

Members on all sides of the chamber should welcome this report, which is not so much the end of a process—as so many committee reports in the Parliament are—but its beginning. However, today's debate has thrown up a point that I want to raise again and that I hope that the minister will address when she winds up.

We have heard speeches of great passion, particularly from Cathy Peattie, Kate MacLean and Rhona Brankin, who have gone to great lengths to express why the report should be taken to our hearts. However, Kenny Gibson gave the most important speech this afternoon. Although I did not agree with much of what he said, he raised the question that I want to address again. Should we see the travelling people as an ethnic minority or should we see them as people who have made a lifestyle choice?

A three-cornered argument has developed in the debate. Brian Adam's experiences are similar to mine, in that he had contact with travelling people in rural parts of the north-east when he was young. I have seen how children from the travelling communities who arrived in a rural primary school were bullied and isolated and how teachers chose to deal with the problem. For that reason, the report is something of a surprise. When I was at school 30 years ago, I was told not to use the word "Gypsy". However, coming back to the subject through reading the report, I have been taught to do something differently from the way I was taught before. As Brian Adam said, we were encouraged to refer to the community as the travelling people at that time. That is how they are still in my mind.

Kenny Gibson said that we need a broader view of Gypsy Travellers as people who have made a lifestyle choice rather than as an ethnic minority. Michael McMahon then expressed the opposite

view. He made the point, when Kenny Gibson intervened, that Gypsy Travellers are an ethnic minority and that the report deals with them as such and does not include the many other parts of the travelling community that exist in Scotland and have traditionally descended from migrant labourers and other groups. If that is the case, and if we are to consider only the Gypsy Travellers to whom this report refers and exclude other groups such as new age travellers and migrant labourers—who can come into the argument when it concerns the use made of facilities—surely Michael McMahon's argument is divisive and non-inclusive. Many people who use the facilities that are available for the travelling community are not in the group that the report appears to describe.

**Kate MacLean:** Does Alex Johnstone accept the fact that we are discussing Gypsy Travellers, who appear in records as far back as the 16<sup>th</sup> century? We are not talking about people who can dip in and out of a lifestyle if they choose to do so. We are talking about people whose culture and ethnicity is Gypsy Traveller, not people who make a lifestyle choice. That is the difference between what Kenny Gibson was saying and what Michael McMahon was saying.

**Alex Johnstone:** We have highlighted an issue—it is highlighted in the report—and Kenny Gibson has raised a valid concern. Those who use the facilities that we have discussed and those who have chosen to live the travelling life are as important as anyone else who lives in that way. For that reason, we must be concerned about securing genuine social inclusion for all those who wish to travel.

**Mr McMahon:** Will Alex Johnstone give way?

**Alex Johnstone:** I am just closing.

There is a point to be answered, which was raised by Kenny Gibson at the start of the debate. He has been criticised for it, and I would like to hear the minister address it.

16:22

**Robert Brown (Glasgow) (LD):** Presiding Officer, I welcome you to the chair for the first time.

**The Deputy Presiding Officer:** You do not get any more time for it.

**Robert Brown:** This has been an interesting debate. It has thrown up a number of issues, based on the solid foundations of a good report by the Equal Opportunities Committee, which has made some highly relevant and sometimes controversial recommendations. I was struck by the commitment of the committee members—which Tommy Sheridan touched on—to their report and by their palpable sense of



disappointment, which I share, at the Scottish Executive's response. The problems that they identified of interrupted education, bullying suffered by children, health issues, housing and rent issues—which Jamie McGrigor and Jamie Stone mentioned—do not exist in a sealed compartment that is unique to Gypsy Travellers. Although we need to acknowledge the special perspective of Gypsy Travellers, we should not play down the objective of mainstreaming that we emphasise in other situations. The thorny issue of ethnicity has been the subject underlying quite a lot of the speeches that we have heard.

I acknowledge the fact that the recognition of Gypsy Travellers as a distinct ethnic minority group can be a useful driver for change; however, I am uncertain and not altogether persuaded that that is the central issue or that it helps particularly in discussing the important issues of high rents, inadequate housing conditions and the like. Equally, I do not think that Kenny Gibson's emphasis on lifestyle choices is especially important, although I was struck by Alex Johnstone's question of whether we are making a distinction between Gypsy Travellers with an ethnic identity, on the one hand, and other people who have a not terribly dissimilar lifestyle, on the other hand. Does the fact that some people have a certain ethnic identity give them rights that are denied to other people? That is a valid point that must be dealt with.

I was struck by the apparent obsession of several of the earlier Conservative speakers with primitive nomadic hunter-gatherers. I assume that that came from their briefing but it seemed that it had slightly skewed the approach that the speakers took.

The committee's report is important because of the catalogue of stark inequality, inadequate social provision and lack of opportunity that it details. Kenny Gibson mentioned that 80 per cent of children from the Traveller community fail to go regularly to secondary school and that 59 per cent fail to go to primary school. Those are pretty stark figures.

In an interesting and helpful speech, Irene McGugan was right to call for a sensible and flexible approach by education authorities and the need for strategies to address the diverse needs of Gypsy Travellers. The recommendations in the committee's report—particularly 15, 16, 17 and 21—deal with that issue and talk about innovative projects, the support of home learning, which we have talked about before in this chamber, and so on. The key point is that we must be able to work with the grain of Traveller communities. That cannot be left to local authorities to do, if for no other reason than the obvious one that Travellers travel across local authority boundaries.

The Scottish Executive response in this area is disappointing. It is not tailored to addressing the particular needs of Travellers, it does not recognise the dimension of their cultural identity and it does not deal with the need for effective duties on councils, the resource implications that were mentioned in recommendation 24 or the need for a national strategy on funding provision.

What goes for education certainly goes for health and for the often atrocious housing conditions that Gypsy Traveller families have to live in. Mike Rumbles talked from the perspective of planning and site provision. That echoed what Michael McMahon said about the systematic failures of local authorities to make provision in that area.

We are dealing with individuals and communities. Those individuals are also citizens of Scotland: they belong to our society and have a contribution to make and a part to play. They are no less valuable than anyone else. However, they are excluded, they do not have equal opportunities and they are not a full part of our society. That has to be remedied. To do so requires a proper strategy from central Government and the Scottish Executive; it also requires local authorities and individual citizens to play a full part.

I commend the report but highlight the fact that there are several difficult issues that remain to be dealt with.

16:28

**Mrs Lyndsay McIntosh (Central Scotland) (Con):** As a recently appointed member of the Equal Opportunities Committee, I have been involved only in the later stages of debate and deliberation on the report. The report has caused controversy and disagreement. The Equal Opportunities Committee has taken evidence from several groups such as Save the Children and representatives of the Gypsy Travellers in an attempt to understand the issues that face the travelling community in Scotland.

Abuse in any form is unacceptable. We are not debating the right of Gypsy Travellers to be treated in the same manner as any other member of society. During the inquiry, a number of issues were raised and evidence was given of the bullying of Gypsy Traveller children. For example, Save the Children told the committee that 88 per cent of young Gypsy Traveller children said that they had been bullied because of who they were. The Executive has informed the committee that that issue is not its responsibility but that dealing with Gypsy Travellers is the responsibility of local authorities, education boards, police boards and so on. Although I believe that that approach might be right and proper, we can take issue with the

fact that the Executive has not responded and has failed to state that the maltreatment of Gypsy Travellers is completely unacceptable. The shunning of the report is an embarrassment. I feel for the Labour MSPs who serve on the Equal Opportunities Committee.

On the policing of criminal justice aspects of the report, the committee recommends that schemes should

"be developed to promote the confidence of Gypsy Travellers in the police"

no matter what form their contact takes. For example, the schemes could relate to their experiences as victims of crime, as victims of racial harassment or as suspected offenders. The committee has also recommended that

"Policing practices and arrangements should continue to be reviewed and specific monitoring of relations between Police and Gypsy Travellers"

should be established.

The Executive's response is based on key principles, including the principle that Travellers are entitled to the same protection as any other member of society to enable them to live free from the crimes of harassment and intimidation. No one could disagree with that point. Police services share the responsibility for the safety of Travellers with other statutory agencies and the rest of the community. Success in that regard will be dependent on effective partnerships. Travellers would be treated in the same manner as any other offender and anybody else who challenges the rule of law.

The committee has expressed its disappointment with the tone and extent of the Executive's response to the report. That disappointment is shared by those in the Gypsy Traveller community. Gypsy Travellers have the right to be treated in the same manner as anyone else.

I became involved in the latter stages of the inquiry. My first involvement was at the Gypsy Traveller civic participation event in the chamber. I chaired the group on police and criminal justice. It was a privilege for me to work with the Gypsy Traveller children who informed that group. They were able to tell us about the lack of awareness, the intimidation and the overpolicing that they face. I am indebted to Mark Kennedy for encouraging the youngsters to tell us of their experience of watching their parents—who are adults—being abused by adults. It was shameful.

Many have commented about the identification of Gypsy Travellers as a separate ethnic group. That is the key. That objective can never be achieved unless and until case law is established. No one wants to take on that responsibility. It is

somebody else's job. The term that came to my mind was buck passing. That has been mentioned a number of times by other speakers.

I close—I would not want to incur the Presiding Officer's wrath—by echoing the suggestion that my colleague Jamie McGrigor made that Gypsy Travellers should invite MSPs to visit them so that more people will see for themselves how discriminated against Gypsy Travellers are.

16:33

**Colin Campbell (West of Scotland) (SNP):** In defence of Kenny Gibson, he said that children had no choice.

I will talk briefly about ethnicity. I understand the logic behind the argument on ethnicity. Of course, there are Romanies in the United Kingdom. A list that I have from Save the Children includes:

"Irish Travellers, Romany Chals, Border Gypsies, Welsh Kale Romanies and New Travellers."

From the surnames of Gypsy Traveller families in the west of Scotland that I know, it seems to me that they are of the same ethnic background as I am—a Celtic ethnic background. However, I know the point of the exercise. It is absolutely right that anti-racist and anti-discriminatory criteria should be used to safeguard Travellers and their way of life. Their major difference from us is that their culture differs from ours. It is not identical to ours.

Not surprisingly, I think that education is the key—I think that education is the key to practically everything. Education would enable Travellers to engage with settled society and would enable it to improve its understanding of Travellers.

*The Economist* carried an article last week on European Roma or Gypsy Travellers, of whom there are 6 million. In Montenegro, three of the 20,000 Gypsy children of secondary age go to school. A major problem exists, which is reflected to a lesser degree in Scotland. In the Czech Republic, Hungary and Slovakia, programmes have been put in place to help Romany-speaking pre-schoolers to learn the main language of those countries. That is not quite so necessary here, but pre-school provision on site would prepare Travellers' children for the structural norms that come with primary school.

European nations have been recruiting teaching assistants who are Gypsies to enable Gypsy Travellers' children to see people of their culture in the school leadership context. New curricula that show the Gypsies' own culture have been introduced. That obviously increases the self-esteem and self-respect of Gypsy Traveller children and educates those who do not share that culture.

We can learn from all that and take on board the recommendations of the Equal Opportunities Committee. It must be understood that what is required is a balance of the needs of travelling society and stationary, or settled society, as I have learned to call it today, and a recognition that each has a case—insisting on the extremes of each will not improve the situation.

There has to be a degree of compromise and a coming together. I quote the following from Betsy Whyte's "The Yellow on the Broom", which some members might have read.

"After school the head master gave me books which explained how all the sums we were getting were done. And one that explained grammar. 'Study these at home', he said. The head master was the best thing that ever happened to me."

I would say that. It continues:

"He taught me how much one can learn from books and I became very interested in them. I really did improve at school much to the delight of the headmaster who really took an interest in me and gave me confidence and encouragement."

That headmaster had rescued the child from a teacher who was punishing them for being a travelling child.

"He implored my parents to stay in the town until after the qualifying examinations for secondary school. I did not let him down, being one of the three in my class who won bursaries."

That school was tolerant and recognised potential. The parent adapted a little to allow the child to conform to some of the school's norms and the child succeeded educationally.

**Elaine Smith:** I wonder whether the member agrees with the point that I made earlier that mobile library provision to Gypsy Traveller sites is important and should be explored by far more local authorities than are currently exploring it.

**Colin Campbell:** Without being overtly political, I say that there has been some difficulty with funding libraries of any description in the past year or two. We have a mobile library in my village. If there are any travelling people around there, I am sure that they can access it or that it would even stop off at their site. I have no difficulty with that at all in principle.

The illustration that I gave took place more than 60 years ago and one has to wonder why we have not made any progress since then. We must seize the opportunity now with openness, mutual respect, flexibility and tolerance. We can improve and enrich all our lives—travelling and settled lives. I hope that when the minister addresses this matter she will perhaps have a timetable for action.

**The Deputy Presiding Officer:** I now call Margaret Curran to close for the Executive.

16:38

**The Deputy Minister for Social Justice (Ms Margaret Curran):** Thank you, Presiding Officer. I, too, welcome you to your esteemed high office. I notice that you are inhabiting it with your usual charm, so far. [MEMBERS: "It won't work."] My colleagues advise me that that flattery will not work.

**The Deputy Presiding Officer:** It might get you extra time. Do continue.

**Ms Curran:** The debate has indeed been interesting, wide ranging and stimulating. I recognise the many constructive points that have been made. I agree with Tommy Sheridan—surprisingly—that the independence of the Equal Opportunities Committee has been clearly demonstrated today. Painful though it has been for me, it is to the credit of the committee and the Parliament that we have had this independent debate. It certainly puts the Executive under pressure to account for itself, but I take readily to doing that. It is difficult sometimes, but I will certainly try to report as much as I can today on the detail of what has been asked in the report and in the chamber. I do not want to be distracted, tempted though I am, by Phil Gallie or even Kenny Gibson, because it might get me slightly off the point.

I ask members to bear with me as I go through a number of points. I will try to respond however I can to members' interventions. I am also happy to engage with members later on the matter.

The debate has touched on issues of basic human rights, service delivery, and leadership and influence. Those are fundamental issues and it is right that Parliament addresses them.

It is appropriate for me to start by extending my thanks to the Equal Opportunities Committee and all those who have been involved in the inquiry into Gypsy Travellers and public sector policies.

Many people have been able to contribute to the debate in some form or other, but we must recognise that the Gypsy Traveller community is an even wider constituency than it has been possible to represent so far. The nature of the community may make it harder to discern what it is saying to us, but we need to make the effort. I will say more about that later.

The committee's inquiry and report are timely. Significant evidence of the abuse and intimidation that Gypsy Travellers have had to face has recently come to light. We may be hearing about that now, but we all know that the issues have been around for a considerable time. We must use all the resources available to build a Scotland where any community may live according to its culture and its custom, and we must recognise

that that culture contributes to the wealth and strength of our country. We will not collude with people with attitudes or behaviours that stigmatise and persecute individuals, families and communities. It is the work of the Scottish Executive to turn some of those aspirations into practical realities and we will make every effort to take that work forward.

The Equal Opportunities Committee report contains 37 recommendations. The agenda that has been set is rightly challenging. On behalf of the Executive, I warmly welcome the fact that that agenda has been set and I assure members that we recognise the need to develop ways of dealing with the issues raised.

Tommy Sheridan asked me to be honest about this. I recognise that we need to make progress that goes further than that indicated in the Equal Opportunities Committee's report. I want to have a straightforward dialogue with the committee and the Parliament about that.

I will go through some of the Executive's responses to the committee's report in detail. Some members will recognise progress and some will continue to feel frustration, but I reiterate my desire to continue having a dialogue with the committee and others about this very significant area of work.

I would have to be a fool not to recognise the disappointment in the Executive that has been expressed today, but it is important to recognise that our response was a snapshot of where we are now in relation to Gypsies/Travellers issues. It is by no means the end of the process.

I would like to explain further the Executive's position, to describe some of the ways in which we are aiming to make substantial and real changes to the lives of Gypsies/Travellers in the future, and to make it clear that we are opposed to discrimination and racism in all its forms. I also hope to address some of the key issues that have been raised in the debate.

First, I wish to re-state clearly the Executive's commitment to equal opportunities for all. We must recognise that we are tackling some deep-rooted and complex problems, which are not the product of legislation or wilful prejudice; they are the product of centuries of embedded cultural and social attitudes and practices. There are no easy-fix solutions.

Prejudice and discrimination are not just about the headlines, but about how we deal with one another over everyday issues and about how we deliver—or perhaps do not deliver—core services. It is here where most scope for early progress lies.

One of the central issues raised in the inquiry and by members today is terminology and

ethnicity. It is vital that we recognise two things: first, that individuals and groups should have the opportunity to assert their own identity and to define how they want to be described; secondly, that there appears to be no clear consensus among the Gypsy and Traveller communities on the terminology that they would prefer to be used.

We recognise that the issue of terminology is important and on-going. As Alex Johnstone indicated, it has developed over time. We want to be as inclusive as possible in our use of language. For that reason, the Executive will, in general, adopt the term Gypsies/Travellers. However, we continue to support dialogue with Gypsies/Travellers themselves on terminology and will be open to views from them on the most appropriate language to use in any particular case.

The debate on terminology should be but one part of a wider discussion around the key issues that affect the lives of Gypsies/Travellers in Scotland. Those issues are access to services, effective service delivery and a sense of social justice and of a brighter future for all the children of Scotland.

The matter of ethnic status has been raised by many committee members and others. It is for the courts to determine whether a group is an ethnic group for the purposes of existing race relations legislation. As equal opportunities is a reserved issue, it would be for the Westminster Parliament, not us, to change that legislation. However, that does not stop the Executive treating Gypsies/Travellers in Scotland as a distinct group with specific needs and we are committed to doing that.

We recognise that there is not a consensus among Gypsies/Travellers around the subject of ethnicity, and that not all Gypsies/Travellers are from the same ethnic background. We are committed to continuing dialogue with Gypsies/Travellers and to working to meet their needs.

In its equality strategy, which was published in 2000, the Executive made a commitment to consultation and dialogue with equality groups. Gypsies/Travellers were explicitly included in that commitment. Since the Equal Opportunities Committee's report was published, Scottish Executive officials have, at my request, met informally representatives of a number of Gypsy Traveller organisations and visited sites used by Gypsies/Travellers. We aim to develop those links further. Jamie McGrigor made a good point about the need for MSPs to visit sites; I undertake to do that to ensure that this agenda is advanced.

It is important to recognise that improvements to services need to take place primarily at a local level. I make a commitment to thinking through

what would be achieved by a national strategy and I accept that the Executive should take on responsibility for fostering a strategic approach to this issue.

To improve our understanding of the needs and aspirations of Gypsies/Travellers and with our strategic and leadership responsibilities in mind, we propose to hold a seminar, hosted by Communities Scotland, at which the issues over which local authorities have control will be examined and discussed. The seminar will be aimed at encouraging links between central Government, local government, Gypsy Traveller communities and other bodies, for the benefit of Gypsies/Travellers, and will seek to promote equal opportunities. I do not make this announcement in the spirit of buck passing, to which Lyndsay McIntosh referred. Our aim is to get the key stakeholders around the table, which we hope will lead to action. The seminar will take place early next year and will have the central objective of driving up standards of local provision in line with national aims and standards.

Amenity units and Gypsy Traveller requirements will also be considered in a thematic study that will be conducted by Communities Scotland and to which I will refer shortly. We hope to explore those issues with local authorities and Gypsies/Travellers at the seminar that Communities Scotland will host. We want to continue to support and encourage dialogue with service users and providers at all levels.

I do not want to pre-empt the outcome of the seminar, but in the light of the concerns and issues that members have raised this afternoon I thought that it was important to let members know how we intend to take forward work in this area.

**Mr Rumbles:** Earlier I made a specific point about unauthorised camping. The guidelines that the Executive produced in November 2000 stated that by February this year local authorities should have sufficient authorised encampments to prevent unauthorised camping from taking place. Clearly, that has not happened. What is being done to ensure that it does happen?

**Ms Curran:** I am attempting to get hold of the information that will enable me to respond in detail to Mike Rumbles's point and I will address the issues that he raises. This is exactly the kind of discussion that we want to have. I will also respond to some of the points that Brian Adam made.

To be honest, the Executive has to strike a delicate balance in this area. If this were a debate about local government, Mr Rumbles would be telling us not to encroach on the rights and responsibilities of local government. We must adopt a joined-up approach. We take our central

responsibilities seriously and intend to act in this area. However, we hope to do so in partnership with local authorities, instead of taking an authoritarian approach. The specific points that Mike Rumbles made about Aberdeenshire have been noted and I will pursue them.

**Mr Gibson:** Does the Executive believe that any national strategy for Gypsy Travellers should be centrally funded, or does it expect funding to be provided by local authorities?

**Ms Curran:** I will come back to the member on that issue. When discussing education, I will say more about the Executive's relationship with local authorities.

A number of the key recommendations of the Equal Opportunities Committee concerned accommodation. The Executive recognises that the provision of safe and appropriate accommodation is a basic human need. I have had a long dialogue with the Social Justice Committee about housing, in which representations were made about equal opportunities issues. I have given considerable thought to the issues that the committee raised, because there is a difference of opinion in this area. I am anxious not to impose on Gypsy Traveller communities legislation that arises from the experiences of settled communities. I am not yet convinced that the recommendations that the Social Justice Committee has made are appropriate, although I commit myself to a continuing dialogue with the committee. I reassure the Parliament that we are ensuring that issues pertinent to the Gypsy Traveller community are being addressed in all the work that we are doing on housing, including the work of the housing improvement task force.

I do not know whether I have time to go into much detail about the history—if members wish, I may be able to do so later.

The new initiatives and legislation that are being put in place will make real changes to the provision of accommodation for Gypsy Travellers, although I accept that the effects may take a little time to filter through. I understand the frustration that people felt with our response to the report, particularly if they felt that we were not paying proper attention by saying that issues were covered elsewhere. However, that is a consequence of mainstreaming and we must ensure that other issues and processes apply to key groups in the equality agenda.

I must address the important new strategic planning system for housing that was set out in the Housing (Scotland) Act 2001. That system will require all councils to undertake an assessment of housing needs and conditions in their areas, and to produce a five-year local housing strategy.

Many members will remember that we were at pains to ensure that a requirement to deliver and address equal opportunities was contained in the act. The needs of Gypsy Travellers will be addressed as part of that work. Local housing strategies will have to take into account Gypsy Travellers on sites and Gypsy Travellers who seek to move into the socially rented sector. We wish to pursue a number of recommendations that were made previously on that point—I am rattling along at speed because I see the Presiding Officer giving me that look.

The Housing (Scotland) Act 2001 was instrumental in creating Communities Scotland—formerly Scottish Homes—in November. Communities Scotland is responsible for regulating the provision and management of local authority sites for Gypsy Travellers. During the summer, Scottish Homes was involved in consultations on the standards that Communities Scotland will use in its work.

I illustrate the commitment of Communities Scotland with the following quotation:

“We plan and provide or arrange good quality, service stopping places for Gypsies/Travellers. We let pitches in a way that ensures fair and open access for all. We take Gypsies/Travellers’ views into account in delivering our services, and we are responsive to their needs”.

I hope that the establishment of Communities Scotland, with its regulatory powers, will mean that considerable progress is made.

As I said earlier, Communities Scotland will develop a core standard by conducting a thematic study of the provision of sites for Gypsy Travellers. It will also pilot its framework of standards and inspections for Gypsies/Travellers’ sites, which will come into force from April next year. The thematic study will bring to light and spread examples of good practice and identify areas of weakness. I believe that bringing local authority sites for Gypsy Travellers into the regulatory framework is a significant and positive development and will make local authorities more accountable for the provision of Gypsy Traveller accommodation.

I do not have time to respond to other specific points, but I am happy to do so on another occasion. I must move on to speak about education, because it featured so strongly during the debate. There is an understanding in the Executive that we must go further on some issues than our response to the Equal Opportunities Committee’s report indicated. I am pleased that Cathy Jamieson took time out of her busy diary to spend time in the chamber during the debate, so that she could hear members’ comments on educational issues. Rhona Brankin clearly articulated the agenda that we must take forward.

I say categorically that we intend to make

progress on these issues. We understand the points that were raised about bullying and we recognise the need to support local authorities—we already do so in various ways. I do not want to divert this debate into our usual debate about local authority funding. Members know that I would respond to that debate with information about our record settlement and the fact that we met the needs of the Convention of Scottish Local Authorities. I would say that everyone is happy with us. I do not want to trample on the toes of local authorities. We are funding and encouraging the work of bodies such as the Scottish Traveller education programme, the centre for education for racial equality in Scotland, the anti-bullying network, the Scottish school ethos network and the ChildLine anti-bullying helpline. *[Interruption.]* I will be only two seconds, Presiding Officer.

Cathy Jamieson and I listened carefully to the debate. We are not complacent about the needs of Gypsy Travellers in education. We recognise the need for diversity in education—our work in that area will continue. I do not have the time to go through my notes on the police—I will discuss the issue with any member who wishes to raise it with me. I will arrange an informal meeting with the Equal Opportunities Committee to go through the Executive’s response to its report. I assure the Parliament that we are not complacent about this agenda—we will embed it into our equality strategy. This issue is not just flavour of the month—it is a piece of on-going work for the Scottish Executive.

**The Deputy Presiding Officer:** I thank the minister for the impressive speed at which she delivered her speech.

I call Kay Ullrich to wind up the debate for the committee. My script shows me that you have up to 10 minutes, but any time that you are able to save would be gratefully appreciated.

16:54

**Kay Ullrich (West of Scotland) (SNP):** I will do what I can, Presiding Officer, but I make no promises.

This has been a good debate. On behalf of the Equal Opportunities Committee, I thank all members who took part in it. Most of all, I echo Kate MacLean’s thanks to those who contributed to the committee’s inquiry.

It is fair to say that the Scottish Parliament is subject to what we might call the media knocking copy and not recognising the good work that is done by members of the Parliament in its committees. As Jamie Stone pointed out, the Equal Opportunities Committee inquiry into Gypsy Travellers is a fine example of the Parliament’s accessibility. The inquiry shows the ability of the

committee system to react to issues that are raised by members of the public.

As members have heard, we spent nine months taking written and oral evidence from a wide range of organisations and individuals. I am sure that I speak for all committee members when I say that our visits to the nine local authority sites most informed our deliberations. I give the committee's thanks to the Gypsy Traveller community throughout Scotland for its courtesy and hospitality during our visits.

The committee's report covers the broad policy areas of education, culture, health, social services, accommodation, policing and criminal justice. All those areas have been covered during today's debate. On education, Kate MacLean spoke of the young Gypsy Travellers who so impressed us when they gave evidence on their experiences of the education system. They told us of bullying and of teachers who treated them differently from other children. In an eloquent speech, Elaine Smith also spoke of Gypsy Travellers' problems in accessing education and of the seeming inability of the education system to adapt the curriculum to embrace the Gypsy Traveller culture. Irene McGugan urged that there should be flexibility in the education system and gave us some examples of current good practice. Rhona Brankin spoke of the bullying and name-calling that Gypsy Traveller children have suffered over many generations.

The most damning indictment of the education system's failure to embrace the needs of Gypsy Traveller children is surely to be found in the statistics. Only 21 per cent of Gypsy Traveller children in Scotland receive a regular secondary education. Contrary to the views that were expressed by my colleague, Kenny Gibson, I maintain that those children are simply voting with their feet in reaction to a system that does not adequately address their needs. Once and for all, let us dispel the myth that Gypsy Travellers do not want education. I came across the working document, "The Education of Gypsy Traveller Children in the UK", which states:

"We need education if we are to have self-determination. For, in a society which has historically denied us education, the first reason given for not recognising our needs is that we are ignorant. Illiteracy should not be confused with ignorance."

On accommodation, Jamie McGrigor spoke of the poor conditions of the access roads to two of the sites that he visited. He was also concerned that the encampments were locked overnight without access to the keys should an emergency occur.

My most vivid memory from my visit to a site in Lochgilphead is of the amenity blocks, which comprised a laundry room through which there was access to a bathroom. There was no

insulation and only one small heater. Even in May, I would not have liked to take a bath or shower in that cold place, yet right now—today, in this weather—children are being bathed there. They will not be lingering long in the soapsuds in Lochgilphead.

As Jamie McGrigor and others pointed out, it is not as if that accommodation comes cheap. In 1995, a survey that was commissioned by the Scottish Office showed that the average pitch rent for a site in Scotland was £36.42. That should be compared with the average council house rent of £31.87. Bear in mind the fact that Gypsy Travellers provide their own trailer and that use of electric meter cards is mandatory. The price of those cards is higher than the price for people in social rented housing.

**Mr McGrigor rose—**

**Kay Ullrich:** I was promised 10 minutes for my speech, but I will skip the section on health and concentrate on a subject that has been neglected—policing and the criminal justice system.

**Mr Gibson:** I mentioned it.

**Kay Ullrich:** Yes, Kenny did mention it—and this time I agreed with what he said.

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

**The Deputy Presiding Officer (Mr George Reid):** No, we are already into extra time, Mr Sheridan.

**Kay Ullrich:** I am sorry, Mr Sheridan, but I am on my last minute. Or two.

It has been acknowledged that much has to be done to improve relations between the police and Gypsy Travellers. Submissions to the Equal Opportunities Committee highlighted the fact that it was not unusual for the police to attend a Gypsy Traveller funeral in order to serve outstanding warrants on some of the mourners. I have first-hand experience of that kind of practice. I used to work as a hospital social worker, and I remember a time when an elderly and very much respected member of a Traveller family was dying. Family members came from near and far to pay their last respects. The police came too—but not to pay respects. They came to serve outstanding warrants on grieving relatives. There is a real need to monitor relations between the police and Gypsy Travellers, and an urgent need to review policing practices and arrangements.

This has been a good debate. It is no secret that we in the committee are deeply disappointed at the Executive's response. However, I thank Margaret Curran for her response today, which has given us a little hope. I know that discussions between us will be, as they say, on-going.

Let us end discrimination. Let us raise society's awareness and, in doing so, let us end racism towards Gypsy Travellers, who, after all, are our fellow citizens in this little community of Scotland.

**The Deputy Presiding Officer:** The next item of business is consideration of Parliamentary Bureau motions, but as there is none, we will move straight to decision time.

## Decision Time

17:03

**The Deputy Presiding Officer (Mr George Reid):** As a result of today's business there is one question to be put to members.

The question is, that motion S1M-2439, in the name of Kate MacLean on behalf of the Equal Opportunities Committee, on that committee's inquiry into Gypsy Travellers and public sector policies, be agreed to.

*Motion agreed to.*

That the Parliament notes the 1st Report 2001 of the Equal Opportunities Committee on the *Inquiry into Gypsy Travellers and Public Sector Policies* (SP Paper 356).



## European Year of Languages (British Sign Language)

**The Deputy Presiding Officer (Mr George Reid):** We move now to members' business. I ask members who are leaving the chamber to do so quickly and quietly. The debate will be on motion S1M-2175, in the name of Sandra White, on the European year of languages and British Sign Language. The debate will be concluded without any question being put. Members who wish to contribute to the debate should press their request-to-speak buttons now.

*Motion debated,*

That the Parliament believes that in 2001, the European Year of Languages, the Scottish Executive should take forward the lessons of the Millennium Project 2000 which taught the basics of British Sign Language (BSL) and Deaf Awareness to schoolchildren; invites the Scottish Executive to investigate the introduction of BSL to the school curriculum, and further believes that Her Majesty's Government should give official recognition to BSL under the terms of the European Charter for Regional or Minority Languages.

17:04

**Ms Sandra White (Glasgow) (SNP):** Presiding Officer, may we have extra time for the debate, because of the number of members who wish to speak and because the previous debate overran?

**The Deputy Presiding Officer:** I will consult the minister, who might have further engagements. We might just manage an extension, but I will give a ruling towards half-past 5.

**Ms White:** Thank you.

I would like to welcome all the interested parties in the gallery and to thank them for travelling here on such a miserable night. I also welcome Cathy Jamieson, the Minister for Education and Young People, who has a personal interest in Kincaidston Primary School in Ayrshire. I would also like to thank the many groups of the deaf community who have been extremely supportive in pushing for the debate, particularly Deaf Connections, the British Deaf Association and the Scottish Council on Deafness, whose support and information has been invaluable.

The debate has been long awaited by many people involved with the deaf community. It is my third attempt to debate the motion; I first lodged the motion in mid-2000. I am delighted that the motion has been taken for debate tonight. It is particularly timely as it is fewer than four weeks before the end of the European year of languages. The motion covers a range of issues on which many people have been campaigning for some considerable time.

My interest in the issues contained in the motion was first stimulated by my involvement in the millennium schools project. It was my great delight to take part in the project when Deaf Connections in Glasgow organised activities with St Brendan's Primary School in Yoker. The millennium schools project aimed to teach the basics of British Sign Language and deaf awareness to primary 7 classes in Glasgow. I was delighted when I heard that the project had been awarded a further three-year grant from the Community Fund and that it was to be extended to secondary schools both in and outside the Glasgow area.

The project sought to instil a greater knowledge, understanding and awareness of deaf people and their language in mainstream schools. As 90 per cent of deaf children are educated in mainstream schools, the introduction of BSL and deaf awareness programmes would enable deaf youngsters to feel more included in activities. That would set a solid foundation for the future, with more hearing people having some knowledge of sign language. It would help make Scotland a more inclusive society for those of us who are deaf. The deaf community would like BSL to be added to the school curriculum so that both deaf and hearing children can learn it at school.

A key issue for the deaf community is the shortage of sign language interpreters, lip-speakers and deaf-blind communicators. As more deaf and hard of hearing people leave school, the demand for communication services has become so great that it is outstripping supply. Deaf people find great difficulty in securing the services of interpreters. In Scotland there are only 37 qualified BSL interpreters. That represents a ratio of only one interpreter to 135 deaf people. Many in the deaf community believe that the recognition of BSL and its introduction to the school curriculum would be a tremendous step forward in alleviating the situation.

The European year of languages has been welcomed as an opportunity to celebrate linguistic diversity and to highlight the benefits of a multicultural, multilingual society. The deaf community has used the opportunity to increase awareness of one of the most significant minority languages—sign language. The British Deaf Association estimates that in Scotland there are about 7,000 people whose first or preferred language is BSL. In the UK as a whole, more people use BSL than use either Gaelic or Welsh. Many deaf people speak English only as a second or third language. Sign language is more accessible to deaf people than English, making it extremely important for BSL to be recognised.

The UK has now signed and ratified the European Charter for Regional or Minority Languages. The charter states that it is a basic

human right to use a minority language in private or public life. The deaf community would like information produced by local and central Government to be available in BSL format. Deaf groups such as the BDA have called for recognition of BSL under the charter, as that would ensure for the deaf community fuller access to public services, education, the justice system, broadcasting and cultural life. Recognition would also encourage study and research into BSL and would enhance its position as one of the UK's most widely used indigenous languages.

Last week we had a debate on audiology services, when we were informed that delivery was the responsibility of the health trusts. This week we have a real chance to deliver, as education is the responsibility of the Scottish Parliament. I hope that the minister will take steps to help create a better future for the deaf community and will make some positive moves to demonstrate that the Scottish Parliament is making progress towards a more inclusive society.

**The Deputy Presiding Officer:** Eight members wish to speak in the debate. If everyone keeps their speech to three or three and a half minutes, I should fit them all in. I am also conscious of the sign language interpreter in the gallery, for whom 45 minutes is a remarkably long shift—let us see whether we can complete the debate within the standard time.

17:09

**Cathie Craigie (Cumbernauld and Kilsyth) (Lab):** I would like to thank Sandra White for securing today's debate. Over the past couple of years the profile of the deaf community has risen. That is a credit to the Parliament and I hope that today's debate will be one of our successes.

The deaf community has campaigned for a long time for BSL to be recognised officially as a language. Much emphasis is, quite rightly, put on the progress that would be made as a consequence of recognition. It is obvious to anyone who has witnessed any kind of conversation in BSL that it is a language in its own right. Recently, the cross-party group on deafness, along with children from Donaldson's College in Edinburgh, helped to launch deaf awareness week in the chamber. Many of the members who are here this evening came along to that launch. It is fascinating to watch people, especially children, who communicate with every part of their body. It is not just about the hands—the whole of a person's body moves as they put their expressions into their own language. BSL is a language in every way, with its own syntax and structure.

As Sandra White highlighted, we have a critical shortage of sign language interpreters in Scotland

to service a community of about 7,000 people. The result is that the resources do not exist to provide proper access to communication services and therefore to all kinds of services that others take for granted, such as visits to doctors and lawyers and, as the Deputy Presiding Officer has pointed out, the public activities of the Parliament.

Associated with that shortage is a gap in higher education courses and funding for training interpreters. As far as I am aware, only one course is available in Scotland, at Heriot-Watt University. It is a part-time course, which costs around £3,000—an individual usually has to fund it from their own pocket. We need to start from the bottom up. According to the BDA, the use of BSL is growing in Scotland. Increasing numbers are taking basic courses—that is to be welcomed. However, as well as continuing that, we need to have a properly funded and recognised higher education course.

I take the opportunity to ask the Executive to maximise the opportunities for deaf children to be educated in the medium of BSL. I recently submitted a motion on that, which also highlighted deaf awareness week. Although we did not have the opportunity to debate the motion in the chamber, I am grateful to my colleagues who gave their support. We need to take action on both those points: increasing the provision of education for deaf children in the medium of BSL and considering the introduction of BSL into the school curriculum. The need is there and adults and children want to learn.

Over the past few years, my interest in deaf issues has grown and my eyes have been opened to the many complex issues that face deaf and hard-of-hearing people in Scotland. As Sandra White said, only last week we debated the need to improve audiology services. We should work for more than official recognition, although that would be an extremely important start. Only Westminster can make that start; recognition by the Scottish Parliament would be merely symbolic. I am pleased that Sandra recognised that in the motion and in her opening remarks. However, the Parliament has debated the issue many times. Questions have been raised almost every month. I join other members today in appealing to the Executive to pursue the issue with the UK Government.

I finish with an invitation. The Scottish Parliament offers a course in BSL to parliamentary staff, but we hope to set one up shortly for members and their researchers. I invite anyone who is interested in learning BSL to respond to the e-mail that has been sent out. I am sure that we can be of benefit to the people out there who might need our services as MSPs.

17:14

**Mr Brian Monteith (Mid Scotland and Fife) (Con):** I thank Sandra White for obtaining time to debate this subject. I welcome the debate because it gives us the opportunity to discuss not only the issue of British Sign Language and its recognition but the issue of languages in the curriculum.

I come to the debate with an open mind. I want us to take steps forward but believe that the only way we can do that is to ask harder questions than we have previously asked. Those questions can probably be answered. Once the answers are obtained, the Parliament will be in a position to begin to make changes. The Millennium Project 2000, which is mentioned in Sandra White's motion, was a worthwhile initiative, and its lessons must be given due consideration. We are able to have such projects in the curriculum. That allows us to explore the initial difficulties of such projects, to note the positive reception of the pupils and teachers involved and to discover ways of overcoming any obstacles.

Before we all agree that BSL should be introduced to the curriculum, we must consider the difficulties that the curriculum already poses for a variety of things that we would like it to include. John Farquhar Munro is present for this debate. I know that he would want there to be more Gaelic teaching. I have a penchant for more Scottish history in the curriculum, and I welcome what Cathy Jamieson was doing yesterday to help that. We have to ask where in the curriculum we should put BSL. That is a question that other members may answer during the debate. Is it to be part of the English language or is to be part of foreign language teaching? I do not consider BSL to be a foreign language. I am sure that those who use British Sign Language do not consider it to be a foreign language. It is their language and part of their culture.

We have to be careful about how we classify BSL. Once we settle that argument, we must consider the guidelines for the five-to-14 curriculum. The guidelines for the S1 and S2 curriculum say:

"Over the two-year period this minimum allocation accounts for 80 per cent of the available time and represents a basic entitlement for every secondary school pupil. The flexible use of the remaining 20 per cent should be based on the needs of pupils and the development priorities of the school."

Perhaps BSL could be fitted into the 20 per cent of curriculum time that is already allocated to language. Alternatively, a school could use the 20 per cent of curriculum time that is free for flexible use to bring in BSL. We must try to isolate the opportunity that is available, rather than giving out glib phrases saying that we support BSL and want it in the curriculum. We must be more detailed.

**Ms White:** The motion

"invites the Scottish Executive to investigate the introduction of BSL to the school curriculum".

We are not saying that we will take it on board right now, but that we want its introduction to be investigated.

**Mr Monteith:** I quite understand that and I shall take up that point at the end of my speech. I do not want to impugn Ms White's motion by suggesting that she is forcing BSL upon us.

If we put BSL into the 80 per cent of the curriculum for which minimum time is allocated to subject areas, we must be prepared to say which subjects, if any, will have to give up time. We should investigate that and find out how we can promote British Sign Language. We also need to accept that it is now time for a debate on the flexibility of the curriculum. I hope that the Minister for Education and Young People will give us time for such a debate in Parliament. We can then discover more about opportunities for BSL.

This Parliament has committees. Committees, not the Executive, are the ideal vehicle for investigating what needs to be done and what the practical difficulties and costs are. The committees themselves can introduce legislation if that is required. I recommend that, although the Executive should give BSL a favourable wind, we should look to the committees to introduce legislation that will engender cross-party support.

17:19

**John Farquhar Munro (Ross, Skye and Inverness West) (LD):** Like the previous speakers, I am delighted to be taking part in this debate and I thank Sandra White for giving us the opportunity to discuss the subject. However, we debated the matter between a year and 18 months ago, and I do not think that the Parliament has moved very far forward since then. That is disappointing in the extreme.

Until a few years ago, I was not terribly aware of the difficulties that were encountered by the profoundly deaf community. That is to my shame and disadvantage. However, when I became an MSP, I was invited to speak to a group from the British Deaf Association in Inverness and was quickly apprised of the daily difficulties that the deaf community encounters. I am sure that many members have had the same experience.

We have a freedom when we speak to a person in a public place, whether that person is a solicitor, a doctor or someone at a train or bus station. One is given an audience and can hear what is said and the other person can understand. That is not the case for the profoundly deaf community; they do not enjoy the same privilege. They are reluctant

to present themselves at public places because they are not sure if they will be understood or if responses will be clear, precise and concise. They are therefore concerned, which is a great shame. I was always under the impression that if a person had a hearing impairment, a hearing aid or a loop system in a building would be to their advantage. I was told that such aids are of no advantage and are of little consequence to the profoundly deaf.

Despite our best efforts, BSL is not officially recognised in the UK or in Scotland. Many users of BSL think that they are discriminated against because their language is not officially recognised, and they are right. There are human rights and civil liberties questions. BSL is a language in its own right with its own grammar. It is not based on English—it is international. Different countries have their own national sign languages. BSL is a visual language that is transmitted by facial expressions, lip and hand movements and body movements that have different meanings in different languages. If we want to suggest that it is British, we would have to initiate our own British system of BSL.

The BDA estimates that around 70,000 people in Britain have BSL as their first or preferred language. We will discriminate against them if we do not introduce BSL in Scotland. The motion suggests that BSL should be recognised and introduced into the mainstream education curriculum. That is a credible suggestion and should happen. As I said, we debated the issue in Parliament some months ago, but nothing has happened.

The European year of languages is a joint venture between the Council of Europe and the European Union. They supported the concept that the Europe of the future, like that of the past and present, would be a Europe of linguistic diversity. We should support that. What are we waiting for in Scotland? I do not know. The motion is worthy of support and I am pleased to support it. I ask the Scottish Parliament to lead the way for the rest of the UK. Deaf issues are a fundamental part of the Parliament's equal opportunities agenda. I hope that we can secure all-party support for the recognition of BSL as an official language in the UK and that it will be introduced into the mainstream education curriculum.

**The Deputy Presiding Officer:** I ask the remaining speakers to keep to three and a half minutes, which is the maximum time.

17:24

**Dr Winnie Ewing (Highlands and Islands) (SNP):** John Farquhar Munro asked:

"What are we waiting for in Scotland?"

That is simple—we are waiting for official recognition of BSL and for more qualified sign interpreters. The shortage is chronic. As John Farquhar Munro mentioned, I secured a debate on the issue months ago. During that debate, Jackie Baillie told me:

"A piece of work is currently being undertaken by the Department for Education and Employment—with the Royal National Institute for Deaf People and the Council for the Advancement of Communication with Deaf People—on proposals to address the shortage of interpreters ... We await that information, to establish what can most usefully be done".—[*Official Report*, 16 February 2000; Vol 4, c 1140.]

The cost of the course at Heriot-Watt University has been mentioned. No grants are available, as the course is part time and held at the weekend. We want it to be funded in the normal way, as happens with students who study other subjects. That is what we are waiting for. Heriot-Watt University has demanded that it be done.

A career structure exists for people who learn the language. In Scotland, there are only 37 interpreters and 14 trainees, but Finland has 350 interpreters. When I was chairman of the European Parliament's culture committee, members of that Parliament passed almost unanimously a motion stating that every member state should give official recognition to the sign language of their country. However, only four countries have done so. Of course, Britain is not one of them—they are Sweden, Denmark, Portugal and Finland.

Sign language is a beautiful thing. It can cover the range of philosophical thought. It is ancient and is used by more people than use Welsh and Gaelic put together, as Sandra White pointed out.

We must have more interpreters. They are exhausted. Interpreters in Inverness told me that they wished they did not have the skill, because they cannot say no. They cannot say no when they are asked to attend a funeral or a ceremony or to help with visits to the lawyer, the doctor or the travel agent. Statistics show that one in six deaf people who visit a doctor end up not knowing what advice the doctor gave. Deaf people do not have normal access to leisure or health care.

In Finland, deaf children go to ordinary schools and are accompanied by their own signer. They are part of the community. I have presented prizes at Donaldson's College for the Deaf. One or two of the senior pupils were going on to further studies and I think that in some cases arrangements were made for them to be accompanied.

We are obviously lagging behind, but there is no problem about what we must do. We must get more people to take the official course and obtain the official qualification. That means that we must have a change in the rule about the funding of

students on the course. There are plenty willing to do it, particularly those with a deaf relative. Nothing seems to have happened since the debate that I secured 18 months ago. We have had nice words, but that does not help the deaf—they need action now.

17:27

**Irene Oldfather (Cunninghame South) (Lab):** I congratulate Sandra White on her motion and I thank her for securing the debate.

This is the second time this year that we have debated the European year of languages in the chamber, which is a very good thing. Members will recall that in September some of us undertook a languages challenge. I said that I would brush up on my French, which I did. The Deputy Presiding Officer showed us how good he was at Russian. As part of that challenge, one of my colleagues in North Ayrshire Council undertook to learn from scratch—and have a conversation in—British Sign Language. That was commendable.

I mentioned that example because I believe that it reinforces the principles of the European year of languages—it signals that languages are for everyone and that they are about more than the spoken word. Languages are about communication, understanding and breaking down barriers between us.

I understand that there are 8.5 million deaf people in the United Kingdom—that is almost twice the population of Scotland. Despite that, knowledge of sign language is often confined to those who have family members who are deaf or who work professionally in the area. I do not think that that is good enough.

Sandra White's proposal that there should be opportunities for children to learn BSL as part of the curriculum is a good one. We should consider how we could introduce that in a flexible way. Young people often learn languages to be able to communicate with their counterparts abroad. We accept that on a daily basis. However, it is equally important that they learn to communicate with those young people around them who are deaf.

I am delighted that the European year of languages has provided a vehicle for the Parliament to discuss BSL. I am happy to support Sandra White's motion and I thank her for lodging it.

17:30

**Nora Radcliffe (Gordon) (LD):** I join previous speakers in thanking Sandra White for initiating the debate, which is just in time to be in the European year of languages. She might like to know that my Westminster colleague Malcolm

Bruce is particularly interested in the Parliament's debate today. He put a successful motion to the Council of Europe some months ago that sign language should be accepted as a language under the European Charter for Regional or Minority Languages and he is the rapporteur of the working group that was established to consider how sign languages are treated in all countries in Europe. He has asked me to send him a copy of the *Official Report* of our debate.

The meat of the motion concerns what will be done to teach and use BSL in schools. If that is done, it will ripple out into society. To provide a solid foundation for incorporating BSL into education and other service provision, with all the wider benefits of access and inclusion that that will bring, the initial step is for the UK Government to add official recognition of BSL to its ratification of the European Charter for Regional or Minority Languages.

Sign languages were excluded from the languages that the charter initially covered because it was argued that sign language was not a real language and that the charter's aim was to protect historic languages. Both those arguments are easily refuted. References to the use of sign language go back to St Augustine in the first century. Linguistic analysis of BSL and other national sign languages establishes without doubt that they are as complex and sophisticated as any spoken language and have their own vocabulary, grammar and syntax.

No official figures exist for the number of BSL users in the UK, but it is estimated that BSL is the first or preferred language of between 50,000 and 70,000 people. That is a significant minority. As Sandra White said, more people use BSL than use Welsh, but Welsh-medium education can be provided.

The European Parliament called on member states to recognise their respective national sign languages in 1988 and 1998. Its calls have fallen on deaf ears, if members will pardon the expression. As Winnie Ewing said, only four countries—Denmark, Finland, Portugal and Sweden—have recognised their sign languages. It is long past time that Britain followed suit.

Although important, recognition is only an initial step. We need a cross-border change in attitude. We need to shift the perception of BSL as a special needs language to that of BSL as a straight first language or as a mainstream modern language choice.

I will end my speech with a quotation:

"Often individuals and groups are treated unjustly and suppressed by means of language. People who are deprived of linguistic human rights may thereby be prevented from enjoying other human rights, including fair

political representation, a fair trial, access to education, access to information and freedom of speech, and maintenance of their cultural heritage."

I do not want any group of people in Scotland to be excluded in that way. I commend Sandra White's motion and urge the Scottish Executive to proceed as the motion suggests and to lend its weight to the campaign to have BSL recognised by the UK Government.

17:34

**Irene McGugan (North-East Scotland) (SNP):**

Like others, I welcome the debate. I am pleased that the European year of languages has given us an opportunity to dispel some of the myths about sign language, to raise awareness of BSL and to press for changes in attitude and for acceptance.

We heard Dr Ewing and Nora Radcliffe talk about the European Parliament's attempts to persuade every member state to recognise its national sign language as the official language of deaf people. I echo that Parliament's calls for the UK Government to recognise BSL under the Council of Europe's European Charter for Regional or Minority Languages. The UK Government's refusal to accede in that respect, despite a recommendation from the Disability Rights Commission, is insupportable.

In his recent report "Language and Literacy Policy in Scotland", Professor Joseph Lo Bianco, who is a noted expert in his field, confirms:

"BSL users are deprived of many social rights that their fellow Scottish citizens take for granted. The stigmatisation of signing results in considerable social, legal, educational and economic disadvantage and inequity. By present day values, the policy that we find in the practices of some educational institutions and many social agencies, in relation to signing, is characterised by prejudice and ignorance."

Like others, I am especially concerned by the impact of all this on generations of deaf children who have underachieved because of their struggle to understand spoken language and because of being denied the opportunity to acquire BSL. Perhaps a comprehensive policy on language needs, with the promotion of bilingualism as the norm, would help to overcome some of the past prejudice and negativity.

Although I have spent much of the past 12 months raising awareness and campaigning on behalf of Scots and Gaelic in the European year of languages, I have also been investigating the BSL situation. Many members might not be aware that earlier this year, members of the Education, Culture and Sport Committee—including Brian Monteith—decided to undertake an inquiry into Scotland's languages, focusing on the role of educational and cultural policy and practice in supporting and developing all Scotland's

languages. I was asked to undertake that inquiry on behalf of the committee and am pleased to tell members that there was an excellent response to the call for written evidence on the issue. A first draft of the report is being prepared for submission to the committee some time in the new year. However, it became apparent early on in my work on the inquiry that we needed to include BSL, because not to do so would have rendered any report on a languages policy for Scotland grossly deficient. I ask the Scottish Executive to take note of that.

17:37

**The Deputy Minister for Education and Young People (Nicol Stephen):**

I congratulate Sandra White and indeed all the members who have participated in the debate. It is clear that members have a considerable breadth of knowledge on this issue and that the debate has been very worth while. To those in the gallery with a particular interest in the issue, I add my welcome to Sandra White's. I give my biggest congratulations of all to the sign language interpreter in the gallery, who has been doing an excellent job throughout the debate for what has now been a long time.

We all want a just and inclusive society in Scotland that enables all our citizens to achieve their full potential. The Scottish Executive recognises that deaf people's lack of access to information and services that hearing people take for granted contributes to their sense—indeed, the reality—of isolation and social exclusion. Our commitment to finding ways of making a practical difference to people's lives is one of the fundamental aspects of Scottish ministers' overall commitment to social inclusion and equality. In education, that commitment is recognised in our national priorities, which I will touch on a little later.

First, like other members, I want to mention the millennium project, which we would all agree has been extremely worth while. The aims of the initiative were to improve the quality of life for deaf people by raising awareness, reducing stigma and improving the general public's communication skills. It is impressive that 56 primary schools in the Glasgow City Council area volunteered to participate in the programme, which provides 10 hours of instruction in BSL to primary 7 pupils.

Deaf Connections and Glasgow City Council are to be congratulated on the initiative and on attracting funding to support the project. I understand that that funding is now to be extended to allow the project to run for three years. The project will also be extended throughout the west of Scotland and into secondary schools. I congratulate the organisers on the initiative and the steps that they are taking to roll the project out

into other parts of Scotland.

I return to the issue of BSL in the school curriculum. Members will be aware of the national priorities in education, which outline the aims for a successful education system. I will not rehearse them all this evening. They focus on five key areas, one of which is inclusion and equality. The area of inclusion and equality in education is the most relevant to the debate and, as I said, it is a core element of the policy that Scottish ministers are trying to develop on inclusion and equality in general.

The promotion of equality will help every pupil to benefit from education. Particular regard must be paid to pupils with disabilities and special educational needs as well as to Gaelic and other lesser-used languages. Local authorities and their schools are aware that they hold the key to delivering an education that implements the national priorities in full and are best placed to take into consideration the individual needs and wishes of pupils and parents. Decisions on how to implement the priorities rightly lie with schools and local authorities.

However, very recently, schools have been encouraged by Scottish ministers, through a Scottish Executive circular, to consider greater flexibility and more innovation in the curriculum. The intention is to enable schools to provide a more individualised education and to support pupils in achieving their full potential. There has been no better time for schools to make decisions on curriculum content, in line with their priorities, within the framework of the national priorities. I would be pleased to see a greater use of BSL in our schools. The key is for schools to recognise the benefit to their pupils and, in my view, the decision is best made by teachers, head teachers and local authorities, although all of us can encourage that to happen.

Following a debate on BSL that was initiated by Winnie Ewing last year, the Executive established a BSL and linguistic access working group, which fully involves BSL users and organisations such as the British Deaf Association, the Royal National Institute for Deaf People and the Scottish Association of Sign Language Interpreters. The group is exploring what needs to be done to make a real and practical difference to the lives of people who are deaf, especially those who use BSL. The presence of Cathy Jamieson at the debate underscores our commitment to the issue and we look forward to seeing the outcome of that work as soon as possible.

However, the group is not considering the issue of official recognition of BSL because, as colleagues are aware, that issue is not devolved but is reserved to the UK Government. The Executive's equality strategy contained a

commitment to commission a study on the development of a national framework of guidance on the provision of translation and interpreting services. That is intended to consider minority ethnic languages as well as the communication needs of disabled people, including BSL users. The outcome will be a framework of guidance on the provision of translation, interpreting and communication support services throughout the public sector. We hope to tackle some of the concerns that Winnie Ewing has again identified this evening.

In closing, it is important to mention the European year of languages. The main objective of the year is to make European citizens aware that all languages—not just the widely known languages—are important and equally deserving of interest.

A Scottish committee has worked hard to promote and support activities and events that were organised as part of the European year of languages. The interests of the deaf community were represented on the committee by the Scottish Deaf Association. Many local and national events have taken place over the year and have resulted in a renewed interest in languages. I understand that a significant event is being arranged that will not only look back at what has been achieved during the year but, more important, look forward at ways of sustaining those achievements. I hope that BSL and the needs of deaf people will play an important role in that.

I am conscious of the time—for obvious reasons, I have tried to speak more slowly than I would otherwise have done—so I think that I will close on that issue. I hope that we debate this issue in the Scottish Parliament again. We have done so on more than one occasion now, but it is an issue that is worthy of further debate and all of us would like there to be further progress.

*Meeting closed at 17:46.*





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