

MEETING OF THE PARLIAMENT

Thursday 7 February 2002

Session 1

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Scottish Parliament

Thursday 7 February 2002

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

Scotland's Road Network

The Deputy Presiding Officer (Mr George Reid): The first item of business is a Scottish National Party debate on motion S1M-2703, in the name of Kenny MacAskill, on Scotland's road network, and two amendments to the motion.

09:30

Mr Kenny MacAskill (Lothians) (SNP): I start by quoting briefly from Shakespeare:

"Now is the winter of our discontent"—

not, I should add,

"Made glorious summer by this sun of York"

but made a shambles by Ms Boyack.

From the Borders to the Highlands and from the A1 to the A9 we have a winter of discontent for the traveller and for our economy. There has been a catalogue of complaints and anecdotal evidence, from individuals, elected representatives—including many on the Executive's benches—motoring organisations and even entire councils.

We were put on standby when, as a result of a manhole cover collapsing on the M8, the economy of the whole of the west of Scotland ground to a halt. Such an absurdity has not been heard of since a kingdom was lost for the want of a horseshoe nail. That was even before the winter snows and ice, which are a difficult period for all in Scotland, when individuals require to take care, for their own safety and so as not to jeopardise the safety of others by their actions. During that period, those charged with the care and maintenance of roads must ensure that all adequate and appropriate steps are taken to keep roads clear and traffic moving.

That has not happened. We have had complaints about ice on the A1 and lack of gritting and we have had the first closure of the snow gates on the A9 at Blair Atholl for many a year, despite the fact that this has not been the most inclement of winters. There have been complaints that the M90 at Kinross is more reminiscent of an ice rink than the main highway from Lothian to Tayside and the north. The Kessock bridge—the artery from Inverness to the Black Isle and beyond—was shut down. I could go on and on. The tragedy for the economy and the traveller is

that they cannot get on, never mind go on.

As I indicated, many of the complaints emanate from elected representatives in the chamber. Righteous indignation, they will claim; sanctimonious twaddle, say I. We do not need their pious press releases, for they were well warned about the effect of the privatisation of trunk road maintenance.

George Lyon (Argyll and Bute) (LD): Will Mr MacAskill take an intervention?

Mr MacAskill: Not at the moment.

Elected representatives have had the opportunity in previous debates to register their vote against the folly of splitting up and hiving off trunk road maintenance, selling off the work force and selling out the public. Action not rhetoric was needed then and action not rhetoric is needed now. When the privatisation of trunk road maintenance was debated just over a year ago, members were strident in their rhetoric, but reticent when registering their vote.

George Lyon: Is it the policy of the SNP to tear up the contract and return to the status quo?

Mr MacAskill: If Mr Lyon would listen to my speech, he will hear my suggestions. We should never have got into this situation in the first place. The Executive sold out the work force and the local economy by signing a contract and signing away good care and maintenance of our roads.

Let us take the former convener of the Transport and the Environment Committee, the illustrious Mr Andy Kerr, who said:

"We are on the edge of making one of the Parliament's worst decisions in its short life. It is a personal and political embarrassment that we find ourselves arguing over such issues in the Parliament. Allowing the management and maintenance contracts to go ahead as planned would be one of the worst decisions we could possibly make ... the private sector will make our roads worse".—[*Official Report*, 25 January 2001; Vol 10, c 579-80.]

He was absolutely right. The pity is that while he was given licence to moan he did not have the guts to vote. Instead, for his cowardice, he was promoted onwards and upwards to become Minister for Finance and Public Services.

Now that he is in a position of power, what will Mr Kerr do about the situation? Mr Lyon should perhaps take note. Mr Kerr has an opportunity, as the problem is not simply trunk roads but all roads. As was forewarned, privatisation has not only created a worse service on the trunk roads but undermined the ability of local authorities to deal with non-trunk roads. A previously integrated service has been rent asunder.

That manifests itself in two ways, the first of which is the loss in economies of scale. Councils' grant-aided expenditure allocations were

insufficient and had, in any case, been cut year on year. Now, without compensation or allowance, councils are expected to cover the same distance at lower cost. It just cannot be done. Our largest council, Highland Council, has had cuts of 13 per cent in its roads maintenance allocation and 5 per cent in its winter maintenance allocation. The City of Edinburgh Council has less now than it did four years ago to maintain the same, if not a greater, number of roads and pavements. There has been a cut in real terms. That is not offset by the removal of trunk roads from the council's domain, as trunk roads were previously funded from another budget. The budget has been slashed and economies of scale have been cut without compensation. Councils are short of cash and have now been short-changed.

Secondly, there is the lack of an integrated network. Previously, local authorities collaborated for the public good. Now, in many instances, there is not only disunity but disharmony between councils and the private contractors. Moreover, there are total absurdities. One example is the area where the A1 meets the Edinburgh bypass. Until last year, East Lothian Council dealt not only with the A1 trunk road but with the non-trunk sections in both its own and the City of Edinburgh Council's jurisdiction. All was well and the roads were clear. Even in inclement weather, Mr Home Robertson saw no need to complain.

Now what do we have? Well, Amey Highways Ltd has the contract for the trunk road, so it grits up the A1 to the junction at Old Craighall and stops. East Lothian Council then grits the next 1.5km, up to the City of Edinburgh Council boundary, and stops. The City of Edinburgh Council then grits the last 1km, to the Asda roundabout, and stops. Where, oh where, are the cost savings in that? It is organisational lunacy. No wonder Mr Home Robertson was complaining bitterly about Amey and the A1. Three organisations separately maintain three stretches that were once maintained by one.

That is but one example of the absurdities created by the fragmentation of the network. There are many more. Pavements, adjacent footpaths and trunk roads were once maintained collectively, but now a second machine from a separate organisation is required, as the contractor maintains only the road, leaving the council to return to maintain the footpath. Does the Executive not realise that roads do not exist in isolation?

The people of Scotland do not want excuses from the minister, never mind BEAR Scotland Ltd or Amey Highways Ltd; they want action. They want their roads gritted and their pavements cleared, just like they used to be before privatisation and cuts. That is not too much to ask;

the public sector delivered it before. As my party predicted, and back benchers—including the Executive's current Minister for Finance and Public Services—echoed, the Executive's privatisation has spelt disaster. The Executive got us into this snow-hole; it should now get us out of it.

At the very minimum, the Executive should ensure forthwith that BEAR Scotland Ltd and Amey Highways Ltd shape up or ship out. Taxpayers' money is paying for their profits, while the companies provide a poorer service than the public sector did before. There are contracts that they must adhere to—the Executive must ensure that they adhere to them. There may be the performance audit group report, but surely the Executive department with responsibility for transport can ensure that action is taken. Just when will the PAG report be available? Will it address service and an integrated network or will it be yet another whitewash—of the accountants, for the accountants, by the accountants? Is it really worth the millions that will be spent on it, when we have an army of civil servants? Would not the money be better spent on roads?

We want the matter assessed from the point of view of road engineers and road users, not faceless financiers who count the pennies and look at the bottom line, not the road ahead. Will the Executive ensure that BEAR Scotland Ltd and Amey Highways Ltd subcontract to the councils to ensure best service, best practice and an integrated network? Let the road engineers run the road network, not the private financiers.

There have been bad days this winter but the weather has been by no means the worst or the most inclement that we have ever faced, yet, as a result of the privatisation forced through by Labour and its Lib Dem colleagues in the one-party coalition, we have a winter of discontent—and it is still not finished. The Executive would do well to recall that a winter of discontent was the prelude to the ultimate demise of a former Labour Administration that was propped up by the Liberals.

The Executive may have sold out the public sector, but it still has a responsibility to the general public. New Labour and agricultural Labour—for the Liberal Democrats are but country cousins—must ensure that action is taken against BEAR, in particular for the benefit of our travellers and economy.

There are no excuses. When it comes to rail, the Executive blames the situation on the Tory privatisation. There is merit in that, although the Executive's handling leaves a lot to be desired. When it comes to road maintenance, the privatisation is Labour's and the Liberals'. They know the price of everything and the value of nothing. Labour members have no one to blame

but themselves and their lapdog partners. They claim that they make the difference and claim all the success of the coalition—although that is not much to boast about—but they cannot run from this. The Lib-Lab privatisation is causing havoc and will cost lives.

The buck stops with the Executive. The Scottish public will not grin and bear it. The Executive must get it sorted out or get out and hand over to an Administration that recognises the benefits of public service, not private profit, and which realises that public service is precisely that—it is worthy and meritorious in its own right and it is about doing things collectively for the common good, not privately for individual profit.

I move,

That the Parliament notes with concern recent dangers and problems affecting travellers and the economy and caused by a deteriorating winter roads maintenance service; believes that the privatisation of trunk road maintenance is a false economy, resulting in loss of efficiencies of scale, knock-on increased costs to local authorities for clearing non-trunk roads and an overall cost in the form of reduced standards of service; further notes that BEAR Scotland Ltd and Amey Highways Ltd have failed to deliver a quality of service necessary for the safety of road users and the movement of goods, and condemns the Scottish Executive for its actions in ignoring warnings regarding privatisation and in failing to address the current problems.

09:41

The Deputy Minister for Enterprise, Transport and Lifelong Learning (Lewis Macdonald): I am glad that Kenny MacAskill has found time in his schedule of tireless campaigning to come and join us in Parliament and spend time doing what the taxpayers pay him for. It is a pity that, having begun with Shakespeare, he decided to play it for laughs and showed his complete ignorance of developments in trunk roads maintenance over the past 12 months.

It is also a pity that he did not take a little more time to produce a clear and coherent motion for debate. However, with a little work, I have been able to disentangle the mesh of accusations and allegations and work out that Mr MacAskill is putting five basic propositions before us. Perhaps the most serious is his accusation, ventilated only at the end of his speech, that BEAR and Amey are somehow putting in jeopardy the safety of road users and causing danger to travellers. That is not an accusation that should be made lightly. Of course our roads can be dangerous places, and of course there are extra risks in travelling in severe winter weather—those are facts. However, Mr MacAskill's claim that those dangers have increased as a result of the award of the trunk road maintenance contracts is one that he ought to be able to measure against the evidence.

Let us be clear that the terms of those contracts are in all essential respects identical to those that went before. There is an overriding obligation on the trunk road operating companies—and on councils, which maintain local roads—to ensure the safety of travellers. We expect the operating companies to work with local councils and the police to ensure road safety and we will act vigorously on any evidence of failure to do that or to meet contractual standards.

Mrs Margaret Ewing (Moray) (SNP): Does the minister recall an occasion, when the councils were responsible for road maintenance, on which sandbags were used to fill gullies as a temporary remedy for specific problems? That practice continues in Moray constituency.

Lewis Macdonald: I recall many things that have happened during the years that I have lived in the north-east of Scotland. I assure Mrs Ewing that every fault that is identified and that is brought to us is acted on, including the case of the sandbags to which she referred.

Kenny MacAskill referred to Glasgow and accused BEAR and Amey of failing to ensure the movement of goods and of jeopardising the economy. It is fair to say that, even by his usual standards of doom and gloom, that represents a new depth of self-deluding despair. The trunk road contracts indeed oblige the operating companies to do all in their power to keep roads clear and open, but not at the expense of the safety of travellers or their own staff. We have yet to hear any substantial evidence of the alleged economic disruption, but I make it clear that, in any case, safety comes first.

The fact is that, in the final year of the old contracts, trunk roads were closed for more than four hours because of weather conditions on 12 occasions. In the first 10 months of the new contracts, that has happened on four occasions. It may happen again before winter is over, but the evidence hardly suggests an economic crisis caused by the closure of roads.

Mr MacAskill's third accusation is that the award of the contracts has increased the costs to councils of clearing local roads, lowered standards and sacrificed economies of scale. I do not dispute the claim that some councils have found it harder than others to adjust to the consequences of disaggregating local road and trunk road responsibilities. A council such as Highland Council, where the proportion of trunk roads in the road network is double the national average, faces greater challenges and difficulties than city and suburban authorities.

Richard Lochhead (North-East Scotland) (SNP): The minister's local council, Aberdeen City Council, wrote to me expressing concern

“about the obvious lack of resources that have been attributed to the trunk road by Bear Scotland. In actual fact, this Council had to divert gritters to assist with the snow clearing operations on the trunk roads throughout the city.”

Does the minister accept that BEAR Scotland failed his own constituents?

Lewis Macdonald: No, I do not. Councils may have concerns and complaints, but those—such as Aberdeen City Council and Highland Council—that see a future for themselves in road maintenance, and that recognise the importance of that task, are increasingly considering how they can work with the operating companies. I am greatly encouraged that Highland councillors decided last week to work more closely with BEAR and to share their resources and expertise.

At the beginning of last week, I met chairs of transport from all Scotland’s councils. I am keen to continue talking to councils to assess what they need to do to carry out their duties on local roads. We will continue actively to promote effective partnership working between councils and operating companies to maximise the rational use of resources, to secure the benefits of economies of scale and to ensure transparency and accountability in the use of public money.

Bruce Crawford (Mid Scotland and Fife) (SNP): Will the minister accept an intervention?

Lewis Macdonald: Not at the moment. I am aware that I do not have much time left.

I do not want to waste too much time on Mr MacAskill’s claim that ministers ignored warnings about privatisation. A one-time enterprise spokesperson such as Mr MacAskill ought to know a privatisation when he sees one, but clearly, in this case, he does not. There was an open tendering process, with both private and public sector bidders. Private companies were involved in previous successful bids, along with local councils, and I fully expect there to be private and public sector bids again at the end of the contracts. Ministers did not, and could not, wilfully choose whichever bids they wanted. They followed European Union procurement rules, as they had to do, and awarded the contracts to the bidders who offered the best value for money.

I come now to Mr MacAskill’s claim that ministers are failing to address the current problems. Nothing could be further from the truth. BEAR and Amey are obliged to adopt quality management regimes. They are contracted to deliver the same level of service as was expected under the previous contracts. Their delivery is monitored day in, day out by the performance audit group, which is independent of both the contractors and the Executive, but which reports to us on the operating companies’ performance.

Mr John Home Robertson (East Lothian) (Lab): Will the minister give way?

Lewis Macdonald: No, I will not. I am in my last few moments.

The performance audit group audits the companies’ records and procedures, deploys its own field engineers to check performance on the ground and investigates any incident that gives cause for concern. Where an operator fails to comply with the contract, the performance audit group reports to us. We issue default notices, where that is necessary, to secure compliance, and we withhold payments if a default notice does not achieve its objective.

Mr Gil Paterson (Central Scotland) (SNP): Will the minister give way?

Lewis Macdonald: No. I am aware that I am in my final moments.

We have imposed those penalties a number of times, and we will do so again whenever the terms of the contract are not met. The contracts are monitored as never before. That is a benefit, not a disadvantage. Many of the problems in the early months of the contract have been resolved and should not arise again. We will ensure that the same is true of any deficiencies in winter maintenance—they will be identified, assessed and put right, and they will be put right at the expense of the operating companies if they are at fault. We will be absolutely vigilant and will insist on effective delivery. Not only will we address problems, but we will resolve them and will work with the operating companies and with local councils to make the contracts work. I was struck by the fact that Kenny MacAskill did not say what his party would do, given the choice.

We will make the contracts work and we will deliver them in the best interests of road users and taxpayers alike.

I move amendment S1M-2703.1, to leave out from “with concern” to end and insert:

“the actions taken by the Scottish Executive to ensure that the trunk road maintenance contracts deliver the prescribed level of service; calls upon the Executive to continue monitoring the performance of the operating companies to ensure compliance with their contractual obligations, and further invites the Executive to enter into dialogue with local authorities to assess the effects of the contracts on local roads maintenance.”

09:49

David Mundell (South of Scotland) (Con): If Kenny MacAskill wants to quote Shakespeare, he should take some advice from the late Sir John Gielgud, who said, “Less is more.” Yet again, an SNP-inspired debate has contained much ranting about how bad everything is, but nothing about

what the SNP would do about the situation. The SNP seeks to seize on legitimate public concern about the operation of trunk road maintenance and turn it into the old-style Labour argument that everything public is good and everything private is bad. Even John Prescott does not subscribe to that.

Those of us who have the misfortune to live in local authority areas in which the SNP has a degree of control, such as Dumfries and Galloway, know that, when given the choice, SNP councillors vote to reduce winter maintenance and oppose measures that would result in more investment in the local road network. We should be clear: roads are no more a priority for the SNP than are the myriad issues that it brings to the chamber that are of the political flavour of the moment.

There are many legitimate complaints about how the trunk road maintenance contracts are bedding in, particularly about BEAR and Amey's customer service arrangements. I have raised with the Deputy Minister for Enterprise, Transport and Lifelong Learning a number of serious concerns about Amey's lack of responsiveness on the A7 and its failure to respond to police requests to carry out gritting after a series of accidents on the A701.

As Conservative members have warned in previous debates, disaggregation has adverse effects. I draw members' attention to one example from my experience of the A7 concerning the removal of snow from Langholm High Street pavements, which took place a full two days after the rest of the town had been cleared. On the A7, Scottish Borders Council is Amey's subcontractor, but the town is the responsibility of Dumfries and Galloway Council.

Such issues have cost implications and must be sorted out, not only in Langholm, but throughout Scotland. That is why, as the Conservatives have requested previously and as our amendment states, the Scottish Executive should

"review and report to the Parliament on the implications of disaggregation of trunk and local services for local authorities".

That is particularly significant in rural Scotland, although I believe that the worst fears about job losses have been mitigated by council organisations becoming the contractors' agents.

We must assuage legitimate public concerns and proceed with the report that the Auditor General recommended. Audit Scotland's most recent report on the matter concluded that the Scottish Executive development department is well placed to monitor the performance of BEAR and Amey and recommended that the department issue a report that details the first year's performance.

In a debate about Scotland's road network, it would be wrong to highlight only the problems on our trunk roads. Anyone who uses Scotland's network of non-trunk roads knows that they are in a dire state. They are used by heavy lorry traffic that was never envisaged and they have potholes, surface erosion and verges that are the equivalent of ditches. There is no sign of significant improvement.

Andrew Wilson (Central Scotland) (SNP): Does David Mundell accept that the local problems to which he referred might be the result of the 18 years of underinvestment in which his party indulged during its term in office?

David Mundell: As ever, that intervention was about the past and did not propose a positive solution, which is what I am about to do.

Members who raise with ministers concerns about local roads are told that the matter is for the local authorities, which are being given record sums to deal with the issue. Ordinary members of the public who challenge their local authorities are told that the Scottish Executive does not provide enough money. The public should be given an objective view. Vital work should be identified on non-trunk roads so that repairs can be carried out before some of the roads deteriorate to such an extent that they are beyond use.

The Conservatives propose setting up a national roads inspectorate in Scotland, which would carry out an on-going audit of the state of Scotland's non-trunk roads. The inspectorate's work would form an objective basis for discussion between central and local government about the resources that are required to bring the roads up to an acceptable standard. The inspectorate would act as a warning mechanism to identify roads that are in such a poor state that they are on the verge of deterioration and are almost beyond repair.

The public are sick and tired of being battered from pillar to post by the Scottish Executive and local authorities on roads issues. Everyone recognises that there is a problem; instead of talking up the poor state of our roads for political ends, as the SNP does, we should do something about the problem. On that basis, we offer the constructive proposal of a roads inspectorate.

Mrs Margaret Ewing: Will the member give way?

David Mundell: I must move the amendment, which unfortunately brings me to the end of my speech.

I move amendment S1M-2703.2, to leave out from first "notes" to end and insert:

"supports the principle of competitive tendering in relation to public works contracts, such as the contract for trunk roads management and maintenance, in view of the

paramount importance of securing best value for the taxpayer at both local and national levels; notes concerns raised in respect of the operation of the trunk road maintenance contracts by BEAR Scotland Ltd and Amey Highways Ltd; calls upon the Scottish Executive to produce a report on the performance of each company, as recommended by the Auditor General for Scotland; further notes concern about the level of non-trunk road maintenance being carried out by local authorities, and further calls upon the Scottish Executive to (a) review and report to the Parliament on the implications of disaggregation of trunk and local services for local authorities and (b) set up a system for (i) monitoring and reporting the level of maintenance required on non-trunk roads and (ii) measuring the actual level of maintenance achieved on such roads."

09:55

Nora Radcliffe (Gordon) (LD): There is no doubt that during the recent spells of wintry weather Scotland's road network was dangerous and that individuals and businesses were, at least, inconvenienced. That has happened in the past and will no doubt happen in future, but Kenny MacAskill's conclusions are premature. A number of questions arise, the answers to which we should pursue by all means, but we should wait until we have the answers before we draw conclusions.

The fundamental question is whether the contract for trunk roads maintenance is adequate and, if so, whether it has been delivered to the required specification.

Mr MacAskill: Nora Radcliffe's colleague Jamie Stone said in a previous debate on the matter:

"this process is tragic for rural areas ... It means rural job losses"

and

"Worse than that, the process will be irreversible, because it will be impossible for councils to return to roads maintenance once it goes to the private sector."

He went on to say that the

"two amendments that are before us this morning are an obituary for council-run maintenance".—[*Official Report*, 25 January 2001; Vol 10, c 569.]

Does Nora Radcliffe agree with Mr Stone?

Nora Radcliffe: I agree that he was right to have those apprehensions, but the reality has not been as it might have been. We must start from the present position and move forward; it is not constructive continually to hark back to the past.

More questions arise. Are robust monitoring and evaluation mechanisms in place for the trunk roads maintenance contract? Can sensible comparisons that are based on good evidence be made with former standards of service? How do the local authorities' standards of good service compare to their previous performance? Have local authorities put the same resources into

winter maintenance, pro rata, as they did previously? Is communication and co-ordination between BEAR and Amey and the local authorities, the police, emergency services and weather forecasters up to the job?

Bruce Crawford: Is the minister—sorry, the member, although perhaps she should be a minister—aware that the Clyde Solway Consortium, which was formerly the south-west unit, has taken its case to Europe and that that case has progressed to the second stage? Has the minister told Nora Radcliffe what the basis of the Clyde Solway Consortium's case is? Has she asked the minister what contingency plans exist for the event that the Clyde Solway Consortium wins its case against the Executive?

Nora Radcliffe: The simple answer is no.

There were difficulties in my area when irresponsible drivers ignored "road closed" signs. Did that hamper the road-clearing effort? Do we take weather conditions into account and make fair comparisons? There have been two fairly severe storms—the worst that we have had for some time—one of which was during a holiday period. It is easy to look at the halcyon days of yore, but we should be honest; I can remember times when lorries could not get up North Anderson Drive in the middle of Aberdeen and in the middle of the day because the road had not been gritted.

As have other members, I have had a stream of complaints about road conditions. I have written to BEAR, the police, the Scottish Executive and the two local authorities that cover my constituency to ask the questions that I listed. The replies that I received from the police and the local authorities lead me to believe that, given the conditions, effective service provision has not diminished hugely. Deep snow and high winds make it physically impossible to keep roads clear. Even in this age of high technology, we do not always get the better of the elements. There were difficulties in keeping the notorious Glens of Foudland open, but they were relatively minor and can be put down to inexperience. I am satisfied that there was not a major problem and that the experience that was gained—and local advice—will deal with the difficulties.

Mrs Margaret Ewing: Is the member aware that the equipment that BEAR was instructed to use was not sufficient for the Glens of Foudland and that drivers were told to keep the ploughs high because lifting too much snow would make matters worse?

Nora Radcliffe: That was the result of inexperience. As I say, the experience that has been gained and local advice means that that will not be repeated. Both my constituency's local

authorities now seem to have good lines of communication with BEAR, although it obviously takes time to build a good working relationship. They are working to ensure effective co-operation.

On the non-trunk roads, given the severity of the storms and the fact that it was the holiday period, the local authorities did a reasonable job in most cases. I do not think that their effort was less than I have seen in previous years. The staff worked to their physical limits to get roads cleared and gritted. Many of them sacrificed their holidays and having Christmas and new year with their families to do that. We should not forget to acknowledge their efforts and unselfishness. From the tenor of the amendments to the SNP motion it seems that most members feel, as I do, that sweeping condemnation is not the appropriate response to recent events; the appropriate response is to take a close look at the contract specifications and how they are being met.

It is too early to judge the effectiveness of the contract and its delivery. On paper, it seems that we have the tools to do that, but I await with interest the monitoring reports, after receipt of which we can make sensible decisions on what, if anything, needs to be done.

The Deputy Presiding Officer: We move now to open debate. Speeches will be of four minutes plus time for interventions.

10:01

Mrs Margaret Ewing (Moray) (SNP): What I have heard so far from members on the unionist benches is very much an apology for what has happened over the past months. I say to them that it is indeed easy to blame BEAR and Amey, but the issue comes back to the responsibility of the Executive for the nature of the contract that was issued. This is not about the responsibility of the contractors; it is about the nature of the contract. The contractors are asked to work on behalf of the Scottish Executive and that is where the buck has to stop.

Lewis Macdonald: Will the member give way?

Mrs Ewing: I am in my first minute; I will give way to Lewis Macdonald later. I will refer to him, so no doubt he will use that opportunity to intervene.

I will pick up on three specific points. The first is the accountability of the contractors for their local responsibilities. Last year, during the October recess, I phoned the BEAR depot in Keith about making a courtesy visit. Keith is not in my constituency but serves my constituency and connecting roads. I was faced with horrendous complications when I asked to pop in to say, "Hello, I am your local MSP, if you would like to

raise any problems or issues." I was refused access to the depot. After various phone calls, I eventually managed to procure a meeting down at Leith Walk, which was attended by endless civil servants and representatives of the Executive. It was a very expensive meeting at which to say hello to providers of the service.

When I asked for the winter maintenance plan I was told that MSPs and MPs were likely to take advantage at policy level if they had access to it. The police and local authorities were to be given a copy, but not MSPs or MPs. Finally, as a result of continuous pressure from myself, one copy has been placed in the Scottish Parliament information centre. Hallelujah: 129 of us can now read that document.

Lewis Macdonald: Does Margaret Ewing accept that, as a result of that, the winter maintenance plans for all four units are publicly available, available to elected members and available to all those working with the operating companies on the winter roads contracts?

Mrs Ewing: At the same time, MSPs do not have the right to meet with those people. I could quote letter after letter. The response that I am about to quote was in relation to disabled access in connection with potholes in Forres High Street:

"I am obliged not to reply directly to you on any matter regarding trunk road maintenance".

That diminishes the role of elected representatives.

It used to be easy to phone the director of roads in the local council or deal with Scottish Office ministers and receive a response and a reaction. Elected members now have to go through a tortuous process. The Parliament may talk about freedom of information and Lewis Macdonald said that he was going to be "extremely vigilant", but I say to him that an iron curtain has come down on the rights of elected members and the people whom they represent. I challenge him to say at the end of the debate that he will make public all performance audits, so that we can read them and make comparisons.

On maintenance and safety, in a constituency such as Moray—whose population base contributes well above the average to the Chancellor of the Exchequer—we have joke roads. The A95, which is our main link to the south, has bridges on it that were probably built by General Wade. The A96 should be dualled all the way to Aberdeen. Everywhere, potholes give visitors such a bumpy ride that the roads could rival the ride on a big dipper. Sandbags are thrown in the potholes as a solution.

Lighting repairs on the main roads in Moray were previously dealt with on a three-day

turnaround by Moray Council, but now take more than six weeks. I could take Lewis Macdonald to a standard lamp in Lhanbryde that has had exposed wires since April of last year. As of Monday this week, it had still not been repaired. That endangers people's safety, be they drivers or pedestrians.

On Christmas day, one of my constituents drove from Elgin to Inverness. She witnessed 10 accidents, although fortunately none of them was serious. During the whole journey, she saw only one clearance vehicle moving in the opposite direction—the quality of the machinery was inadequate in the Glens of Foudland. I am told that the road clearance vehicles that are used by BEAR are being asked to undertake journeys of 100 miles before they turn around. Previously, in places like the Glens of Foudland or Drumochter pass, they cleared for 7 to 8 miles then immediately turned around in order to keep those key areas open. I believe that the responsibility lies clearly with Labour and their Liberal allies in the Executive, who have brought in a contract that has diminished the improvements to our trunk roads and failed the people of my community and the north of Scotland.

10:07

Mr Tom McCabe (Hamilton South) (Lab): It is sad that not one word in today's motion on Scotland's roads acknowledges the excellent work that has been done to improve Scotland's road infrastructure, or the significant levels of investment in infrastructure and public transport, even though those will have a significant impact on our ability to compete, our ability to move freely and timeously and our ability to create sustainable enterprise. If the SNP had a genuine interest in facing up to the task of providing Scotland with world-class physical infrastructure, this petty and backward-looking motion would not have been lodged.

The SNP's interest seems to be in talking down the good work that has been done and in taking the same short-sighted and opportunistic approach that it has taken in most debates in the Parliament. It is crucial that we do not pretend that all was rosy before the maintenance of the road network was undertaken by private contractors.

Andrew Wilson rose—

Mr McCabe: I will not take an intervention at the moment.

No one would have liked more than I would to see our local authorities win the work. However, the critical point that the SNP ignores is that the work was awarded on the basis of open tenders. SNP members talk as if they could ignore the open tender requirements. They have no such

ability and their comments during the debate mislead the workers in Scotland's local authorities and Scotland's road users.

As a former council leader, I am well aware of how previous contracts were operated. Mistakes were made, as they will be made under this contract. Our priority should be proper contract monitoring and proper objective assessment of the work that is done and of any lessons that can be learned. That is what will provide Scotland's road users with the best possible service and it is what could allow our local authorities to reassess their approach and perhaps be more competitive in the future. Scotland's road users can see for themselves where improvements have been made and where things could have been done better. They will not be duped by rhetoric from the SNP.

Andrew Wilson: Although we understand the necessity for Mr McCabe to engage in a bit of political knockabout, we are trying to be constructive in analysing a serious contract strategy. I point out to Mr McCabe—*[Interruption.]*—if the empty vessels can contain themselves, that his party colleague, Kate Maclean, said:

"It is about the fact that there has not been a level playing field. If the differences in prices had occurred under a fair tendering process, I would have accepted that."—*[Official Report, 25 January 2001; Vol 10, c 589.]*

The SNP would have accepted that as well. If Mr McCabe's own party does not agree that the process has been fair, how on earth can we?

Mr McCabe: If an attempt to be constructive is to desist from using William Shakespeare's prose, I suppose that the SNP has attempted to be constructive. However, if that is as good as it gets, I will just carry on.

The fact is that an additional £70 million has been invested in our roads as a result of the contract. Why cannot the SNP acknowledge that? Why cannot it acknowledge the major improvements that are being made throughout Scotland? All over Scotland, local transport strategies have been prepared and are making a difference. Projects such as the Garrion bridge improvement scheme in South Lanarkshire, costing £6.6 million, are complete. That is not a promise or an announcement; that is a completed project. Economic viability in the Clyde valley has been transformed and the quality of life for thousands of people has improved. That demonstrates the positive approach of South Lanarkshire Council and the commitment of the Executive to ensuring that finance is available for investment in our roads infrastructure.

We have a rapidly expanding budget for investment in our motorway and trunk road network. Over the next three years, the budget will

be £680 million, which represents an increase of almost 40 per cent by 2004. We also have the innovative partnership between councils in Glasgow, South Lanarkshire and Renfrewshire on the project to extend the M74. That is a £250 million project towards which the Executive is providing £214 million. The extension will create an economic corridor that will regenerate one of the most important areas in the west of Scotland and will significantly ease pressure on the Kingston bridge. It will make a significant contribution to establishing a physical infrastructure that will allow our economy to compete with the best economies anywhere in the world. Additionally, Glasgow airport will receive a significant boost as journey times become far more predictable. That is what the coalition regards as a physical infrastructure that will improve opportunity, quality of life and economic competitiveness.

Why cannot the SNP take the opportunity in a roads debate to expand its thinking on those important issues? The answer is simple: the SNP has no thinking on those important issues. It has no clue about the way in which we will revolutionise the transport infrastructure in Scotland. I am thankful that it also has no chance of ever holding the reins of power.

10:13

Mr David Davidson (North-East Scotland)

(Con): Once again, we have heard the forever-transferable rant from Mr MacAskill—all he does is change its title. We have heard about no constructive model from the SNP, yet it is the SNP's debate. SNP members never offer any solutions, alternatives or costings; they simply say, "You guys don't do it well." The Conservatives are supposed not to have done the job well for 18 years, but I recall that in the days when Mr McCabe led a council, he got the money from the then Scottish Office—the problem was what he did with it.

We heard some interesting—to an extent—comments from the SNP. We heard that only nationalised systems work. We have heard that before. There was no mention of open competitive tendering, never mind value for money, in the SNP's key speech. I presume that Mr Wilson will get round to mentioning that. The SNP would introduce central control for everything and would allow no local decision making. I do not doubt that we will hear later that, if the SNP achieved independence for Scotland, it would ban snow.

However, I agree with Margaret Ewing that we need roads infrastructure upgrades, especially for the A96 and the potential Aberdeen bypass, which would at least provide manageable routes for business. That brings us to the Executive's denial

of the resources that are required.

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): Bearing in mind the fact that the Conservatives had 18 years in which to deal with the A96 and the A95, I hope that Mr Davidson will remind us exactly what improvements to those roads they carried out during that period.

Mr Davidson: During that time, the local authority was given money to carry out some side works on that road, and there was an investment programme for the main road. The Kintore bypass was built, out towards Inverurie. Perhaps Fergus Ewing used to fly into Inverness in those days and did not use the road. I do not know.

We are discussing not the principles behind the contract—whether it is privatised or in the public sector—but performance and co-ordination and the links between the local authorities and the contractors which, in some cases, are the same. All the roads that are being treated should connect carefully and sensibly.

The road safety issues that have been raised are very serious. During the recent bad spell, getting access to schools in parts of rural Scotland was difficult, emergency services were caught on the hop and were unable to get through and the continuation of business—especially in areas that have no rail support—was a great challenge. I cannot understand why, if the BBC and ITV could warn us about the snow that was to come—all the long-range forecasts predicted it almost to the hour—the contractors, councils and those in tendered operations were caught out. David Mundell's proposal for an independent roads inspectorate would take that situation on board and investigate not only what the contractors did, but what the Executive's role was. I presume that the Executive received the same weather forecasts as everyone else. Did it issue any warnings? Did it put anything out through the contract system? I suspect that it did not.

I got caught one night when Aberdeen was covered in ice, following a big snowfall. The main trunk road through the city—Anderson Drive—was impassable. The only gritter that eventually got out to it managed to crash and damaged about three cars on its way through the system. The taxi drivers in Aberdeen went on strike because it was unsafe to go out in a car. That has nothing to do with BEAR Scotland or Amey; it is to do with Aberdeen City Council's operation. In Aberdeenshire—where I live—many communities were cut off for some time. Even the emergency services that attend to the hydropower stations could not get through. The minister must consider not only who delivers the services, but the range of the services. The solution that my colleague attempts to offer—which is more than we have got from the SNP—is a possible way forward.

It we are to keep Scotland on the move safely, it is vital that early investment is made in the infrastructure that Tom McCabe talked about. There must be proper investment in road maintenance. Roads that are merely tracks with tar laid on them are now being used by heavy goods vehicles. That should not be happening. We need targeted routes that are properly maintained to move goods around safely.

Once again, I am bitterly disappointed by the SNP's waste of parliamentary time. It has initiated a debate but offers no answers or constructive comments on anything. I look forward to hearing a more constructive response from the minister, regarding the way in which he will implement our proposal.

10:18

Linda Fabiani (Central Scotland) (SNP): I am interested to know why it is the responsibility of the SNP to fix every major disaster that is caused by the Executive.

We debated the roads issue just over a year ago, on Burns day, when the then Minister for Transport told us that Labour had decided to go along Labour's new way by privatising roads maintenance. Although I was appalled at the attitude that was shown by the ministers that day, I was heartened by some of the constructive criticism that was offered by Labour back benchers, but that changed pretty rapidly. I was worried about whether the level of service given to our roads would be the same once Labour had sacked the public service workers. I had to ask repeatedly—eventually I had to resort to asking parliamentary questions—to see the performance assessment criteria before bits of the contract were placed in the Scottish Parliament information centre. Margaret Ewing asked for that information too. It is ridiculous that the elected representatives of Scotland could not see the criteria for safety provisions on our roads. That is an absolute disgrace.

I was not the only member who expressed concern in that debate. A Labour member who was not a minister at the time said:

"Allowing the management and maintenance contracts to go ahead as planned would be one of the worst decisions that we could possibly make. A flawed process has led to a flawed result".

He went on to say that the process

"does not, in any way, offer value for money and it does not provide best value. The process is a shambles."—[*Official Report*, 25 January 2001; Vol 10, c 579-80.]

Andy Kerr cannot come on down, as he is not in the chamber today. However, those were the words of the member who is now Minister for Finance and Public Services. He condemned his

party's Executive and became a local hero—at least in his own lunch time—in the constituency of East Kilbride, where I live.

In the *East Kilbride News*, Mr Kerr said:

"We are on the edge of making one of the Parliament's worst decisions ... It is a personal and political embarrassment."

There are questions to be answered. Is Mr Kerr now bringing his fellow Cabinet member round to that sensible point of view? If not, is Wendy Alexander now the very lonely minister with no support from anyone in the chamber, as Sarah Boyack was quoted as saying? I am sorry, but I see that it is poor Lewis Macdonald now—what a shame.

What is Andy Kerr doing to ensure that roads in his constituency are being serviced to the same level as before the maintenance contracts were privatised? Not a lot is being done. The trunk roads that run through East Kilbride constituency are a disgrace. Residents of East Kilbride have been agitating for the service to return to the level that they used to know. In particular—I think that the minister will back me up on this—local people have long highlighted their safety concerns about damaged roundabouts. As members will know, we have many roundabouts in East Kilbride. Damaged roundabouts have been left for months with temporary barriers and rusting ironwork.

Mr McCabe: For how long have local people been expressing concern about those roundabouts? The member said that they had been doing so for a long time.

Linda Fabiani: I have in my hand many newspaper cuttings and photographs, which go back over the years. I take that back, as I meant to say "months" rather than "years". When Mr McCabe was in charge of South Lanarkshire Council, we had a wonderful service on roads and roundabouts in East Kilbride. Now we have a terrible service. I am aware that I am running out of time, so I will move on.

Lewis Macdonald was quick to have a go at the SNP's motion. Let us look at the Executive's amendment, which is specious. We are asked to note

"the actions taken by the Scottish Executive to ensure that the ... contracts deliver the prescribed level of service."

It seems to me that every Executive action is reactive. If the Executive had carried out the process properly in the first place and had properly assessed what was going on, we would not be in this position.

The amendment wants Parliament to call

"upon the Executive to continue monitoring the performance of the operating companies."

If Parliament did not call on the Executive to do that, would the Executive not bother its shirt? Would it just let the situation go on? That part of the amendment means nothing.

The Executive amendment also calls on Parliament to invite

“the Executive to enter into dialogue with local authorities”.

Does that mean that the Executive has not been doing that? Can the outcome of that dialogue—the proper monitoring and results—be placed in SPICe? That would allow us to see those results. I ask members to support the SNP motion.

The Deputy Presiding Officer: I want to keep speeches tightly to four minutes from now on.

10:23

John Farquhar Munro (Ross, Skye and Inverness West) (LD): Like many members, I am delighted that we have been given the opportunity to debate winter road maintenance and highlight the dismal performance of the private contractors that were given that responsibility by the Executive.

As we heard, we have not had a particularly bad winter. Conditions have not been extreme and we have not had extended periods of hard frost or heavy snowfalls. However, there has been an unprecedented level of dissatisfaction and complaints from the travelling public, particularly from the business community, which has recently experienced dangerous and unreasonable conditions on long sections of trunk roads throughout the Highlands.

The response from the Executive to written and oral questions on the matter has been that the contractors are complying with the terms of the contract. That might seem strange to many people. However, if that is the case, the contractual obligations must be closely monitored to ensure that the service that is provided is appropriate and sufficient to ensure that we return to the degree of excellence in winter road maintenance that was provided previously by the local authorities.

I speak with experience on that subject. Over many years as a private contractor, I operated snowploughs and gritters in the west Highlands. More recently, I was convener of the roads and transport department of the Highland Council. I was well aware of the high levels of service that were provided and of the travelling public's confidence and satisfaction.

It has been suggested of late that seeing a BEAR snowplough operating on Highlands trunk roads is about as unusual as meeting up with the abominable snowman.

Maureen Macmillan (Highlands and Islands) (Lab): The last time that I travelled up the A9 I saw three snowploughs.

John Farquhar Munro: If the member saw three snowploughs, they must have belonged to the local authority. I doubt whether they were BEAR snowploughs. I travel the A9 as much as anybody here and I have yet to see a BEAR snowplough operating on that section of our trunk roads.

The Executive told us that a strict audit will be undertaken and reported on in due course, but that will be too late as we need action now. If the contract is found to be inappropriate for the service that we expect, let us have the courage to admit that error and amend the contract accordingly.

I note that Wendy Alexander's amendment asks the Executive to undertake to monitor contractual obligations and ensure that they are met, and to engage in dialogue with local authorities. That is a welcome step. The Executive should do that

“to assess the effects of the contracts on local roads maintenance.”

That is a step forward and I hope that the current monitoring will ensure that we have an efficient, effective and appropriate road maintenance programme in the years ahead. I am pleased to support the Executive's amendment.

10:27

Maureen Macmillan (Highlands and Islands) (Lab): As a former teacher of English, I was pleased to hear Kenny MacAskill quote Shakespeare at the start of his speech, considering that his motion is not grammatical. I cannot understand why somebody cannot have a grammatical motion and yet think—

Mr MacAskill: Go back to school.

Maureen Macmillan: Mr MacAskill should go back to school. I would not have accepted the first clause of his motion from a first-year English class. As I always said to my classes, woolly syntax reflects woolly thinking and a failure to research the issue. How true that is of the SNP.

The SNP's motion, apart from being ungrammatical, is misleading and disingenuous. The SNP surely knows that, under European Commission procurement rules, contracts as large as the road maintenance contracts must be put out to tender. The contracts were tendered in the mid-1990s. Some contracts were won at that time by the local authorities, but others were not. The Highland Council happened to win the contract for its area.

Andrew Wilson: Will the member give way?

Maureen Macmillan: No, thank you.

The tendering process was also driven by EC rules that are not within the Executive's power to change. John Farquhar Munro indulged in special pleading, as he is the former convener of transport in the Highland Council. However, I am sure that he will confirm that in the previous bidding process the Highland Council formed a partnership with a private consortium to put in an area bid. If the council had won, there would have been a private company gritting the roads in the Highlands. I am sure that any complaints about that private company would have been referred to the Highland Council, in the same way as complaints against BEAR are referred to the Executive. It is a well-known process. Complaints go to the people who are responsible, whether that is the Executive or the Highland Council.

The Highland Council and the private consortium were unsuccessful. In the Highland area, there is general acceptance that the council's bid was inflated by the need to part fund the local roads budget from it. The same personnel who worked on the local roads worked on the trunk roads. It was difficult to separate out the work force, the depots and the equipment.

There was consternation when the contract was lost. We did not expect it to be lost. We assumed that the Highland Council, with its knowledge of the area, would put in a bid that would easily outstrip any bid from a private company.

Bruce Crawford: The Highland Council lost out because it knew the proper quantities of materials to do the job. It did not use the fantasy figures that were made up in such a flawed process.

Maureen Macmillan: That is not true. If the Highland Council inflated its bid because of what was not in the specification, that was up to the Highland Council. It should have bid on the specification as it stood.

There was consternation as to whether BEAR would cope with the Highland winter and what would happen to the local work force. I believe that the worst fears for the work force have not been realised. The trade unions locally will endorse that view.

There was concern in the Highlands that the specification would not be adequate, in particular with regard to gritting and salting. I have pursued that matter with the Executive. The Highland Council would have had to work to the same specification as BEAR does now. The bottom line is that the specification sets out that the roads must be cleared of snow.

Unlike John Farquhar Munro, I remember plenty of times in the past when the roads in the Highlands were not kept clear of snow. The SNP,

none of whose members has ever lived in the Highlands, does not have a true idea of the situation in the Highlands pre-BEAR. Even some Highland councillors admit that there is no substantial difference between trunk road maintenance then and now. The Executive is keeping as close an eye on BEAR as the Highland Council ever kept on its roads department. I agree that there have been problems, but they are being overcome.

Fortunately, at last, the Highland Council and BEAR have realised that it is better to be co-operative than oppositional. They are examining ways of working together so that anomalies, such as local roads not being gritted until BEAR grits the trunk roads, are in the past. It is important that that happens quickly because real safety issues are involved.

The Deputy Presiding Officer: The member should wind up.

Maureen Macmillan: The worst safety issue is untreated footpaths, which are extremely dangerous for older people, pregnant women, children and disabled people.

I am concerned that, because the Highland Council is not working in co-operation with BEAR, it is unable to treat footpaths. I look forward to footpaths in the Highlands being made safe again, through co-operation and not through the destructive attitudes of the SNP.

10:32

Stewart Stevenson (Banff and Buchan) (SNP): I have a wee message for Maureen Macmillan. I know a lot about the Highlands. My father comes from the Black Isle and my wife is from a rural part of the Highlands, where she was halfway through secondary school before her family got electricity.

Andrew Wilson: And then the war came. *[Laughter.]*

Stewart Stevenson: I should point out to Andrew Wilson that that is the single most dangerous act that he has committed in the Parliament. He will now have to answer to my wife—something that I fear and he should dread.

Maureen Macmillan should not lecture SNP members about ignorance of the Highlands.

I congratulate General Motors on its achievements. Not only do ministers' Vauxhalls transport them from A to B, they successfully insulate the occupants from the everyday reality of other people's roads experience. Next time I am looking for a car, I must buy a Vauxhall.

Let me relate to the experience of the people. What honest and acceptable answer could I give

to mourners at a funeral I attended on 26 December, when they witnessed a continual stream of people arriving throughout the service? BEAR's snow-clearing operation in Aberdeenshire meant that some mourners were unable to attend.

Lewis Macdonald *indicated disagreement.*

Stewart Stevenson: It happens to be true. If Lewis Macdonald had been there, he would have seen it to be so.

I represent what is almost the only mainland constituency that has no railways. We also have no dual carriageway connection to the core of Scotland's road network. In the north-east, the issue of roads, their maintenance and their winter care is vital. Tom McCabe spoke graphically of the Executive's investment in roads, but his speech was all about the central belt.

To be fair, the minister visited Maud in my constituency recently and saw what the dial-a-bus scheme is succeeding in doing there. However, the minister would also have seen the state of the roads. Because of the state of the roads, I am regularly visited by businesses at my constituency surgeries. Most recently, I was visited by a haulier who suggested quite convincingly that it costs his company £50,000 a year to be based in Peterhead rather than in Aberdeen, where he could relocate.

Mr Davidson: Will the member give way?

The Deputy Presiding Officer: The member has one minute.

Stewart Stevenson: David Davidson is too late.

The haulier's problems arise from the state of the roads throughout the year and from the state into which they have been put by BEAR's inefficiencies and ineffectiveness. If even my backside can tell, as I drive up to my constituency, that there are potholes in the road, BEAR, too, should be able to do so.

The minister said that he was in his "last few moments". If his prescience is to prove misplaced, it will only be because he insists on effective delivery—David Mundell referred to that. The minister should ditch the dogma and promote the public sector. Let us get effective maintenance of our roads in winter.

10:36

Bristow Muldoon (Livingston) (Lab): As Tom McCabe said, the debate is disappointing, narrow, negative and carping. When I saw that the SNP had initiated a debate on Scotland's road network, I hoped that it would give members an opportunity to examine the SNP's vision for our transport infrastructure. The SNP often accuses the Executive of lacking vision for the infrastructure that is required to develop Scotland's economy.

Today, the SNP has betrayed its own lack of ambition and vision by its narrow and carping approach to the debate.

The SNP motion scaremongers irresponsibly about safety. The motion states that the contracts put at risk

"the safety of road users"

but Kenny MacAskill's speech included only innuendos about safety and did not provide evidence to substantiate his comments.

Mr MacAskill: What about John Farquhar Munro's speech?

Bristow Muldoon: If Kenny MacAskill wants to intervene, he should stand up and not try to do so from a sedentary position.

Mr MacAskill: Did the member listen to John Farquhar Munro, who is the member for Ross, Skye and Inverness West and the former convener of roads for the Highland Council? Mr Munro made it clear that although the weather has not been the worst that there has been, we have experienced one of the worst winters—possibly the worst—for getting the roads cleared. Does the member agree with Mr Munro that there is a crisis in the Highlands and Islands, in particular?

Bristow Muldoon: I noted an equal lack of evidence from Mr Munro and Mr MacAskill.

Mr MacAskill also claimed that the movement of goods in Scotland was not being facilitated by the contracts. That, too, is completely unsupported by evidence and is contradicted by the evidence that the minister gave about the number of road closures to date.

It is essential that we monitor performance and that we check that the contracts are working. I ask the Executive in its response to the debate to make it clear that it will make available to the Parliament a detailed report setting out how the contracts have worked in their first year.

The SNP's contribution to the debate was narrow in its focus because the SNP cannot make up its mind on transport policy and roads. I have looked back through a number of the SNP's recent election manifestos. Looking through the SNP's 1997 election manifesto, I realised why Alex Salmond returned to London: it is so that he can be the songwriter for Bob the Builder, as the manifesto says "Yes We Can". Sadly, it looks as if Bob the Builder has become the SNP's economic guru. In the 1997 manifesto, the SNP's fantasy fiscal surplus with the UK grows from £1.9 billion in 1997 to £5.4 billion in 2000.

That is an easy way for the SNP to avoid saying how it would raise money to fund its spending plans. Its 1997 manifesto said that overall car and lorry usage needed to be reduced. In 1999, the

position was the same and the SNP manifesto still sought to encourage a move away from car use. However, by 2001, the SNP's manifesto said:

"Our early priorities for investment ... are:

- M74 ...
- Aberdeen City by-pass
- A8000 link ...
- A75
- M8 ...
- Upgrading of the A9".

Those are only the early priorities. The real reason why we are not having a broader debate about the SNP's transport plans is that it does not have any. The SNP has a series of uncoded wish lists that it does not want to lay before Parliament for scrutiny. The real reason for the debate is that the SNP is running scared from exposing its policies to detailed scrutiny. That is why the people of Scotland will never trust the SNP.

The Deputy Presiding Officer: My regrets to Ken Macintosh, who sat through the debate but who was beaten by the clock. [MEMBERS: "Aw!"] It happens that, when members squeeze an extra 30 or 40 seconds into their speech, they jeopardise another member's chance to contribute. Closing speeches will have to be tightly on time. George Lyon has four minutes.

10:41

George Lyon (Argyll and Bute) (LD): Given the controversy surrounding the reward last year of the trunk roads maintenance contracts to BEAR and Amey at the expense of the local authorities, it was entirely predictable that the performance of those companies would be put under intense political and media scrutiny to find out whether they could cope with everything that a Scottish winter would throw at them. As my colleague John Farquhar Munro pointed out, the winter has been relatively easy; it has not been the worst winter of recent times.

Come every snowfall and big freeze, BEAR and Amey were sure to be under scrutiny. Of course, Mr MacAskill has been hurtling round Scotland in hot pursuit of every snowfall and big freeze, ready with his usual media soundbite of, "Ah told yese so!" That is why he never turns up for work in the Parliament. He is too busy chasing the storms.

There is no doubt that there have been genuine problems, which members have rightly mentioned in the debate. There have been reports of roads not being gritted properly. There are claims that, even when the roads have been gritted, there was no salt or insufficient salt in the grit. When it has snowed heavily, motorists have claimed that there

has been neither sight nor sound of a gritter from either of the two companies. There has also been a climate of mistrust and little co-operation between local authorities and BEAR and Amey, yet all have a vital role in ensuring that our roads are kept open.

A number of problems in my constituency have been brought to my attention. Last Monday, for instance, a major snowfall occurred in north Argyll, bringing the place to a standstill. In the town centre of Oban, the roads and pavements were treacherous. Indeed, the whole town came to a standstill for a couple of hours. There were also major problems on the trunk roads. I still await explanations from Argyll and Bute Council and BEAR of why it took so long to get the traffic moving again.

The A83 suffered its annual landslide before the new year. BEAR was responsible for dealing with that serious incident and it did so reasonably efficiently, although it was criticised because it would not work 24 hours a day to ensure that the road was opened up as speedily as possible. I ask the minister to assure me—and the people of Argyll and Bute—that proper remedial work will be carried out on the hillside above Rest and be thankful to try to stabilise the hill to prevent such landslides occurring regularly. For the past three years in a row, every time that we have had a huge dump of rain, we have had a major landslide on that road and Argyll and Bute has been cut off for up to two days at a time.

There is no doubt that genuine problems have occurred this winter. Those problems must be resolved for the future.

The Deputy Presiding Officer: You have one minute.

George Lyon: I ask the Executive, in its assessment of the performance of BEAR and Amey, to consider not only whether the contract specifications have been met, but whether the contract delivers a proper level of service to all our constituencies. That is a crucial issue. It is not good enough to say that the companies are meeting the contract. We must assess whether the contract meets the expectations of our taxpayers and local motorists. The contracts may need adjusted. I welcome the minister's commitment to examining all aspects of the contracts and the companies' performance.

We should not kid ourselves that the trunk roads never used to be snowed up or partially blocked. I will give two instances. On 6 March 1998, it took six hours to drive the A90 from Aberdeen to Fife. Articulated lorries were stuck at the side of the road because of the huge snowfall and the amount of ice. In January last year, the exact same happened.

All members should send a strong message about the need for BEAR and Amey to get round the table with the local authorities, put their differences to one side and start co-operating closely. Both groups have a role to play in ensuring that our roads are kept open.

The Deputy Presiding Officer: Please close.

George Lyon: The SNP has come to the debate with a litany of woe and disaster. The motion states that there have been “a loss of efficiencies”, “increased costs”, a “false economy” and “reduced standards of service”, but is Kenny MacAskill proposing to tear up the contracts from hell and throw the companies out? No.

The Deputy Presiding Officer: Wind up, please.

George Lyon: All that Kenny MacAskill proposes to do is ask them to do a wee bittie better. In other words, the SNP is still fully signed up to the contracts as they stand.

10:46

Alex Johnstone (North-East Scotland) (Con): On 25 January this year, I was lucky enough to have been invited by my friend Dave Petrie, who has joined us in the gallery today, to speak to the Conservative party ladies of Oban.

Richard Lochhead: Both of them?

Alex Johnstone: Oh come on, I have only four minutes.

I set off from Edinburgh by car on Friday morning with the intention of reaching Oban. I drove north to Stirling and it began to snow. I drove into Callander and it began to snow a lot more. By the time that I got to Lochearnhead, I could not get any further. I abandoned the trip and headed through Crieff to Perth to try to get home that day.

Alasdair Morgan (Galloway and Upper Nithsdale) (SNP): Was the member on a tractor?

Alex Johnstone: Indeed, I might as well have been on a tractor, because a journey of 170 miles—the total for the day—took more than six hours. During that time, I saw some of the worst weather that I have seen in years.

I also saw snowploughs. Workers from Tayside Contracts were on the road, clearing the trunk roads on behalf of BEAR that day, but they were unable to cope. I now discover that the reason why they could not cope was that what was falling was not snow at all; it appears that it was simply manna from heaven for the SNP.

What we heard from Kenny MacAskill today was political dogma. He was exploiting the unfortunate circumstances that have occurred on two

occasions so far this winter to prove a political point. That point is, to put it in plain English: public good, private bad. It is very simple. It used to be Labour party policy, but not any more; Labour members have seen common sense. Kenny MacAskill's speech was a cynical exploitation of the situation to prove a point.

A number of points have been made in the debate. I first take up the suggestion, which David Mundell made, of a national roads inspectorate. The minister touched on the fact that a monitoring system is in place, but I suggest that that system needs to be beefed up substantially.

Andrew Wilson: Given that a monitoring system is in place, what would the Conservatives do differently? What does “beefed up” mean?

Alex Johnstone: The monitoring system needs to cover non-trunk roads as well as trunk roads, because we know all too well that the problems have not been exclusive to trunk roads.

I will progress quickly. I was interested in Nora Radcliffe's speech. She used the expression “halcyon days of yore”. I was tempted to intervene at that stage and ask whether those halcyon days of yore fell during the 18 glorious years of Conservative Government.

Nora Radcliffe: Alex Johnstone might remember that I followed up that comment by saying that we had to be honest.

Alex Johnstone: I will develop and back strongly the point that Margaret Ewing made.

The Deputy Presiding Officer: You have one minute.

Alex Johnstone: Margaret Ewing pointed out that communication with BEAR and Amey has been difficult for members of the Scottish Parliament and other representatives. I believe that the Executive simply does not wish us to communicate directly with those companies and has attempted to put a wedge between us to prevent such communication. I believe that much of the bad publicity that Amey and BEAR have had has been due to that lack of communication. Better communication could go a long way towards improving public relations with those companies.

David Davidson pointed out that we also need to think about the maintenance of our roads in conditions other than snowy ones. It is extremely important that the Executive should consider ways of making what would, to many, be relatively minor improvements to roads, as that could make a significant difference to road safety.

I refer specifically to the A96, which I believe one or two other members have mentioned, and to the benefit that could be accrued through the

simple provision of deceleration lanes and other systems on that road.

The Executive must get a grip of the road contracts and ensure that they are enforced. It needs to apply a great deal more pressure on the companies to ensure that they co-operate in line with the contracts that they have signed.

Perhaps next time we could hear some real policy from the SNP.

10:50

Lewis Macdonald: We are 10 months into the first year of the five-year contracts. Arguments about the awarding of those contracts lie in the past; the task now is to make them work. There are two key ways of doing that: first, through ensuring—by monitoring performance and acting to secure compliance—that the operating companies deliver on their contractual obligations; secondly, through promoting dialogue and partnership among all those with responsibilities for our road networks, including central Government, local government, contractors, subcontractors and the police.

Local authorities are responsible for the maintenance of 94 per cent of Scotland's roads. There is a challenge for councils to deliver on that responsibility and no doubt some hard decisions will have to be made in setting priorities and allocating budgets. My meetings last week with local authority chairs of transport from throughout Scotland confirmed that authorities were up to meeting that challenge. I met council representatives from the north of Scotland in Perth and I agreed that my officials would work with them on issues that they have raised regarding BEAR Scotland and the maintenance of trunk and local roads. Councillor Jimmy Doig, leader of the administration in Perth and Kinross and host of that meeting, welcomed that and offered to write to other councils

"recommending that we work in conjunction with the contractors to improve the situation as it stands".

It is fair to say that Councillor Doig is not a fan of the operating companies, but he recognises that his priority is to obtain the best possible service for the people of his area. Other councils have taken a similarly pragmatic view. In the south of Scotland, Scottish Borders Council and Dumfries and Galloway Council are doing good business as subcontractors to Amey. In the north of Scotland, Tayside Contracts, Highland Council and Aberdeen City Council have taken on work as subcontractors to BEAR.

Bruce Crawford: On the south of Scotland road contract area, the south-west unit is pursuing a court case in Europe against the Executive. The case has now proceeded to the second stage,

which means that there is a case to answer. Will the minister tell us what that case is and what contingency plans have been put in place if the Executive loses it?

Lewis Macdonald: As I have made very clear, my priority is to ensure that the contracts work. That is our job. Local authorities have to make choices in deciding how to meet local priorities and it is for them to determine those priorities. Those councils that choose to remain involved in trunk road maintenance on a subcontracting basis, including Dumfries and Galloway, Aberdeen City and Highland, are the ones that are most likely still to be in the frame when the current contracts come to an end in four or five years' time. That also applies to companies such as Tayside Contracts.

Highland Council has decided to work with BEAR in a different way, sharing depots and supplies. That partnership has the potential to address some of the particular and well-recognised problems of looking after a network that covers many hundreds of miles of roads. In North Lanarkshire, the position is different again: Amey maintains trunk and local roads there, as they do in several other areas south of the border.

Those are different models of how to move forward, but they are all about making the contracts work. We recognise the case for close co-operation between councils and contractors. We do not agree with the Conservative proposition that the Executive should set up a system for monitoring the work of local councils on local roads, as we believe that that is a job for the councils. We will, however, continue to work with them and with the Society of Chief Officers of Transport. We will monitor performance and act to secure effective maintenance for the trunk roads, for which we are directly responsible.

We will ensure that problems that have been raised today, such as that at Rest and be thankful, are speedily addressed, and we will continue to ensure that local elected representatives are able to meet representatives of BEAR and Amey. Many MSPs have already done so.

We will ensure that the findings of the performance audit group are published in a report following the first year of the new contracts and we will not hesitate to highlight failings that are not effectively addressed by either of the operating companies. BEAR and Amey should not expect an easy ride from the monitoring process. They know that we will be vigilant and will act, that we will publish the report and ensure that public scrutiny continues, that we will issue default notices wherever a fault occurs and that we will withhold moneys—as we have done already to a substantial degree—where faults are not remedied. That is how we will ensure that

standards are met. Partnership working will also help in reaching that objective. On that basis, we will continue to seek the best possible value for money and the best possible service for those who depend on our road system.

10:55

Andrew Wilson (Central Scotland) (SNP): At the risk of flogging the dead horse of the bard of Avon, I am tempted to open with a Shakespearean reference to please Maureen Macmillan:

"Stands Scotland where it did?"

Unfortunately, as Alex Johnstone would confirm, yes it has been, for hours on end, due to the chaos in the transport infrastructure.

Maureen Macmillan: Will Andrew Wilson take an intervention?

Andrew Wilson: At 18 seconds into my speech, I would be over the moon: wire in.

Maureen Macmillan: Could the member perhaps repeat his last sentence, but this time make it grammatical?

Andrew Wilson: The arrogance on the Labour benches has broken new bounds. If an English teacher from the Highlands is criticising William Shakespeare for being ungrammatical, we have little hope for humility. That was a direct quote from "Hamlet". If Maureen Macmillan does not recognise it, I suggest that some more reading would be appropriate.

Maureen Macmillan *rose—*

Andrew Wilson: Take your seat.

I believe that the Parliament has a serious job to do. We cannot allow ourselves to slip into complacency—as we are at risk of doing—in the face of the severe problems in Scottish society, be they in the health service, in the economy, which is in dire straits, or in transport.

It is the job of the SNP, as a constructive Opposition, to banish that complacency and to bring to the debate the problems across Scottish society that have been cited. If Labour members are unwilling to listen to the people of Scotland, as appears to be the case, that is one thing, but if Lewis Macdonald is unwilling to listen even to his own party's members, that is another. I am thinking of those Labour members who have chosen not to show up today, including, as ever, almost the entire front bench. The total isolation of Ms Alexander inside the Cabinet is emphasised by the failure of any of her colleagues to show up for debates such as this one.

If Labour ministers are unwilling to listen to those on their own side, they should at least listen to the people of Scotland. The total discontent with

the transport system is palpable, whether that concerns the railways, the roads or any other aspect of our failure to get Scotland moving. The problem is serious and the Parliament exists to deal with such problems. It must be seen to act. If we do not act, we will all be culpable.

We are now in the 21st century and are richer today than at any point in our history, yet our transport system is in total crisis. People are in a position to ask why that is, but the Executive is not in a position to deal with the problem, because the Cabinet is fundamentally and totally split when it comes to personalities and to transport policy.

The Minister for Finance and Public Services, in the shape of Andy Kerr, cannot show up for the debate because his position is untenable—he has spent the past year criticising the contract negotiations. He is now in a position of influence over those contracts, but he cannot adopt a credible position, because he is on record as having repeatedly criticised the contracts.

Lewis Macdonald *rose—*

Andrew Wilson: If Mr Macdonald has something constructive to add to the debate, I will be delighted to give way to him.

Lewis Macdonald: In the spirit of debate, I ask Mr Wilson, who said that the Parliament should act, what he thinks we should do.

Andrew Wilson: The minister has had the entire debate to hear about that. The most important thing that we should do—*[Interruption.]* If some members could try to bring a degree of decorum to their misbehaviour, that would be appropriate.

The first thing that the Executive should do is accept that there is a problem. Ministers have spent the past two years with their heads in the sand on a whole range of issues. They must accept that there is a problem. If they do, we can deal with it.

Let us take transport in general. The Executive has been roundly and rightly criticised for abandoning a 10-year transport plan. Ms Alexander, who guises as the transport minister in the Cabinet, did not publish a transport plan, but revealed in a lobby briefing to Labour's house journalist, Catherine MacLeod, that she would today unveil the first step of plans towards a Scotland-wide integrated transport policy. That has not happened, of course. Incidentally, a year ago that journalist published an article based on another of Ms Alexander's briefing, claiming that Scotland was entering an economic golden age, despite the fact that in the same week Scotland entered recession.

Ms Alexander would do well to speak to Ms Boyack. What has the Executive been doing for

three years given that we have no integrated transport policy and that Ms Alexander, in a private briefing to someone at Westminster, announced that we would now have a first step towards one? The sad fact is that we do not have a Cabinet voice on transport at present. Until we do and until there is a serious acknowledgement of the problems in transport, we will have nothing but mediocrity in our solutions.

Mr Kenneth Macintosh (Eastwood) (Lab): Will the member take an intervention?

Andrew Wilson: No thank you.

We have nothing but mediocrity in performance, focus and leadership. That is not a function of personality; it is a function of faction fighting inside the Cabinet, and the country is not well served by it.

The Minister for Enterprise, Transport and Lifelong Learning (Ms Wendy Alexander) rose—

Andrew Wilson: I give way to the woman who is the subject of it all.

Ms Alexander: We await with interest the transport plan of the SNP. When will Andrew Wilson publish it?

Andrew Wilson: We brought our proposals to the electorate in a manifesto. We will also bring forward the next lot of proposals. The Executive has been in power for three years with the backing of an entire civil service machine and we have yet to see a 10-year transport plan. If the Executive opens up the transport divisions of the civil service to the SNP and gives us access to its civil servants, we will give it a plan within three weeks.

We cannot hope to deal with the problems until the Executive accepts that those problems exist. Our job in opposition is to assert that fact. We have brought our solutions to the debate and to the electorate. We have plans to tackle underinvestment through a number of imaginative measures.

George Lyon said that we have to rip up the contracts. Contracts are contracts; a course in contract law might be appropriate for him. We have suggested that the Executive hold the organisations to their contracts and ensure that relationships with local authorities are improved. That is important. In due course we can replace the contracts with something that Andy Kerr might be able to accept as right-headed, rather than wrong-headed.

The most interesting part of Ms Alexander's lobby briefing to Catherine MacLeod, which has yet to see the light of day in Parliament, reveals that the minister believes that transport investment should increase faster in Scotland than in the rest

of the United Kingdom. I might agree with that, but the question for the Executive is how it delivers it, given that the Barnett formula settlement is producing a relative contraction in our transport spending compared to that in the rest of the United Kingdom.

We cannot have solutions until the Executive opens its eyes and mind to the problem and to its ability to do something about it. Until we equip the Executive with proper investment functions, it cannot hope to deal with the crisis of underinvestment in local roads or the trunk road network.

On the simple day-to-day management of maintenance, which is essentially what we are debating today, why cannot we have a sensible solution? The question is not one of dogma; we are utterly pragmatic about the issue.

If Kate Maclean, a former council leader and respected Labour back bencher, cannot say that the contracts were awarded fairly and on a level playing field, how can the Labour party hope that an Opposition party would go further than its own side?

The simple fact is that transport infrastructure is in crisis and the contract is not working. We need a solution and we need the Executive to unite behind the transport minister, rather than faction fighting with the future of Scotland's transport infrastructure. We need an Executive that is united, not split. We need vision from the Parliament, rather than the utterly derisory approach to serious problems. If the Executive accepts that there is a problem, we can find a solution.

Schools (Class Sizes and Pupil Attainment)

The Deputy Presiding Officer (Mr George Reid): We come to the Scottish National Party debate on motion S1M-2697, in the name of Michael Russell, on class sizes and pupil attainment, and two amendments to that motion. I ask those members who wish to participate to press their buttons now. If members are leaving the chamber, they should do so quickly and quietly.

11:03

Michael Russell (South of Scotland) (SNP): Let me put the argument very bluntly at the start of the debate. We need to get the most bang for our buck in education. We need to target resources where they will have the most effect for the longest period of time. We need to invest, as a nation, in the best prospects for our future. To do so we must take radical and direct action to reduce class sizes in the early primary years to 18 pupils or fewer. That policy has shown its benefits elsewhere and could show its benefits here: it leads to better attainment and more help for the disadvantaged, has long-term effects and, in economic terms, it pays for itself.

The great advantage of the policy is that it is not a new policy. As long ago as 1943, the Educational Institute of Scotland committee on education reconstruction—a committee that was looking to rebuild Scottish education after the war—proposed that no class in the infant department should have more than 20 pupils on the roll. That was an expectation in 1943; it has not been fulfilled almost half a century later.

The policy has wide public support. In the “British Social Attitudes Survey, 1999”, smaller class sizes was the top choice for expenditure on primary education from parents.

Mr Brian Monteith (Mid Scotland and Fife) (Con): Will the member give way?

Michael Russell: No, please let me get under way. When people were asked to name only two things that they wanted to change in primary education, 55 per cent wanted smaller class sizes. It is worth noting that in the same survey, only 1 per cent sought more emphasis on testing, yet that has been a constant refrain from the Labour and Tory benches.

Since Labour came to power in 1997, it has claimed that its first educational priority is the reduction of class sizes. Brian Wilson, just after the 1997 election called it

“one of the Government’s key manifesto commitments.”

That phrase was repeated two years later by Peter Peacock. Helen Liddell, Brian Wilson, Sam Galbraith and Jack McConnell—and even the Minister for Education and Young People—have all trumpeted that intention. In “Working together for Scotland: A Programme for Government”, the Executive even claimed that the target had been achieved for primaries 1 and 2. We have heard no more of that claim, because it was not true, as the school census showed.

The reality of today’s situation can be seen in the Accounts Commission for Scotland’s report on key performance indicators for councils for 2000–01. With less than six months to the cut-off date, only five councils—the three island councils plus Argyll and Bute Council and Dumfries and Galloway Council—were able to report that none of their primary 1, 2 or 3 pupils was in a class of 31 or more pupils. Two councils—South Ayrshire Council and West Lothian Council—had to report that more than 15 per cent of their classes were of 31 pupils or more. In addition seven councils had an increase in the number of such classes compared to the previous year.

For the Executive, even a cosmetic target has been impossible to achieve, even with a declining school population. Over the period there has been a decline of almost 7,000 in the primary roll. The Executive might get there, late and by an accident of birth rate, but where is there? Classes of 30 are marginally better than classes of 35, particularly for the teacher, but there is no evidence that such small reductions in size are of any significant benefit to pupils or to their attainment.

I am more inclined to listen to the Executive’s advisers than to the Executive on the matter. Its advisers have argued that some research suggests that

“within primary schools (especially P1 to P3) a class size of between 20 and 25 pupils produces the best learning environment.”

That is from page 35 of the Executive’s publication “2001 Scottish Social Statistics”. The Government’s advisers say 20 to 25. I think that Mr Sheridan would say 15. The evidence supports 18—and I will look at that evidence in a moment. Whatever the figure is, it is not 30, no matter what the hype and spin from new Labour. Scotland needs a real target for class sizes, backed by real evidence, which can show real benefits and is implemented by real plans with real resources.

Talking about reality, here is Brian Monteith.

Mr Monteith: I thank the member for giving way. If he had read his speech correctly, he might have noticed that since 1940 is not less than half a century; it is in fact more than 60 years—more than half a century. I am sorry to pick him up on that small point.

The member talks as if all the research is a given and that it is accepted as fact. Does he accept that the evidence is inconclusive and that a great deal of evidence contradicts the evidence that he quotes?

Michael Russell: No, I do not accept that at all and I will tell him why; I am just about to cite the research.

The policy of reducing class sizes to 18 or less has its modern origins in the student teacher achievement ratio project in Tennessee. That project was designed not just to introduce smaller class sizes, but to scrutinise the effects of such reduction. Mr Monteith can listen to this. Professor Frederick Mosteller of Harvard University, probably one of the greatest statisticians of the past half century—and I accept half century as 50 years—called the Tennessee programme

“one of the great experiments in education in United States history.”

Mr Monteith should listen to this. The US Department of Education’s office of educational research and improvement—a Government agency—claimed that the programme was

“doubtless the all time most comprehensive controlled examination of the thesis that a substantial reduction in class size will, of itself, improve attainment.”

Peter Mortimore, director of the well-respected Institute of Education in London, described the Tennessee study as

“the most thorough research ever done on class size using the experimental method.”

The words used to describe the research, Mr Monteith, are “thorough”, “comprehensive” and “controlled”. All that proves that the advantage of smaller class sizes stays with pupils right through their schooling, into adulthood and their entry into the labour market.

Rhona Brankin (Midlothian) (Lab): Will the member give way?

Michael Russell: In a moment. The evidence also suggests that the educational investment that I am advocating would more than pay for itself through strong, positive economic returns. I am about to address the issue of how much such investment would cost. If Rhona Brankin would like to make a point about that, I would be happy to take it.

Rhona Brankin: That is not the point that I want to make—I want to ask the member about research. Does he accept that research shows that much of the gap that exists between youngsters in school and in later life is created in the first few years of life? Does he also accept that an integrated approach to narrowing that gap—including measures such as early intervention, sure start programmes and the introduction of

classroom assistants, as well as steps to reduce class sizes—works best? There is nothing about that in the SNP’s manifesto.

Michael Russell: We have supported consistently all the measures to which the member refers. In this debate I am making the point that reducing class sizes is the single most important policy.

I want to talk about the cost of that policy. To implement our proposals in Scotland, we would need 3,115 extra teachers, taking today’s pupil numbers as a baseline. At full operation, that equates to £105 million per year. Teacher training costs would need to be boosted by £56 million over seven years and maintained at an additional £3.1 million thereafter. The cost of additional school accommodation is more difficult to assess, but the Accounts Commission for Scotland noted that 31.6 per cent of Scottish primary schools were at 60 per cent capacity or less in the year 1999-2000, and it is likely that some space is already available. No building of new schools, however funded, that is in the pipeline at present should take place without accounting for a reduction in class sizes of the sort that we propose. The minister could achieve that with the stroke of a pen.

Alex Johnstone (North-East Scotland) (Con): Will the member give way?

Michael Russell: No, I will not. I have a lot to get through.

The challenge as regards infrastructure is less great than it seemed even a year ago. Demographics help us.

Jackie Baillie (Dumbarton) (Lab): Will the member give way?

Michael Russell: I am sorry, but I will not. I must finish what I am saying.

Most observers have failed to note that the Executive projects a reduction in the number of teachers in Scotland after 2004. Its figures project a fall of 2,900 between 2004 and 2011. Simply by maintaining the present number of teachers and by taking advantage of the increasing availability of space in our schools, we could ensure that much of the programme could be funded from present resources.

Of course, not all of it could be funded from those resources. The SNP is a practical party, so we have had to argue that, in addition to meeting costs from present budgets and from cancelling planned reductions, we should meet them through an incremental implementation plan. We should work first in the areas of social deprivation, because in those areas the impact of our policy would be most obvious.

Rhona Brankin: Will the member take an intervention?

Michael Russell: I am sorry, but I will not; I want to finish what I am saying.

One might argue that the costs of the programme could be met from the underspend in education year on year by the Executive. Given its record of failure on expenditure, the Executive could learn much from the way in which the programme is planned and costed.

There is a final reason for us to implement this policy, based on naked self-interest. The chamber is full of baby boomers. The majority of us and the majority of our fellow citizens—

Maureen Macmillan (Highlands and Islands) (Lab) *rose*—

Michael Russell: The Parliament includes some aging baby boomers who are experts on Shakespeare, but only one or two of them.

The majority of us and a large number of our fellow citizens are from the baby boom generation. We are moving inexorably towards a situation in which hundreds of thousands of people who are now economically active—bizarrely, MSPs are classed as economically active—will be dependent, not on themselves, but on the smaller and smaller number of people who succeed them in the labour market. As the birth rate falls, the number of those on whose shoulders we will have to lean becomes smaller by the day.

The shrinking number of school pupils means that there will be a dwindling number of people to support their elders, who want to live longer and better. Those people will have to sustain not just that liability, but the massive public-private partnership liability that the Executive has produced.

For reasons of naked self-interest alone, it is absolutely essential that the present generation of school pupils and those about to enter school are equipped and prepared to the highest standard for their working lives. We in Scotland know that we have an underperforming economy. We are the generation that will have to plan to make it perform for the future, if we are to go to our old age able to sustain our standard of living, our standard of health care and our standard of welfare. Not only do we owe to our children the best education that we can give them; paradoxically, we owe it to ourselves.

When we see the chance of significantly improving education, of guaranteeing higher and longer-lasting achievement, of reducing learning support intervention and of assisting the most vulnerable in our society, we have an obligation to take it. When that opportunity means a better-educated work force that is capable of powering a

better-performing economy, we would be fools to reject it. I want a better Scotland, and this policy would pave the way towards that. I also want the best Scotland—this policy would be the guarantor of that. A better Scotland, leading to the best Scotland—that is the aim of the SNP and of this policy. I ask the chamber to support that aim and the means of achieving it.

I move,

That the Parliament notes increasing research that indicates considerable short-, medium- and long-term benefits from reducing early primary class sizes, preferably to 18 or below, and the particular impact that such reductions have on children living in poverty; further notes the performance indicators 2000-01 report by the Accounts Commission published on 24 January 2002, which shows that the Scottish Executive has not yet achieved its own class size targets, and therefore calls on all parties in the Parliament to support the SNP's radical initiatives on this matter as an important step in not only assisting individual educational attainment and individual lifetime achievement, but also bringing collective economic benefit for Scotland as a whole.

11:15

The Minister for Education and Young People (Cathy Jamieson): It will come as no surprise to anyone in this chamber that I am not interested in naked self-interest—I am interested in the future of Scotland's children. I want to concentrate on that in my speech this morning.

I want to deal with some of the issues that Mr Russell has put before the chamber. Our programme for government includes a commitment to reduce class sizes in primary 1 to primary 3 to 30 pupils or less. Let me put the scale of that task in context. Returns for the 1998 school census showed that 939 P1 to P3 classes had 31 or more pupils in September of that year. For that reason, we adopted a staged approach, with the target applying to primary 1 from August 1999, to primary 1 and primary 2 from August 2000 and to primary 1 to primary 3 from August 2001. We backed up that policy with the resources needed to deal with the problem: £47 million was provided to education authorities to employ additional teachers and to fund classroom adaptations. The school census results in 1999 and 2000 showed that we were making progress. Preliminary evidence for 2001 suggests that that is still the case.

In August last year, the Executive asked authorities for an update on progress. From their returns, it is evident that, of only 90 primary 1 to primary 3 classes with more than 30 pupils, 53 of those met the regulations by having two teachers involved in the class. Twenty-four classes had exceeded pupils, as defined by the regulations underpinning the commitment—for example, pupils who enrol in schools after the end of the

placing round. Only 13 classes did not meet the regulations that underpin the programme for government commitment. I understand that, in four of those classes, the problem has now been addressed through the provision of two teachers.

We know that definitive results will be available only when the school census results are published in the spring. However, there has been significant progress and we are well on the way to meeting our target. I take this opportunity to congratulate education authorities on that impressive achievement—an achievement that is already benefiting children in schools across Scotland.

There is a body of research opinion that links class size with attainment, particularly in early-years education. However, within that body of opinion there is a range of views. Some researchers question whether a reduction in class sizes is the only or the best way of improving attainment levels.

Michael Russell: I quoted three out of many studies in support of my view, and I would be happy to provide the minister with more. Will the minister say what studies she is quoting, as I would be delighted to read them? It is very difficult to find any studies that support her position.

Cathy Jamieson: If Mr Russell had read nothing other than the Scottish Parliament information centre research briefing on class sizes and pupil attainment, he would have found that there are a number of contrary opinions.

Mr Monteith: Is the minister aware of the study by the Heritage Foundation in the United States, which assessed whether small class sizes influence academic achievement and concluded that the effects of other factors not included in the data, such as teacher quality and teaching methods, were more significant than the effects of class sizes?

Is the minister also aware of the US Department of Education study of the issue and of a widely cited review by Glass and Smith entitled "Meta-analysis of research on the relationship of class size and achievement", which found that research

"does not support the expectation that smaller classes will of themselves result in greater academic gains for students".

In case Mike Russell is not convinced by those studies, I point to a report by the Thomas B Fordham Foundation, which reached similar conclusions. Does the minister accept that there is evidence to support the conflicting positions on this issue?

Cathy Jamieson: I want to move on to deal with some of the points that Mr Monteith makes—I thought that he was going to read out his whole speech there. I hope that he will allow me to

intervene when the time comes.

This morning the SNP has provided members with some costings, but we must question whether its proposal is the best or the only way of dealing with the issues that we want to address. The research that has been cited on the effect of class sizes on attainment focuses on how pupils perform in standardised tests.

Mike Russell raised that issue, but everyone who is involved in education knows that education is about much more than performance in standardised tests. Ultimately, education is about giving every child the opportunity to reach their full potential and about producing young men and young women who can play a full part in society. Education is not just about providing people for the work force—that is one aim of education, but it is not the only one.

I remind members of the national priorities for education that the Executive set out and that the Parliament endorsed. Those priorities described what we want for all our young people. Education should raise the standards of attainment and achievement; provide a high-quality learning environment; promote equality and inclusion; involve parents; help to develop values and citizenship for young people; and equip pupils with the foundation skills, attitudes and expectations that they are going to need throughout their lives. We are investing to bring about the changes that we need to make.

Mr Kenneth Gibson (Glasgow) (SNP): I wonder how the minister's priorities are going to be achieved, given the paucity of last week's local government settlement, which led to a cut of £17.2 million for Glasgow and a cut of 79 teaching posts. How will the council improve the education of Glaswegian youngsters if there are 79 fewer teachers?

Cathy Jamieson: I will move on to address some of the investment that has been made. *[Interruption.]* Perhaps Mr Gibson and other members of the SNP should listen to my answer. The Executive has given local authorities specific grants of £137 million for pre-school education in 2001-02. That sum is part of our overall investment in pre-school education of £467 million over the period 2001-04—Rhona Brankin emphasised the importance of early-years intervention. We have also invested £36 million in special educational needs projects.

Nicola Sturgeon (Glasgow) (SNP): Will the minister give way?

Cathy Jamieson: No. I want to move on.

We are investing in modern information and communications technology equipment and training. A further investment of £23 million from

the new opportunities fund has been made for ICT training for teachers, librarians and others, and £90 million is being invested in infrastructure and support. More money—a further £40 million—is coming in the period 2002-04 to sustain and renew the existing infrastructure. We are considering the existing problems with the school estate and what we can do with that money. Mike Russell needs to understand that although there are schools that have spare capacity—we can all identify those schools—some of them are not in locations that best meet the needs of the changing population.

Michael Russell *rose*—

Cathy Jamieson: I will not take any more interventions, as I need to move on to talk about real schools, real people and real priorities.

As Minister for Education and Young People, I have visited a number of schools and have been impressed by initiatives that are making a positive contribution to children's education. On Monday, I visited a primary school in Prestonpans in East Lothian that has adopted an innovative use of the classroom assistants programme. At that school, the classroom assistant follows children from primary 1 through a number of classes in order to give a degree of consistency. All the primary 7 pupils whom I met could give me a definition of what the attempt to promote social inclusion meant to them in their daily work with other young people in the school. Teachers and children felt that the approach of having additional adults in the classroom had helped to give some pupils—particularly those who are most vulnerable and those who lacked confidence—greater reassurance and support. The school was working hard to take that initiative into secondary education.

That initiative has been welcomed as another positive step towards improving the quality of education. Our overall aim is to reduce the pupil to adult ratio across authorities. In 1999, we estimated that that would require around 5,000 classroom assistants. Feedback from people who are involved in education tells us that the initiative not only helps to reduce teachers' work loads, but allows teachers to teach children, which is what they do best. We know that teachers value the initiative because it allows them to reduce the time that they spend preparing materials and resources and gives them the opportunity to deal with individuals and groups who need help and support. In some instances, teachers have reported another positive outcome: they find a greater enthusiasm for the work that they have been trained to do and that they want to do.

I do not have time to develop some of the themes that I wanted to spend more time on. I put on record a final reminder: we believe that reducing class sizes is an important feature of

education policy—we are well on the way to meeting our policy commitment—but it is not the only feature. We must examine the other initiatives, such as new community schools, that give the most disadvantaged young people opportunities to boost their attainment levels to the level of those who are at the top of the academic structure.

I move amendment S1M-2697.2, to leave out from first "notes" to end and insert:

"believes that class size is an important aspect of educational provision; notes that the performance indicators recently published by the Accounts Commission relate to the financial year 2000-01 whilst the targets in the Programme for Government relate to the financial year 2001-02; welcomes the progress that the Scottish Executive and local authorities have made in reducing the size of Primary 1 to Primary 3 classes; recognises that education is about developing individuals to their full potential, and considers that the Scottish Executive should continue to promote the raising of standards in education through the implementation of the National Priorities for Education at national, local authority and school level."

Kay Ullrich (West of Scotland) (SNP): On a point of order, Presiding Officer. I am sure that Brian Monteith would like to join me in congratulating Ayr United Football Club on reaching the final of the CIS Insurance cup last night.

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

11:25

Mr Brian Monteith (Mid Scotland and Fife) (Con): I have no problem in congratulating the three members of Hibernian Football Club who play for Ayr United on reaching the final of the league cup—it is just a pity that they had to beat Hibs to do so, but there we go. I am, as usual, magnanimous in defeat.

I am pleased to take part in this debate as it gives us an opportunity to lay to rest one of the great myths of modern politics: that the class size that a teacher teaches is crucial.

In the 1997 election, one of Labour's five big election pledges was its claim that it would reduce class sizes. That pledge was repeated in the 1999 Holyrood election, when the Labour party said:

"We are investing £52 million to reduce the numbers of pupils in primary classes 1 to 3 to 30 or below by August 2001, while maintaining parental choice."

Of course, that pledge was misleading—it was a gesture towards a problem that was far greater in England than in Scotland. Some members may disagree, but if Mike Russell wanted a better example of how a London-centric media report an English view during a general election, I cannot think of one.

When the Tories came to power in 1979, classes of up to 40 pupils were commonplace at primary stage in Scotland. We negotiated an agreement with the trade unions to put in place a limit of 33 and, by 1997, there were only 2,685 classes of more than 30 pupils—I say “only” to stress that 2,685 is too many. However, it was no mere accident that the situation had improved markedly. During the Conservatives’ all too brief reign of 18 years, we increased expenditure on education by 15 per cent in real terms. It is important to note that the trend was towards a continuing reduction of class sizes and an improvement in pupil to teacher ratios—not pupil to adult ratios. The reality of the situation that Labour inherited was that it was improving.

Irrespective of that reality, Labour pushed the idea that class sizes were too big. Although it is not yet August, I can tell from current information and from schools’ likely intake that the Scottish Executive will not meet its target. The reason for that failure is quite simple and exposes Labour’s fundamental political weakness. The Labour party is completely out of touch with the needs and desires of ordinary, everyday Scottish parents. The truth that the party cannot fathom is that parents would rather send their children to a school that has classes of 30 or more pupils, if that school has a good reputation, than send them to a school that has classes of 15 or 18 pupils, if that school has a poor or bad reputation.

Parents are interested in the academic performance of pupils, which, at primary level, is chiefly about building a foundation in numeracy and literacy. The minister was right to point to the importance of a more rounded education, but it is just as important for parents to believe that their children will learn respect for their elders, discipline, a sense of teamwork and individual endeavour and character. That approach may be reflected in the wearing of uniform, punctuality, creativity and spontaneity. It is important that those values are encouraged in schools.

Whatever parents may take from their local schools, the truth of the matter is that they want to make their own choice of school. I argue—

Michael Russell: Will Brian Monteith give way?

Mr Monteith: Certainly.

Michael Russell: I am interested to hear that the Tory party is continuing to ignore public opinion and public demand—that is what led the party to its sorry state. Fifty-five per cent of people who were asked want smaller class sizes and the teaching profession has been arguing for smaller class sizes since 1943. Why does Brian Monteith think that he knows better?

Mr Monteith: If Mike Russell listens to the rest of my speech, he will find out that I do not believe

that I know better or that there is an ideal in education. I recommend that he read my article in *The Times Educational Supplement* on what education is, where he will find an explanation.

I repeat that whatever parents take from local schools, they want to make their own choice of school. Therefore, the most important educational reform that the Conservative party made in government was not self-governing schools or changes to the curriculum, but the Education (Scotland) Act 1980, which enshrined in law Alex Fletcher’s desire to give parents a right to choose their son’s or daughter’s school. It was at that time that the debate about school class sizes became irrelevant, because the Education (Scotland) Act 1980 meant that parents began to dictate class sizes by exercising choice. In the light of the gradual reduction in class sizes and the growing power of parents, for Labour—new or old, tankie or Trotsky—to suggest that it could or should reduce class sizes was nothing more than a political gesture, which it sought to use to help it to win the general election in 1997.

We are faced with a motion that is laughable in its simplicity and dangerous in its naivety, for the Scottish nationalists say that we should go further and cut class sizes to 18 pupils or fewer. Mike Russell is Scotland’s gesture politician par excellence. Before he takes that as a compliment, let me remind the Parliament that his gestures are all empty. His soundbites are as lasting as his erstwhile moustache and they have about as much attraction. We should not worry about Mike Russell, for—as Magnus Linklater has noticed—his arguments

“might be dismissed as the rantings of a second-rate polemicist.”

If some schools believe that they should operate with smaller classes, we should let them. I do not believe that there is an ideal way to teach children, because every child is an individual who requires a different approach.

We should seek to empower our schools with greater powers, so that, if parents choose smaller classes, or boy-only or girl-only classes, or Gaelic-medium classes, or set or streamed classes, they are able to do so. Politicians can cite every piece of research that has ever been produced, but in the final analysis only parents should decide how their children are taught. That is why the reform of our education system must start from the pioneering work of Alex Fletcher in 1980.

I move amendment S1M-2697.1, to leave out from “increasing” to end and insert:

“that the reduction in class sizes in Primary 1 to Primary 3 to 18 would involve a substantial revenue cost and an unquantifiable capital cost together with a removal of parental choice; acknowledges that class size is only one aspect of educational provision which may help to improve

standards in Scotland's schools, and considers that greater devolution of decision making to teachers and parents should be the goal of the Scottish Executive."

11:32

Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD): I am not sure whether I qualify as a very aged baby boomer, but I remember 1943 well.

It is some time since I have said nice things about Mike Russell in the Parliament. Members know that I enjoy doing that. He is a man of great urbanity and wit—[MEMBERS: "Vanity."] To be truthful, I dictated my speech to my personal assistant about 10 minutes ago and, although I said "urbanity", she wrote down "vanity". Mike Russell's debating skills are widely acknowledged. His formidable forensic style of questioning in committee is equally admired. He displays an easy charm, which verges on the oleaginous from time to time. That charm is usually tempered by a zest of lemon that prevents it from being cloying.

Jackie Baillie: I am slightly concerned that Ian Jenkins is perhaps not a member of the Education, Culture and Sport Committee.

Ian Jenkins: I am not quite a paid-up member of the Mike Russell fan club; I am an associate member of the branch that is chaired by Magnus Linklater. We realise that our hero is a flawed character.

Mike Russell has shaved off his moustache, so I suppose that I could use the word "barefaced" about him. However, I would not say that he was a barefaced liar. Since he shaved off his moustache, we have been able to see his nose a bit more clearly and it is not yet of Pinocchio-like proportions. I would not say that he is a stranger to the truth, but perhaps his acquaintance with the truth is occasionally more fleeting than we would wish. He does not tell lies, but—like members of all parties in the Parliament—he tells half-truths and twists the truth to suit his arguments.

Michael Russell: I had been enjoying the member's speech up until now. My enjoyment has just fallen away.

The Deputy Presiding Officer (Mr Murray Tosh): I think that "vanity" was right.

Ian Jenkins: Like almost everyone in the Scottish National Party, Mr Russell appears to be afflicted periodically by jaundice; he seems to be unable to recognise a good-news story when he sees one.

The fact that the number of classes with more than 30 pupils has fallen from almost 1,000 in 1998 to only 13 represents a good-news story. As Mike Russell well knows, the statistics that he quoted do not reflect the present situation. In any

case, the trend is clear and the commitment on class sizes is on the point of being realised. Similarly, the primary 1 to primary 3 attainment levels are improving—progress is being made.

To be honest, the provision for our youngest children is massively better than it has ever been. We should take into account the increase in pre-school and nursery provision; the sure start scheme; early intervention; more classroom assistants; reductions in class sizes; and the rise in attainment. All that represents a good-news story at this stage. It is surprising that Mike Russell should pick class sizes and pupil attainment as topics for debate, because we seem to be making good progress on them.

Michael Russell: Will the member take an intervention?

Ian Jenkins: Not at the moment.

Although the record on class sizes and pupil attainment is good, everyone would recognise that in many other areas much improvement needs to be made.

I do not disagree totally with Mike Russell about class sizes, which are important. There should be a drive across the board to reduce class sizes and to maintain them at a reasonable and manageable level. We could debate what that means, but that is the principle. There are too many large classes at standard grade and higher level. It should be recognised that teaching methods and the demands of the assessment system that is in place mean that subjects that used to be considered as classroom subjects, for which the numbers did not matter, make different demands on teachers and pupils. The gap that used to exist between practical and classroom subjects has been reduced and there is now a maximum classroom number in secondary schools of 20.

I am delighted that research projects show the effectiveness of smaller class sizes, which always used to be a bit nebulous and difficult to prove. Incidentally, I was a bit worried that pieces of research had been published by someone called Galton and someone called Simpson—Galton and Simpson did not seem to be the best source for information.

Mr Monteith: Will the member take an intervention?

The Deputy Presiding Officer: No, the member is in his final minute.

Ian Jenkins: Am I? Crikey!

Small class sizes are important not just for measurable attainment, but for other important aspects of education such as relationships within classes; the kind of attention that teachers can give to individual pupils; and the kind of formative

marking and assessment that can be undertaken.

In that context, I want to mention the proposals to amend or remove the "Schools (Scotland) Code 1956", on which consultations are being undertaken. If the code is scrubbed—which I am not saying is the wrong thing to do—I urge ministers to ensure in some other way that there are clear and binding statements about maximum class sizes. If possible, it should be stipulated that classes should be smaller than they were before.

For all the reasons that I have outlined, I support a movement towards smaller class sizes. However, for reasons that are alluded to in the Conservative amendment, I fear that Mike Russell weakens the case by setting a target that is unrealistic in the present situation. National priorities will be served if we can establish class sizes at a reasonable level. All parties in the Parliament will recognise that that is only one factor in the promotion of the national priorities. We should work together on all fronts to give all our children the educational opportunities that they deserve.

The Deputy Presiding Officer: My attainment target is to shoehorn too many members into the time available. Please keep speeches to a maximum of four minutes.

11:38

Fiona Hyslop (Lothians) (SNP): I am pleased to say that I am probably too young to call myself a baby boomer. However, I declare an interest in that I am a mother of a son who was born weeks after the 1997 general election to the echoes of the mantra, "Education, education, education." That young son is due to start primary 1 later this year.

Nothing is as precious as a child. Nothing holds as many prospects as a child's mind and their capacity to learn. The Parliament should have no greater sense of responsibility than in how it develops policies to nurture and develop the minds of our young children. A debate on education provokes passions—a passion for education and the passion of anger. I will address both aspects.

The SNP is passionate about education because it affects the life chances of our constituents. We are passionate about education as parents and as Scots who are conscious of our educational tradition. Why do I get angry when we have a debate about education? The situation that my constituents in West Lothian face makes me angry. What has the Executive's education policy achieved in that area? West Lothian should be the cockpit of the knowledge economy—it needs to be. In the interests of a better Scotland, the children of West Lothian should have the

education and skills to drive us forward. West Lothian should be the cockpit of the knowledge economy, but in the latest report from Her Majesty's Inspectorate of Education, our schools come 24th for reading, 30th out of 32 for writing and 29th for mathematics. More than 15 per cent of West Lothian schools have not met the target for reduction in class sizes.

Let me explain what has happened in West Lothian. To meet the artificial target that class sizes should be not greater than 30, pupils were shoehorned into composite classes. For 2001-02, composite classes account for 23 per cent of all primary 1, primary 2 and primary 3 classes. There are now composite classes in 78 per cent of all primary schools. In the past year, the number of composite classes for primaries 1 to 3 has increased by 9 per cent. All of that has been done simply to meet the target.

Alex Johnstone: Does the member think that the target that was set in Mike Russell's opening speech would be achieved by any less artificial means?

Fiona Hyslop: Absolutely. Our target would be met by investment in teachers. Whereas the Executive will reduce teacher numbers by 2,900 between 2004 and 2011, the SNP wants teachers to be available to ensure that we achieve our pupil-teacher ratio.

Jackie Baillie: Will the member give way?

Fiona Hyslop: No, I will continue to develop that point.

We should listen to what teachers and head teachers say. Head teachers have told me that they would prefer the flexibility of making their own choices, rather than the dislocation and disruption of composite classes, which result from the requirement to meet the class size target. Where is the evidence that the target is working?

When Jack McConnell was Minister for Education, Europe and External Affairs, I asked him repeatedly to explain the educational value to schools of shoehorning pupils into composite classes, when the reduction that was being achieved was only from 32 to 30. Where is the value in the Executive's education policy? Mike Russell cited the evidence that shows that reducing class sizes to 18 can make a real difference.

If we want the best for Scotland, we should examine the education system that we had in the past, which was built on a passion for education and learning. The system was built with boldness and vision, and by radical but effective policies. Tinkering about will not make the major difference that we desperately need for young people.

Rhona Brankin: Will the member give way?

The Deputy Presiding Officer: No, the member will not.

Fiona Hyslop: I am in my final few seconds.

We must decide whether we have the courage to take up the challenge of building our education system on the boldness and vision of the past. We must decide whether we will carry the torch of innovation and excellence. The SNP has the vision and a policy that can achieve that. If members are up to the challenge, they should come with us; if they are not, they should not praise what is mere tinkering with the system.

11:42

Johann Lamont (Glasgow Pollok) (Lab): Today's debate on attainment is important, but we must not lose sight of our broader social inclusion agenda. A debate on education cannot take place in isolation. We must never forget that some of our children cannot improve their attainment because factors outside school prevent them even from getting to the stage at which they are ready to learn. That is why education needs to be addressed alongside housing, problems with addiction, domestic abuse and crime. Those issues need to be addressed in the round, because tackling them will also improve our young people's attainment and opportunities.

I want to acknowledge the hard work that has been done in pre-school and early school learning to address the inequalities in our communities. Members may be aware of the improving early-stage attainment figures for numeracy and literacy in Glasgow schools. That is a positive trend. We must congratulate Glasgow City Council and the staff and pupils involved, because such improvement gives us hope that the Scottish Executive's strategy is beginning to work. There is no opportunity for complacency, but there are grounds for hope. We need to build on that.

Two things affect my perspective: first, I was a teacher for 20 years; secondly, I am a mother of two, who has one child in primary 2 and one who is a pre-schooler. Both of my children have benefited from the investment that has been made in early-stage learning. I am sure that they will benefit more.

I would be foolish to argue that class sizes have no impact on the general capacity to learn, but I contend that reduction in class sizes is only one lever by which attainment can be improved. As a teacher for 20 years, I taught classes of 30, of 20 and of 15. I also sometimes taught classes of only four or five. It depended on how complex the needs of the youngsters were but, in certain circumstances, the group of four or five could be the most troublesome. Even if there were only four or five in the class, the support of someone else

was needed. The levels of attainment did not necessarily depend on how many were in the class.

Mr Monteith: The evidence that is available that suggests that small class sizes can work also suggests that teachers would be required to change their teaching practices to suit those smaller class sizes. Therefore, if we introduced class sizes that were as small as those that Mike Russell has suggested, we would need not only more classrooms and more teachers but a large amount of in-service training, so that teachers were equipped to deal with small classes. Would not extra training be needed to deal with the very difficulties that Johann Lamont has highlighted?

Johann Lamont: Teaching practices may indeed need to be changed, but in some cases that could also bring benefits. Some subjects benefit from a different approach. Teachers may need to move away from the teacher-talking, children-listening approach. My view is that class sizes should depend on circumstances. It is not always the case that teachers should not be able to teach a larger group. It is significant that, although the education unions have always argued for smaller class sizes, they do not argue that the policy should be loaded in the way that Mike Russell has suggested. We should not use only one lever.

For a number of reasons, I am anxious about the SNP's position. There is a lesson to be learned from the targets that were set for things such as waiting lists. The targets ended up driving policy and priorities, without necessarily achieving what was sought. There is a danger that concentrating on class sizes will overwhelm everything else without doing what is intended. We might end up resourcing something that does not deliver. *[Interruption.]* Had Mike Russell been in one of my classes during my 20 years of teaching, he would not have got away with the behaviour that he has got away with today.

Flexibility is essential. We need to consider what happens at different times in our classes. We need proper support for youngsters with special educational needs. We need support to integrate youngsters with disabilities into mainstream education. At times, teachers should be able to work one to one with a troubled child, which would not be possible if we were to invest in only one element. To use only one lever would be to deny ourselves the flexibility that must be available.

I have only a short time left, but let me make one more point. The SNP has said that it would provide significant investment to bring down class sizes. I would not demur from the idea of investing in education, but I would need to be convinced that such investment would be effective.

Mike Russell said that his policy would help the disadvantaged. My fear is that the bulk of the money would come from the transfer of resources towards magnet schools and away from schools that are under capacity. The latter may have fewer pupils, but they certainly do not have fewer problems and difficulties. The SNP's one-size-fits-all strategy would have a serious impact on flexibility and on our capacity to narrow the gap in equality of achievement in education. For Labour members, that equality of achievement is as important as anything else.

11:47

Colin Campbell (West of Scotland) (SNP): Having gone to school for the first time in 1943, I am a pre-baby boomer. I am glad that, when my class was 40 in number, someone was predicting that class sizes would come down to 30 some time in the future.

From time to time, I resent the way in which the Administration debates with a rather patronising tone, as if it was the fount of all knowledge and wisdom. I dispute that the Executive knows everything about education, as I spent the last 16 years of my career in education in deprived areas. Every teacher knows that having small classes creates a far better teaching atmosphere. Large classes seem to work only with well-behaved, docile pupils who have been rigidly disciplined. Children are not universally docile and, fortunately, fear-based rigid discipline with its attendant repression has gone.

I mention those things because of my previous experience with Strathclyde Regional Council, whose administrators and budget holders were very quick to say that small class sizes were not an issue. I am pleased that the representatives of the party that controlled the Strathclyde Regional Council that I worked for now believe that reducing class sizes is a good idea. Their views have moved on a little. However, I have two complaints: first, the Labour Executive has not quite achieved its objective of having class sizes no greater than 30; secondly, that objective is quite under-ambitious.

Let me put the argument at its crudest. If a child is in a class of 30 for three hours and the teacher divides the time evenly, the child can demand only six minutes of the teacher's time. In a class of 18, the child would get 10 minutes. Of course, we all know that teaching does not work like that. The teacher's time is consumed variously by activities such as group supervision and listening to reading. Teachers need to diagnose problems and solve them in class, or establish the evidence to call in the further help that was mentioned earlier. The opportunities for doing that are manifestly greater in a class of 18 than in a class of 30.

The hard evidence is available. In 1991, a sample from 800 Texas districts, which contained over 2.4 million children, produced this conclusion in the *Harvard Journal on Legislation*:

"student achievement fell as the student/teacher ratio increased for every student above an 18 to 1 ratio."

Rhona Brankin: Will the member confirm that the SNP, in its 1999 manifesto, said that it would have class sizes of 25 only when it had achieved independence? What will the SNP have to achieve before it has class sizes of 18?

Colin Campbell: As Rhona Brankin knows, achieving independence would be the answer to most of our troubles. It would unleash the wealth of this nation—wealth that currently runs off to the south to subsidise it.

North Carolina experimented with smaller classes in 1995-96. Its target was 15, and its evaluation was:

"Compared to a matched group of students in classes that had not been phased into the smaller class initiative, students in the smaller classes outperformed the comparison group in first, second and third grades on both reading and mathematics tests."

A primary head teacher told me recently that his teachers had said that, if the class size went beyond 26, they were not in academic control of the class. Being in academic control—and, indeed, in disciplinary control—is the acid test.

Cathy Jamieson: I acknowledge Mr Campbell's experience at the coalface—or the chalkface, I am not sure which. Does he agree that the classroom assistants programme has offered the opportunity to do exactly what he is talking about—to give teachers more time to be directly involved with pupils? Does he agree that the adult-pupil ratio is the crucial factor?

Colin Campbell: No. I am sorry, but as a teacher I can accept that having classroom assistants has a value—in tying laces, wiping noses, sharpening pencils—[*Interruption.*] Labour members should let me finish and not take the chance to snipe. It does them no good. Having classroom assistants has a value in those ways, and in all the other important supportive tasks that assistants do in class. However, having assistants is not the same as increasing the ratio of teachers to children. That is the acid test in all this.

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): What would Mr Campbell do with the assistants?

Colin Campbell: Look. Education is education, right?

The Deputy Presiding Officer: Mr Campbell, you are running out of time. Come to a conclusion please.

Colin Campbell: The crunch point is that every child who slips through the educational net at the start—because classes are too big, because the teacher is harassed or unsupported, or because the psychological services cannot be accessed—is a child who is likely to have little self-esteem, to be under-ambitious and to become downright anti-social.

As has been said, education is about preparing children for life. To do that well, schools have to give individual pupils opportunities to build on small successes, developing their self-esteem and their hopes for the future. That is unquestionably more achievable in classes of 18 than in classes of 30. I agree that 30 is better than the previous 32, but, as Michael Russell said, we want the best for Scotland and a target of 18.

11:53

Mr Frank McAveety (Glasgow Shettleston) (Lab): I am tempted to ask whether my tie is fixed straight for Colin Campbell, just to be sure that I am okay to make this contribution.

None of the speeches so far has disputed that reducing class sizes is an important aim. What is being debated is the scale of the change, whether it will fit in with other economic, social and educational objectives, and whether it will be practicable in the period of time that has been suggested.

The problem with Michael Russell and the SNP's approach this morning—which has been reheated from a previous debate on educational attainment—is that we still have not heard the fine details of how the £100 million will be put together. As Johann Lamont asked, where will that money be targeted? From memory, I think that the SNP said that the money would be targeted on priority areas, but it is interesting that no one in the SNP has reaffirmed such a commitment.

Michael Russell: It was in my speech.

Mr McAveety: Thanks very much—but Michael Russell can remain seated rather than intervening at the moment.

Michael Russell has been quoted in the past as saying that testing is positively harmful for children and that we should look to the Soviet Union. I do not know whether that is the exact model that he now has in mind—in fact, the only person here who is modelling for the Soviet Union is Vladimir Ilyich Lenin, who is on the Conservative front bench this morning. Michael Russell also spoke about going backwards rather than forwards, which is similar to a saying of Lenin's about taking one step forwards and two steps back.

As Johann Lamont said, many factors—including class sizes—impact on children's

education. Children's social environment is important. Colin Campbell alluded to that, albeit rather indelicately.

Mr Monteith: Does the member recall that other saying of Lenin's—that we cannot make an omelette without breaking eggs? Clearly, the SNP's policy will require a great many eggs to be broken, certainly among classroom assistants.

Mr McAveety: I want to touch on that issue. Many factors impact on education: social class; attendance at school; supportive family environments that ensure that attendance; and, more important, the quality of the teaching environment. Evidence from Glasgow has shown that there is no doubt that classroom assistants have transformed education. They have done that not by doing the minor things in class that many teachers initially thought they would do, but by being a key adult in the classroom who genuinely assists the qualified teacher, with the teaching expertise, to develop young people's skills. Assistants are now vital members of any classroom and school community.

Mr Gibson: Will Mr McAveety take an intervention?

Mr McAveety: I thank Mr Gibson for wanting to intervene. He has reminded me that he referred to 79 posts being cut in Glasgow. Let us get the facts clear. Those posts will not impact on the curriculum or the teaching environment. Mr Gibson omitted the facts about the situation in Glasgow—perhaps that is indicative of the kind of contribution that SNP members make. The increase in Glasgow's education budget has been more than 10 per cent this year, as a result of the local government settlement over the next three years. Labour members in that authority, unlike SNP members, have identified education as the fundamental priority.

Earlier this week, Michael Russell and I were at the Education, Culture and Sport Committee. An esteemed professor of education, when asked, said that there had never been a golden age of Scottish education. I agree. The central problem with Michael Russell's motion is that it tries to create a new myth that class size is the only, or the central, way of increasing educational attainment levels in Scotland. I therefore say to Michael Russell that, as with his ego, size is not the only thing that matters.

11:57

Donald Gorrie (Central Scotland) (LD): I welcome the Executive's amendment because it is less self-congratulatory and more balanced than some of the things that I have been asked to vote for in the past. I am happy to support it; it is reasonable.

We all agree that education needs more investment. The Executive deserves credit for having increased our expenditure on education, but we must all acknowledge that there is still a long way to go.

The SNP motion raises the question of how we can concentrate the available money. The SNP suggests a radical reduction in class sizes. We should work towards reducing class sizes as well as towards making other improvements. However, I feel that we should concentrate on increasing the staffing that is available in schools. If I were running a school, I would use the extra staff in one-to-one tuition for pupils who have, or cause, difficulties, rather than in simply reducing all class sizes by so many. Other people may take a different view, but I feel that we should concentrate on improving the staffing and on letting the schools get on with teaching more efficiently than they are doing at the moment.

I repeat a suggestion that I have made before. We should have an anti-bumf tsar in schools and Government departments. The weight of paperwork involves teachers in far too much activity that is not teaching. If there is no anti-bumf tsar, I am happy to volunteer for the job. The administrative overload on teachers is an important point to consider.

Another argument against a rapid decrease in class sizes in primary 1 and primary 2 is that it would have a serious effect in schools that are full and popular. We would have to put up lots of huts and go back to where we were 30 years ago; or, instead of, say, 60 pupils from a local area entering a school, there would be only 36—based on the class size of 18 that the SNP proposes—which would deprive 24 pupils whose parents wanted them to go to that school. We must consider that issue carefully.

We all want to improve education. Class sizes are part of that. However, the SNP is mistaken to focus so much on that particular issue, rather than on promoting a balanced programme of improvement.

12:00

Mr Jamie McGrigor (Highlands and Islands) (Con): Brian Monteith has pointed out, using valid statistics, that the situation regarding class sizes in Scotland improved under the Conservatives. We also left a legacy of improving teacher-pupil ratios. However, Labour will not achieve its much-trumpeted targets by August, because in a democracy it cannot dictate to parents where they should send their children to school. Labour likes to dictate its own agenda and dogma, but woe betide Labour if it starts to interfere with the rights and choices of parents.

Parental choice is perhaps most important in rural schools, which are often under threat of closure. It seems extraordinary to me that parents in remote rural areas are put through the hell of having to fight repeatedly to keep local primary schools open, when those small primary schools often have small classes—the very thing that the Government wants.

Two summers ago, I campaigned in Argyll and Bute, alongside valiant parents and teachers, against the closure of six primary schools. Their commendable efforts prevailed and all the schools were saved. However, the schools remain under threat, because, as I was told by the board of Glassary Primary School at Kilmichael, the latest consultations on safe school buildings and what to do to develop and upgrade them is fast becoming a school rationalisation programme that will close smaller schools and move pupils to larger centres.

Michael Russell: I remind the member that members of the Education, Culture and Sport Committee were involved in that campaign too and helped to achieve a change of mind in Argyll. I pay tribute to Cathy Peattie, who was the reporter on that issue.

Does Jamie McGrigor accept that one of the inevitable consequences of the Executive's desperate rush to private-public partnership projects is the closure of small schools? That is quite unacceptable. Does he agree that there should be a presumption against closure in most circumstances?

Mr McGrigor: In England, the Department for Education and Skills has put aside and ring-fenced large sums of money to protect small rural schools that are threatened by closure. Different councils can bid for money for that purpose. I urge the Executive to do the same thing in Scotland, where the problem is far more acute.

Labour is happy to blame councils but, in the case of Argyll and Bute Council, that is unfair. Education costs are very high because there are 26 inhabited islands and island education is 1.5 times more expensive per pupil. The report from Dr Arthur Midwinter—a Labour man—entitled "The Mismatch Effect on Council Tax Levels in Argyll and Bute", underlines the mismatch whereby Argyll and Bute taxpayers pay £100 more per head than they should for increasingly poor services.

The report also makes a point of highlighting a disparity in education. In paragraph 16, Arthur Midwinter says:

"we would expect a remote rural authority such as Argyll to have fewer pupils per teacher because of the incidence of small schools."

He goes on to say that Argyll and Bute's position in relation to class sizes is close to the Scottish average because of the deliberate decision to increase the pupil-teacher ratio in larger schools to compensate for the lower ratio in the small schools. That is shocking and shows a regard only for figures and budgets and a complete disregard for the welfare and good education of the pupils. I sincerely hope that that policy will be abandoned at once and, forby, that the Executive will follow Dr Midwinter's recommendation to grant a further £3.5 million to Argyll and Bute Council to redress the council tax imbalance.

Small class sizes are desirable because they should lead to more individual attention for each pupil. Brian Monteith is right when he says that that is not the whole answer. Scotland needs good teachers in good schools with more power to decide how best to provide an education that will give Scotland back the reputation that it once had for excellence in education.

12:04

Fiona McLeod (West of Scotland) (SNP): I want to talk about evidence. The SNP has quoted extensively this morning the evidence that supports our proposal for class sizes of 18 pupils. I want to point out to Brian Monteith that we were quoting from qualitative research, not meta-analysis. There is a difference.

Rhona Brankin: Will the member give way?

Fiona McLeod: I am 25 seconds into my speech. I am sorry if the member did not get on the Labour speakers list, but she cannot keep intervening on SNP members to find the time.

The evidence is that the minister has missed the target. In her opening remarks she attempted to slide the dates for the Executive's targets and say that they would still be met and that they remained the same. I will quote the Executive press release of August 1999, when the regulations on small class sizes were introduced:

"Regulations which came into force this month will ensure the Scottish Executive's commitment to reduce class sizes in the first three years of primary school will be met by the target date of 2001."

The minister attempted to imply that that meant 2001-02. The press release from 1999 goes on to say that the target for primary 3 will be met in August 2001. The Executive has failed to meet those targets and the evidence is there to show it.

Rhona Brankin: Will the member give way?

Fiona McLeod: I am sorry, but I have already told the member—I am beginning to sound like the member of the education profession that I used to be.

I want to turn to a report from the Scottish Council Foundation and Children in Scotland, entitled "Children, families and learning: A new agenda for education". The report says:

"we need to develop and pursue a policy agenda that is rigorous and evidence-based."

Everything that we do should be evidence based. I would like to give the minister the evidence that the Executive's policies are not producing. The problems of large class sizes can be seen in the increase by 20 per cent in 2000-01 of unauthorised absences from Scottish primary schools. That is evidence of unsettled pupils not receiving enough pastoral care from the overburdened teachers of classes of more than 30 pupils.

Cathy Jamieson: The focus of my opening speech was on how we raise attainment levels for all pupils. I stressed that the Executive takes very seriously the problems, such as those that Fiona McLeod has identified, in engaging pupils. We have provided the education, resources and back-up to meet the targets. Does the member accept that?

Fiona McLeod: How can I accept that when I have just provided the evidence that the Executive has failed to meet its own targets? They are not my targets, but those of the Executive.

The Scottish Council Foundation report "Children, families and learning: A new agenda for education" pointed out that we need the evidence. I have more evidence from the HMIE report "Standards and Quality in Primary Schools: Mathematics 1998-2001". That report finds that, in 50 per cent of primary schools, there is weakness in problem solving and inquiry work in maths; in 45 per cent of primary schools, there is a significant weakness in scientific investigative skills. That is evidence that we are failing to teach our pupils how to learn and how to think.

If we do not have thinking schools, we will not be able to meet the commitments of the new job market, which is always looking for retraining and reskilling. That is based on being taught to think and learn at the earliest stages of school and to take that throughout one's life. Lifelong learning begins at school—it is not a corrective for when school lets people down. The key to delivery of such information handling skills is small classes, where pupils have the space to think and support their development.

I must draw the minister's attention to the HMIE report that shows that in secondary 1 and secondary 2 we are coasting. We are not helping pupils in those years to match their information skills to the wider world of information. I would like to comment on the importance of school libraries to that key skill, but I do not have time.

The evidence shows that small classes lead to information handling skills and abilities in pupils that make them lifelong learners. Scotland's pupils deserve nothing less than to become lifelong learners from the day that they enter education. Scotland can afford nothing less.

12:10

Karen Gillon (Clydesdale) (Lab): I thought that Mike Russell was getting a bit personal when he started talking about baby booms. I am only doing my bit for Kenny Gibson's drive for a greater population. I realised later that he was not talking about me; he was talking about himself being a 1960s baby boomer. I think that he is kidding himself.

Yes, I have a vested interest in securing the best possible education for our pre-school, primary and secondary children. I tell Fiona McLeod that lifelong learning does not start when people go to school. Lifelong learning starts on the day we are born and inequality begins on the day we are born. We need to consider all those factors. Parents are one of the most important factors in what children become.

I benefited from a great education in Jedburgh in the Borders.

Nicola Sturgeon: Not so far as we can tell.

Karen Gillon: Well, it is all relative.

I cannot say how many people were in my class, but I can say that I learned a lot about education and I remember a lot about my education. I remember what I was taught, the games that we played, the songs that we sang and the friends that I made. Most important, however, I remember the teachers who taught me. They were the most important factor in my learning. I remember the good ones and I remember the bad ones.

The debate is synthetic. It does not consider the impact that people have. I come from a single-parent, working-class family in the Borders. I had no right to go to university. It was because of the education that I got in my school and the support that I got from my teachers, parents and pupils that I was able to do what I did and that I am standing in the chamber today. I make no apology for that.

Yes, we must consider class sizes. Class size is a factor, but it is not the only one. If we are going to invest £300 million-plus, is that the best thing that we can do? What the SNP has given us today is a semi-costed proposal. The SNP manifesto for the Scottish election talked about spending £100 million to reduce class sizes. Mike Russell now recognises that teaching alone would cost £156 million plus £3.1 million pounds year on year. We have no costings for the building programme.

Yes, there is spare capacity in some of our schools. Much of that spare capacity rests in urban Scotland where the population does not create the demand. There could be two schools—perhaps one denominational school and one non-denominational school—serving a population that is not what it was 20 years ago. Some schools might be able to meet the targets without major work. However, we would have to make sure that people were willing to go to those schools. That is not the case in many places. In rural Scotland, many schools have spare capacity. The people who might go to those schools are 10, 20 or 30 miles away and do not want to travel.

We have no recognition of the building costs involved. I was surprised by something that Mike Russell said and I hope that he will clarify it. He seemed to be suggesting that we should go ahead and build classrooms without thinking through whether we need them. Is he saying that we should stop the current building programme and add on more classrooms in a never-never-land hope that the SNP might be in power at some time and might be able to implement its proposal for 18 pupils in a class?

The reality, which Johann Lamont touched on, is that the spare capacity in urban areas will mean that the most substantial investment that we require to make to fulfil such a programme will go into magnet schools and middle-class areas. It will not address the primary issues of under-attainment in education that results from working-class children not getting the support that they need.

The issue is about far more than class sizes; it is about support, development and early-years education. It is also about making sure that the teachers who teach our children are the best. That is why the EIS and the other teaching unions do not support the SNP's proposal. They recognise that there is far more to educational attainment than the size of the class.

I hope that members will vote against the SNP motion and support the Executive's amendment.

12:14

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I have listened to the debate with great interest. It has been enjoyable and thoughtful. It is a tribute to the Parliament that members can spend time singing off the same hymn sheet about improving education in our country. We have heard worthwhile speeches from all quarters of the chamber. Jolly Ian Jenkins, as he is sometimes known, was characteristically kind about Mike Russell. I would have paid attention to all the speeches, including Fiona Hyslop's, had it not been for the fact that Mr

Jenkins managed to trap my digit in his collapsible lectern. I am afraid that my concentration was shifted.

It seems to me that the debate comes down to a straightforward argument between Mike Russell's suggestion that we should zero in on class sizes and pupil-teacher ratios, and the wider arguments of Cathy Jamieson and others about adult-pupil ratios and other associated issues. We must remember that the Executive has achieved a solid improvement. Cathy Jamieson demonstrated that with the figures. Ian Jenkins said that there is further to go and class sizes matter. We recognise that, but the point is that we have done good work within a carefully managed budget.

Mike Russell talks about figures and about throwing money at the problem. We have to be wary of the trick of throwing huge sums of money at problems. Where does that money come from? Some informed opinion says that if we go down Mike Russell's route, we could end up spending twice as much as he has suggested. I say to Mike Russell that we need to look more closely at the figures.

We are talking about children from the word go. Cathy Jamieson might have been hinting at teaching for citizenship. We are not just talking about churning children off an assembly line and saying "That's it. You are ready for a job." There are many other roles.

I turn to the Conservative party's contribution, which was interesting—a sort of sharp-shooting from the undergrowth to the right—and not unhelpful to the Executive. I felt that Brian Monteith was edging towards the argument of St Mary's Episcopal Primary School in Dunblane about self-governing, but he never completed it.

I also have a point for Jamie McGrigor. Perhaps it is classic Conservative philosophy, but there is a tendency to think of the good old days and how excellent things were in the past. I am not so sure that that is the case. I had good and bad teachers. My children are finishing secondary school and I cannot fault the education that they have received, which I suggest was rather better than it was in my day. They are certainly better informed than I was.

I have a specific argument about why the issue is the ratio of pupils to adults and not pupil-teacher ratios. In the old days—and I am a 1950s baby boomer—pupils could get lost, particularly in maths. I do not know if members will remember, but a pupil could be in a class of whatever size, the teacher would be working away at the blackboard on algebra or trigonometry and the pupil would reach a point where they simply did not understand. That is a dangerous point because the pupil would lose ground rapidly and, in many cases, would never catch up. That

explains much of my non-ability in maths.

With all due respect to Colin Campbell, a classroom assistant is about far more than straightening ties, wiping noses or taking pupils to the potty. In today's schools, it is the classroom assistant who can look sideways and spot when a pupil is lost.

Robin Harper (Lothians) (Green): Will the member give way?

Mr Stone: I will finish my point.

The classroom assistant can bring that to the teacher's attention and nip the problem in the bud. That wider use of classroom assistants is important and we should not lose sight of that.

I give way to Robin Harper.

The Deputy Presiding Officer: No. The member has used up his four minutes.

Mr Stone: I pay tribute to the powerful role of the Presiding Officer.

12:18

Murdo Fraser (Mid Scotland and Fife) (Con): This has been a good debate and we have had excellent contributions from different parts of the chamber. I should say that I know a little bit about baby boomers because my parents are of that generation.

Today's motion is typical of the SNP. It is not an attempt at any real debate. It is posturing, playing to the gallery and going for an easy headline. As my colleague Brian Monteith said in his contribution, the question of class sizes is, to a degree, irrelevant to the future of Scottish education. Large class sizes often occur in popular schools. There is often no educational disadvantage and the existing research is conflicting. All sorts of research has been done, some of which suggests that there is no link between class size and pupil attainment. Johann Lamont and Frank McAveety referred to that when they said that class size is only one factor in determining pupil outcomes.

Robin Harper: Could Murdo Fraser explain, because nobody has done so yet, why, if class sizes in secondary schools for technical, art and science subjects are restricted to 20 for safety and teaching efficiency reasons, we should not have the same concerns for much younger children?

Murdo Fraser: With respect, the answer is obvious. As I understand it, it is all to do with health and safety. In classes where pupils are dealing with equipment that might be dangerous, it is appropriate to have a certain pupil-teacher ratio. However, it is not appropriate in other classes.

The SNP is giving undue prominence to the issue. Its proposals would be hugely expensive. As we heard from Mike Russell, they would cost £105 million a year plus the cost of teacher training on a revenue basis. There would also be a capital cost. Karen Gillon referred to that in her excellent contribution. There is an unquantifiable capital cost for new classrooms—not just new buildings but equipment. The SNP might argue that there is spare capacity in some schools and that we could simply bus pupils around the country to take up that spare capacity. However, as Brian Monteith said, that would be denying parental choice, which the Conservatives consider a cornerstone of education. Of course, the SNP has always taken the view that the state knows better than parents.

Not everywhere has spare capacity. In Perth and Kinross, primary classrooms are at 85 per cent to 88 per cent capacity. The proposed reduction in class sizes would mean a requirement for one third more primary schools—an extra 30 or so in addition to the existing 92. That is just one local authority area. Where will the money come from? Will the SNP cut other budgets or raise taxes? If it is going to raise taxes, by how much? It strikes at the heart of the contradiction in SNP policy.

Some SNP members, such as Andrew Wilson, who has sadly left the chamber, appear to support a low-tax, enterprise-focused Scotland. The party's tourism spokesman was in the papers at the weekend calling for a cut in rates and VAT for tourism enterprises, but the majority of SNP members come to the chamber every week to call for more money to be spent by the Government on every issue under the sun. That is the case today. When will the SNP stand up and tell us what its policy really is?

Michael Russell: On a point of order, Presiding Officer. There is an annoying whining noise in the chamber that is not just Murdo Fraser. Can something be done about it?

The Deputy Presiding Officer: That would be a matter for the sound engineer. I am afraid that that goes beyond the power that I have at my disposal. Mr Fraser will proceed to the best of his ability in the circumstances.

Murdo Fraser: I shall drone on, Presiding Officer.

We did not hear from Mike Russell why SNP councillors in Dumfries and Galloway are voting to close small schools so that the council of whose administration they form part can bid for PPP finance. We did not hear from Mike Russell why SNP-controlled Angus Council closed St Vigeans Primary School in Arbroath and put a threat on Kilry Primary School just outside Kirriemuir. Those

things are happening at the grass roots.

Mr John Swinney (North Tayside) (SNP): Will Mr Fraser give way?

The Deputy Presiding Officer: Mr Fraser is at the end of his time.

Mr Swinney: Perhaps Mr Fraser can finish the Kilry story.

Murdo Fraser: What we need in Scottish education is not pie-in-the-sky proposals from the SNP that cannot be afforded and are simply proposed to get a headline. We do not need a top-down approach, but greater choice and diversity in education and more local decision making, giving more power to parents. If parents decide to make smaller class sizes a priority, all well and good. Those decisions must be taken at a local level. The Scottish Conservatives will continue to address the real issues in education and to propose sensible solutions. We reject the flag-waving we have seen today from the SNP.

12:23

Cathy Jamieson: We have had a good debate today and there have been some interesting contributions, although obviously we do not all agree on everything. I was interested to hear Murdo Fraser say that his parents belong to the baby boom generation. I wish that I could claim the same but, sadly, I belong to the same era as Mike Russell, with whom I share an Ayrshire education. We may have had a slightly different experience of Ayrshire education, however.

Michael Russell: And different outcomes.

Cathy Jamieson: Perhaps not different outcomes, but different experiences.

I want to address the dividing lines in the debate. Labour and Liberal Democrat members have expressed their clear commitment to improving the overall quality of educational experience for young people. That is our priority. Many members, including Frank McAveety, Johann Lamont, Karen Gillon and possibly Ian Jenkins, said that this is about providing the best opportunities and the best attainment levels for every young person, so that they can fulfil their potential. The priorities that we have set out and the initiatives that we have established are set to deal with that. As Johann Lamont and Karen Gillon said, we do not want a situation in which we simply focus on the arithmetic of the situation, rather than considering the experience of children and young people.

It was a bit disappointing to hear some of the comments from the SNP about the positive initiative of using classroom assistants. If SNP members talk to children, young people, parents

and teachers, they will hear how important that initiative has been. An additional 4,000 adults, all of whom have different skills and experiences, are in classrooms delivering, assisting and working with young people.

Colin Campbell: Will the minister accept an intervention?

Cathy Jamieson: I do not have time to take an intervention. I have to move on.

Over the babble that is coming from the back benches, I would like to comment on some of the other points that members have raised. Frank McAveety talked about how the social environment that young people are brought up in can contribute to or hamper their educational opportunities. I echo what he said, particularly in relation to Glasgow. Because he has worked in Glasgow and been a councillor there, Frank knows very well the difficulties of Glasgow City Council and the struggles that it faces in redressing many years of problems. In Glasgow and in other areas, we should focus on what we can do to make a difference to children and young people, rather than the SNP's solution, which is to wait for independence, when everything will be all right. That is clearly not the case.

The Executive wants continued involvement in the new community school programme. Ian Jenkins, Jamie Stone and other members mentioned the need to have other adults and other resources in such schools to support children and young people and to help them to get the best out of school. Like other members, I am a parent. I am the parent of a secondary school pupil who is being educated in a new community school. Like other parents, I have seen the difference in terms of resources and additional support that have gone in to help not just the brightest and most academic children—of course, we want them to go to university and to achieve their full potential—but children with special needs and those from disadvantaged backgrounds. Those children are getting the opportunity to fulfil their potential.

That is the kind of education that I had and that Karen Gillon, Frank McAveety and other members had. I want nothing less for the children of the future. I want better opportunities for children in Scotland. We cannot achieve that by focusing on the single strand of class sizes. We must ensure that all the pieces are put together to ensure that education gives everybody that opportunity.

I would like to finish by commenting on some of the work that is being done out there in the real world. I know from visits to schools such as Barrhead High School, Knox Academy and schools in my constituency that those schools have used the flexibility in the curriculum and other opportunities to deal with issues such as the S1

and S2 problem and the transitional phase from P7 to S1.

I see that the Deputy Presiding Officer, who used to teach in my constituency, is looking at me, so I had better wind up.

We have to bring all those strands together. I hope that the SNP will at least acknowledge that we have made significant improvements, as Donald Gorrie outlined. I do not believe in self-congratulation, but we should recognise where we have made progress and what we still need to do. It is the Executive that will deliver that for Scotland's children.

The Deputy Presiding Officer: We are now moving into detention time, I am afraid, and Mike Russell has eight minutes.

12:29

Michael Russell: To judge from the evidence of the past three and a half years, Labour could not deliver a pizza.

Johann Lamont: Will the member give way?

Michael Russell: No. I will not take any interventions from Labour members. It is about time that they sat and listened to some truths.

I have found a number of responses to this debate remarkable. I do not think that it has been a good debate. We have seen a very poor reaction to and misrepresentation of ideas from Labour members, but some points made in the debate stand out in my memory. Johann Lamont is a member of a party that has talked about nothing but targets and what has to be achieved year on year. Now, suddenly, targets are to be abandoned; failing to meet them is not important. It is absolutely remarkable that those were her words.

Johann Lamont: Will the member take an intervention?

Michael Russell: No, I will not.

The other remarkable point in her speech—and in Frank McAveety's speech—is that they said that much still needs to be done in Glasgow. Which party runs the administration in Glasgow and has run it for generations? Which party has failed Glasgow? The answer is the Labour party.

Mr McAveety: Will the member take an intervention?

Michael Russell: No I will not, but I will refer to Mr McAveety's remarks about cuts in education in Glasgow. In the past week, Glasgow City Council announced savings of £4,118,500. That includes savings from fewer pupils in primary schools and 25 fewer teachers. If the Labour members listened to the part of my opening speech about the reduction of teacher numbers in primary schools

because of falling rolls, they would know that part of the funding for our proposed package could come from such savings.

Jackie Baillie: Will the member take an intervention?

Michael Russell: No, I will not give way to Jackie Baillie either.

The SNP members came to the chamber with a carefully crafted set of ideas for debate. The Labour members showed, as they always do, intransigence and an ignorance about debating and discussing ideas that shames the Parliament.

Mr McAveety: Will the member take an intervention?

Michael Russell: No.

It is no wonder that people in Scotland are tired of this Administration and sceptical about the Parliament. The Labour members' ignorance was demonstrated graphically this morning.

I enjoyed Mr Jenkins's contribution. I admire and like Mr Jenkins. He and I have worked closely on a number of matters and we do not differ greatly on the important aspects of life. However, Mr Jenkins has a regrettable tendency to believe what he is told by his coalition partners. He said that he likes good news. In my speech, I welcomed the fall in class sizes, but I said that the evidence reveals that that fall is cosmetic and has not been achieved in key areas. It is important to tell the truth about the situation and not to hide it. Unfortunately, the truth is being hidden.

Rhona Brankin: Will the member take an intervention?

Michael Russell: Rhona Brankin might want a ministerial job again, but she should not try to get it in my time.

I will quote what Mr Fraser said on class sizes because it will come back to haunt him. He said: "Class sizes are irrelevant to Scottish education". Teachers and parents will look at that and say, "Back to Dotheboys Hall for the Tories." There is no progress in that philosophy.

Murdo Fraser: Will the member give way?

Michael Russell: Yes, I will listen.

Murdo Fraser: Michael Russell deliberately misquoted what I said. I said that in some instances the question of class size is irrelevant. I ask Michael Russell not to misquote me when he is trying to make a point about my argument.

Michael Russell: Murdo Fraser has qualified what he said. He said: "Class sizes are irrelevant to Scottish education". [*Interruption.*] As Mr Swinney is pointing out, Murdo Fraser was guilty of a misquotation in his speech. No doubt there

will be correspondence about that.

We have heard about pupil-teacher ratios and pupil-adult ratios. There is not the slightest doubt that the best way to proceed is to ensure that pupil-teacher ratios are better than pupil-adult ratios. I do not intend to diminish the work of classroom assistants. One of the most unacceptable moments in the debate was when the Labour members jeered at Colin Campbell for making a perfectly reasonable remark and tribute.

Cathie Craigie: Will the member take an intervention?

Michael Russell: No, I will not. I have said why.

We must begin to talk about ideas. When parties present ideas, they should be debated.

Jackie Baillie: The member is feart.

Michael Russell: I am not scared of Jackie Baillie in the slightest, but I am scared about the time wasting that comes from her Administration, which lacks purpose and achievement. I am tired of the dishonesty about that that comes from the Administration.

Johann Lamont: Will the member take an intervention on that point?

Michael Russell: No.

What there is is misrepresentation. Labour has been in power in local authorities in Scotland for generations and has been power in Scotland since 1997. Labour has not achieved its targets. It is time that we made real change. The SNP has come to the chamber today with a proposal for real change and ideas about how that could be done. We seek to debate the issue, which is live throughout Scotland—55 per cent of parents want to see that change. We know that it has been a long-held view of the educational union for years. We know that many things can be done and I am not against all those being done, but this is the key change that could make a difference. All we hear is misrepresentation, girning and self-justification.

Rhona Brankin: Will Michael Russell take an intervention?

Michael Russell: No. Labour members have had their opportunity today and they have blown it.

We must consider the matter closely, plan for the future and more than anything else—I say this from the SNP benches; we are the only people who believe it—in Scotland we must have some ambition and vision for the future. If ever there was a debate in this Parliament that proved that the only ambition and the only vision come from the SNP, this was that debate. Sorry, I include Mr Harper in that, because he asked—

Robin Harper rose—

Michael Russell: I will take Robin Harper's intervention.

Robin Harper: Does Michael Russell agree with me that the Executive should be challenged yet again to explain, if it accepts for teaching reasons that there must be class sizes of no more than 20 for practical subjects, why that does not apply, for some reason or other, to primary schools?

Michael Russell: Robin Harper is absolutely correct. Of course, he will receive no answer to that question, because there is no answer to it.

One of the worst aspects of the debate was when we entered into the realms of discussing education. What we heard from Labour members was a retreat into the gulag. Their argument was that the only thing that mattered was to get their pet projects through. I remind this Executive that we are here to serve the people of Scotland. On the evidence of this debate, the people who are least able to do that are not just the Conservatives—although I liked Jamie McGrigor's speech—but the Labour party in this Executive. It is the deadweight on Scottish education and it is time that it went.

Business Motion

12:37

The Deputy Presiding Officer (Mr Murray Tosh): The next item of business is consideration of business motion S1M-2707, in the name of Patricia Ferguson, on behalf of the Parliamentary Bureau, setting out a business programme.

I draw members' attention to a printing error in the business motion that is printed in today's business bulletin. Paragraph (c) should read

"that Stage 1 of the Land Reform (Scotland) Bill be completed by Friday 22 March 2002."

That was a manuscript amendment.

Any member who wishes to speak against the motion should press their request-to-speak button now.

Motion moved,

That the Parliament agrees the following programme of business—

Wednesday 13 February 2002

1.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Stage 3 Debate on the Protection of Wild Mammals (Scotland) Bill

followed by Parliamentary Bureau Motions

7.00 pm Decision Time

Thursday 14 February 2002

9.30 am Parliamentary Bureau Motions

followed by Stage 3 Debate on the Water Industry (Scotland) Bill

followed by Business Motion

2.30 pm Question Time

3.10 pm First Minister's Question Time

3.30 pm Continuation of the Stage 3 Debate on the Water Industry (Scotland) Bill

followed by Stage 3 Debate on the Budget (Scotland) (No.3) Bill

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business – debate on the subject of S1M-2669 Elaine Thomson: World Heritage Site Status for the Cairngorms

Wednesday 27 February 2002

2.30 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Stage 1 Debate on the Scottish Parliamentary Standards Commissioner Bill

followed by European Committee Debate on its 9th Report 2001: Report on the Governance of the European Union and the Future of Europe: What Role for Scotland?

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 28 February 2002

9.30 am Scottish Conservative and Unionist Party Business

followed by Business Motion

2.30 pm Question Time

3.10 pm First Minister's Question Time

3.30 pm Stage 1 Debate on the Education (Disability Strategies and Pupils' Records) (Scotland) Bill

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

(b) that the Justice 2 Committee reports to the Justice 1 Committee by 25 February 2002 on the Draft Advice and Assistance (Financial Conditions) (Scotland) Regulations 2002, on the Draft Civil Legal Aid (Financial Conditions) (Scotland) Regulations 2002, on the Police Act 1997 (Criminal Records) (Registration) (Scotland) Regulations 2002 (SSI 2002/23) and on the Scottish Legal Services Ombudsman (Compensation) (Prescribed Amount) Order 2002 (SSI 2002/32).

and (c) that Stage 1 of the Land Reform (Scotland) Bill be completed by Friday 22 March 2002.—[*Euan Robson*.]

Motion agreed to.

12:38

Meeting suspended until 14:30.

14:30

On resuming—

The Deputy Presiding Officer (Mr Murray Tosh): Before we begin this afternoon's business, I welcome Dr Rowsch Shaways, the President of the Kurdistan National Assembly, and his party to the VIP gallery. [*Applause*.]

Question Time

SCOTTISH EXECUTIVE

The Deputy Presiding Officer: Question 1 has been withdrawn.

Glasgow (Regeneration)

2. Mr Kenneth Gibson (Glasgow) (SNP): To ask the Scottish Executive what steps it is taking to regenerate Glasgow. (S10-4591)

The Deputy Minister for Social Justice (Ms Margaret Curran): The Scottish Executive is involved in a wide range of initiatives that are aimed at regenerating Glasgow. We have targeted regeneration initiatives, such as social inclusion partnerships, that run in tandem with mainstream activities in health, education, transport, employment and housing, all of which are aimed at improving the quality of life of the people of Glasgow and at regenerating the city.

Mr Gibson: Is the minister aware that the December edition of "Glasgow Economic Monitor" predicts only 2 per cent job growth in the city in the coming five years, compared with 7.5 per cent over the past five years? Does the minister accept that one way of expediting the regeneration of Glasgow is to speed up construction of the M74 northern extension, which would secure 55,000 jobs? We should also ensure that that construction is linked to simultaneous derelict and vacant-land reclamation next to the road, which would provide the industrial sites that the city so desperately needs.

The Deputy Presiding Officer: We need a question, Mr Gibson, not a speech.

Mr Gibson: Will the minister explain why Glasgow, unlike Lanarkshire, has never had an enterprise zone? Will one be constructed next to the M74 northern extension?

Ms Curran: There was a great deal in that question and I would be happy to go into great depth on the range of initiatives that we are taking to help the city of Glasgow, although that would take up a considerable amount of the Parliament's time. I will concentrate on one aspect of Kenny Gibson's question—construction—because that is all that I am likely to be permitted to do. The one

policy to which I draw his attention is the housing stock transfer, which will greatly regenerate the city and increase construction opportunities. I look forward to Mr Gibson supporting that policy.

Paul Martin (Glasgow Springburn) (Lab): Will the minister condemn the visit to Easterhouse in Glasgow by Iain Duncan Smith, who sought to undermine the efforts of local elected members to regenerate Glasgow? Given—

The Deputy Presiding Officer: Order. That is not an area that falls within the minister's responsibility. The minister can hardly comment on what the leader of the Conservative party in another Parliament has done.

Paul Martin: On a point of order, Presiding Officer. You have not given me the opportunity to complete the question.

The Deputy Presiding Officer: Mr Martin, if you complete the question in a way that shows that you are dealing with a matter for which the minister has responsibility, I will listen to it.

Paul Martin: I have already.

Forestry

3. Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): To ask the Scottish Executive what assessment it has made of the impact on the forestry industry of its and Her Majesty's Government's policies. (S10-4607)

The Deputy Minister for Environment and Rural Development (Allan Wilson): We published our forestry strategy in November 2000. The forestry industry and other stakeholders were actively involved in the formulation of that strategy. Forestry is a devolved matter. The forestry strategy operates within a climate that may be affected by many factors, among which are the policies of Her Majesty's Government and the European Union. We are now implementing the strategy. We have established a forestry forum, which includes representatives from the forestry industry as well as other stakeholders, to assist in taking that strategy forward and to assess progress.

Fergus Ewing: I have given the minister brief notice of my supplementary question. Will he seek a review of the building regulations in Scotland in order to increase the required levels of insulation in domestic house building, thereby promoting and increasing the market for home-grown Scottish timber? Does he agree that that would not only be good for the environment and for the provision of warm homes, but provide an extremely welcome boost to the Scottish timber industry and the 12,000 jobs that it sustains?

Allan Wilson: I wholly welcome any moves to sustain those jobs and to boost the timber

industry. Timber production is set to double over the coming 10 to 15 years. We are working closely with the industry through the Forestry Commission on a major campaign to promote the use of wood by architects and other specifiers. The building regulations are constantly under review. Review of those regulations in accordance with our policies on energy efficiency and insulation would be welcome, but it would have to be done in conjunction with our colleagues in England and Wales, which is prospectively our biggest market. I hope to broach that subject with those colleagues at a joint meeting next month.

Mr Jamie McGrigor (Highlands and Islands) (Con): How can the Executive say that it supports the forestry industry when it is four months late with many farm woodland premium scheme payments? Why is the rate for those payments half the rate in Ireland?

Allan Wilson: We announced a review of the grants when we published the Scottish forestry strategy. A steering group that represents the industry and other stakeholders is overseeing that review and I expect it to report to me in March.

Children's Hearings System

4. Cathy Peattie (Falkirk East) (Lab): To ask the Scottish Executive what action it is taking to ensure that the children's hearings system complies with the European convention on human rights. (S10-4642)

The Minister for Education and Young People (Cathy Jamieson): The principal challenge under the ECHR to the children's hearings system has been the S case. The judgment in that case found that the children's hearings system complies with the ECHR, but that the absence of a scheme for considering publicly funded legal representation could breach some children's civil rights under article 6. On 23 February, we will introduce through subordinate legislation an interim scheme for legal representation in children's hearings in appropriate cases.

Cathy Peattie: Does the minister share my concern about the recent media coverage of children's hearings? Does she agree that the service is excellent? What can be done to ensure that young children do not slip through the net?

Cathy Jamieson: I recognise the valuable role that the children's hearings system plays. I have had meetings with relevant people to consider how we can value the work of children's panel members, who give up their time to take on a difficult task, and to ensure that we recruit an adequate number of panel members for the future. I am aware of some of the media coverage today, particularly that on ensuring that the supervision requirements that the hearings system imposes

are performed. I take that matter seriously and will address it in coming weeks.

Robert Brown (Glasgow) (LD): Does the minister accept that the biggest threat to the human rights of children who appear before a panel is the lack of social workers to perform the supervision and investigation requirements? Will she elaborate a little on the activities that she has undertaken to try to resolve the problem, particularly in Glasgow, where there could be a major crisis?

Cathy Jamieson: I am perhaps more aware than most of the valuable work of social workers who work with very vulnerable children. I am trying to get a picture of the whole of Scotland. I am aware of the circumstances in Glasgow. I have had discussions with the social work services inspectorate and I know that Glasgow City Council is attempting to fill the gaps by recruiting additional social workers. That is linked to work that we need to do on a strategy for social work training. Unfortunately, there is no quick fix, although I assure the member that the matter will progress in due course.

Phil Gallie (South of Scotland) (Con): Has the requirement to consider placing 16 and 17-year-olds under the supervision of the children's panel anything to do with the ECHR? If so, what consideration has the minister given to extending penalty ranges and, ultimately, enforcement of any orders that children's panels issue?

Cathy Jamieson: Phil Gallie is probably aware that a wide range of disposals is available in the children's hearings system. A children's panel can write conditions into supervision requirement orders. Accountability is provided for because local authorities must bring children and young people back at the appropriate time. My colleagues in the justice department and I will examine carefully the proposed pilots for involving 16 and 17-year-old offenders in the hearings system. In due course, we will report on progress with that.

Housing (Edinburgh)

5. Sarah Boyack (Edinburgh Central) (Lab): To ask the Scottish Executive what action is being taken to improve housing standards in the Dumbiedykes area of Edinburgh. (S10-4597)

The Minister for Social Justice (Iain Gray): More than £5 million of new housing partnership funding was earmarked for the comprehensive regeneration of the Dumbiedykes estate in February 1999. On 25 January this year, the Executive gave a commitment to earmark further funding to meet a potential shortfall—which was identified by the City of Edinburgh Council—provided that the final proposals represent value

for money to the public purse and receive the support of tenants in a secret ballot.

Sarah Boyack: I welcome the new money from the Executive, which ensures that we have a chance to modernise those flats and houses dramatically. Does the minister recognise that people in Dumbiedykes have waited for years for a major refurbishment? Will he assure me that, when the Executive receives the business plan from the council, it will deal with it as swiftly as possible so that the houses can be brought into the 21st century?

Iain Gray: I agree with Sarah Boyack that we must all pull together to progress improvements for the residents. That is the central issue. I acknowledge her relentless efforts in the past few weeks to ensure progress. The council is responsible for preparing a proposal in consultation with tenants and submitting it to the Executive. We issued detailed guidance to councils on preparing transfer proposals, which includes guidance on assessing value for money. When we receive the proposal, our appraisal will be undertaken as quickly as possible and in accordance with the guidance.

Out-of-school Care

6. Elaine Smith (Coatbridge and Chryston) (Lab): To ask the Scottish Executive what plans it has to improve the provision of out-of-school care. (S10-4643)

The Minister for Education and Young People (Cathy Jamieson): We are seeking to improve the provision of that important service. We have made £8 million available over three years to local authorities to help to stabilise and sustain out-of-school clubs, especially in disadvantaged areas. We are convening a cross-sectoral working group to tackle a range of issues that affect the delivery of out-of-school care. I have met representatives of the new opportunities fund in Scotland to agree ways of increasing the take-up of funding under the fund's child care initiative.

Elaine Smith: An increasing number of parents now take up—or want to take up—employment opportunities provided by breakfast clubs and after-school clubs, such as those in the excellent Coatbridge community education centre, which is run by North Lanarkshire Council and is one of three such clubs in my constituency. Does the minister agree that such clubs are extremely important in that respect? What are the possibilities of using new opportunities funding to help to expand out-of-school provision, particularly breakfast clubs?

Cathy Jamieson: I recognise the work that is done by the clubs in Elaine Smith's constituency. I know that she takes an interest in such initiatives,

both locally and through her involvement in the cross-party group on children and young people. We have had discussions with the new opportunities fund about how we can ensure the take-up of funding and whether breakfast clubs and other initiatives fall within the criteria to receive funding. The new opportunities fund can give some priming money, but organisations must be able to sustain themselves in the longer term. We have discussed those initiatives and we want to pursue them.

Lothian and Borders Fire Board (Pensions)

7. Fiona Hyslop (Lothians) (SNP): To ask the Scottish Executive when it last met representatives of Lothian and Borders fire board in order to discuss funding of pensions. (S10-4625)

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): This morning.

Fiona Hyslop: I am not surprised by that answer. Does the minister concede that the meeting was convened only in the past few days, despite board members' repeated requests for a meeting with him? Will he confirm that the minimum requirement for tackling the pensions time bomb is a long-term commitment to deal with the fact that the pension scheme is unfunded? Does the minister acknowledge that the pension scheme is unfunded and that, during the 1980s and 1990s, Tory home affairs ministers and Labour councillors paid for essential fire services from the pension contributions of firemen?

The Deputy Presiding Officer: That is two questions already.

Fiona Hyslop: Will the minister confirm whether such a ticking time bomb exists in other public services, such as police forces? How does the Executive plan to tackle that pensions disgrace?

Mr Wallace: I do not propose to discuss the history of the 1980s and 1990s, but I will mention more recent history. When I met the Tayside fire board in January of this year, I made clear my willingness to meet the conveners of all fire authorities in Scotland, which is what I did this morning, along with a number of firemasters and directors of finance. The meeting was constructive. After it, the vice-president of the Convention of Scottish Local Authorities, George Purcell, said:

"The discussions that we held this morning with the Deputy First Minister were positive, and I am pleased that he at least seems to be listening to the case COSLA has put to him in relation to fire brigade pensions."

There are two key issues, the first of which is the one to which Fiona Hyslop referred. Because of the level of recruitment in 1974, many pensioners are due to retire in the next two or three years. As

a result, at this morning's meeting, we agreed to set up a short-life working group that will involve officials in my department, COSLA and representatives of the fire authorities. The group will jointly address the level of resources and examine the overall arrangements for funding pensions, particularly in view of the critical time that is coming up.

I am also very aware of the immediate financial pressures on many fire boards. Although I was not able to give the fire boards a firm commitment this morning, I indicated my sympathy for their plight and hoped that I would be in a position to give them encouraging news very much sooner rather than later.

Rhona Brankin (Midlothian) (Lab): Although I welcome that reassurance, will the minister also reassure me that there is no threat to front-line fire services in my Midlothian constituency?

Mr Wallace: It was specifically pointed out that the Lothian and Borders fire brigade is very aware of the need to maintain front-line fire services. However, the issue of pensions is important and I hope that we will be in a position to address the concerns that have been expressed.

Angus MacKay (Edinburgh South) (Lab): I congratulate the minister on the discussions that took place this morning, particularly with regard to the fire services in Lothian and the Borders. Does he agree that, when we hear good news about the protection of front-line fire services in Lothian and the Borders and the fact that the pensions issue is being addressed head-on, and then consider the effects that such news will have on council tax levels throughout the area, we should welcome that news, not criticise it?

Mr Wallace: I should sound a slight note of caution: I did not have a cheque book in my hands this morning and there are some details that I still have to discuss with the Minister for Finance and Public Services. However, Mr MacKay is absolutely right. The Executive takes the proper funding of front-line services seriously. We are determined to fund those services properly to ensure that the people of Scotland—not just those in Lothian and the Borders—have fire services in which they can have confidence. Indeed, they have such services at the moment and we want to ensure that that situation continues.

Ministerial Appointments

8. Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): To ask the Scottish Executive how many of the 26 independent assessors appointed to oversee ministerial appointments to non-departmental public bodies have political affiliations. (S10-4634)

The Minister for Finance and Public Services

(Mr Andy Kerr): Of the 26 assessors in post, 14 declared that they were politically active in the five years prior to their appointment. However, details of an individual's political affiliations are not a matter of record, as it would be inappropriate for an individual's voting preference to be known. All appointments are made on merit. As the commissioner's code makes clear, political activity is not, and should not be, a barrier to taking up a public appointment.

Mr Rumbles: It is important to draw a clear distinction between the hundreds of ministerial appointments to quangos and the appointments of the 26 so-called independent assessors. There is quite a difference between the two. Will the minister give an undertaking that, when a Scottish commissioner for public appointments is appointed, he or she will support a change in the rules to ensure that none of the 26 assessors who are appointed to ensure fair play is politically active?

Mr Kerr: Neither the Executive nor the UK commissioner for public appointments believes that political activity should be a bar to anyone who wants to serve as an independent assessor. A record of political activity does not mean that someone is unfit to hold such a post or to take on any other appointment. The key question is whether they can do the job. The UK commissioner confirmed that our process was fair and open and covered a wide range of people.

Political activity had nothing to do with how the people were selected; indeed, such activity should not prohibit people from carrying out public service. Under the Executive's proposals, the Scottish commissioner for public appointments, who will be appointed by the Parliament—not by ministers—will decide who should be independent assessors. I reassure Mr Rumbles that the new commissioner will also decide whether political activity should debar someone from such a role. Of course, I am sure that we will hear from Mr Rumbles during the consultations on the forthcoming bill.

Alex Neil (Central Scotland) (SNP): Does the minister think that our heads button up the back?

The Deputy Presiding Officer: Is that your sole question?

Alex Neil: The minister's head certainly does. Is it not incredible that Labour party membership is equivalent to less than 0.2 per cent of the population, yet 50 per cent of the assessors are Labour cronies? Is it not the case that, because of the way in which the most recent 12 assessors were appointed, the public have no confidence in them? They should be sacked and the whole process—

The Deputy Presiding Officer: You are starting to make a speech, Mr Neil. We have got the point.

Alex Neil: I remind the minister that we are living in Scotland, not Sicily.

Mr Kerr: I do not recall Mr Neil shouting about cronyism when, in July 2000, the then First Minister wrote to him seeking names of people to serve as independent assessors. Mr Neil did not scream cronyism when two out of three of his choices were appointed as independent assessors. He did not complain when he was written to again a year later, as the convener of a committee, or when his party leader was written to in order to get names of people to be put forward as independent assessors. If that is political cronyism, I do not understand his actions. Over the past week, he has sought to undermine the Parliament, the people who choose to act in the service of the Scottish public and those who wish to participate in public service. The fact that he is moaning about the appointments simply shows that he still has nothing positive to say about how public service works.

The Deputy Presiding Officer: Minister, you are straying off the point of the question.

Mr Kerr: The bill that Mr Neil proposes is more about Mr Neil than about improving public service.

Alex Neil *rose*—

The Deputy Presiding Officer: Sorry, Mr Neil. Both the question and the answer are straying away from the lead question.

Mr Kerr: Does Alex Neil want to see the letters dated 23 July 2000?

Alex Neil: On a point of order. The minister misled—

The Deputy Presiding Officer: Mr Neil, you are consuming other members' time. This is a political exchange, not a point of order.

Dr Sylvia Jackson (Stirling) (Lab): Will the minister advise the Parliament of his involvement in the appointment of the independent assessors?

Mr Kerr: I shall be happy to correct some of the misrepresentation over this matter. In May 2001, ministers agreed to the process of recruitment. The UK commissioner for public appointments cleared the job description and person specification for the post. The Executive invited nominations from a diverse range of organisations across Scotland—

Mr Kenneth Gibson (Glasgow) (SNP): The minister means a diverse cross-section of the Labour party.

Mr Kerr: I will come back to that point in just a minute, thank you.

The UK commissioner commented that the list of people to whom we wrote was comprehensive. Because of our commitment to increasing diversity in such appointments, we targeted such left-wing, radical organisations as the African and Caribbean Women's Association, the Confederation of British Industry Scotland, the Commission for Racial Equality, Disability Scotland, the Forum of Private Business, the Indian Graduate Society, the Pakistani Media Relations Committee in Bearsden and—of course—the Scottish Conservative and Unionist Party, the SNP and every other party that is represented in this chamber.

Tommy Sheridan (Glasgow) (SSP): What about new Labour?

Mr Kerr: The Nolan appointments style was adopted throughout the process. There was an independent panel including Dame Rennie Fritchie and two civil servants. Sixty application packs were sent out, 27 responses were received and 19 interviews took place. Not once was I or any other minister involved in the selection process. I was unaware of the political affiliations of those who were nominated to me.

Dennis Canavan (Falkirk West): If people are really appointed on merit and public bodies are really representative of the population as a whole, why have more than 50 per cent of recent appointments to the super-quango been members of political parties when less than 2 per cent of the population are members of any political party? Are we expected to believe that political parties are endowed with such a disproportionate share of talent and expertise? That is not evident in this place.

Mr Kerr: In writing to 100 organisations, putting the advert on our website and, last year, advertising the post widely through the media, we have done our best to bring people forward. The process is undermined by members who attach politics to the appointments instead of the principle that whoever is good enough for the job should get it.

Immunology Clinics

9. Mr Lloyd Quinan (West of Scotland) (SNP): To ask the Scottish Executive whether it plans to review the operation of immunology clinics. (S10-4621)

The Deputy Minister for Health and Community Care (Hugh Henry): It is for national health service boards and trusts to plan and implement immunology and allergy services that best meet the needs of their local populations and periodically to review the operation of such services. In doing so, they should take account of the recommendations contained in the report "Immunology and Allergy Services in Scotland",

which was published by the Scottish Medical and Scientific Advisory Committee in September 2000.

Mr Quinan: Does the minister agree that, if someone was diagnosed in 1998 as potentially having an allergy, they should have been able to see someone in the immunology clinic at the Glasgow Western infirmary before now? I refer to Miss Jacqueline Pollock of 348 Redburn, Bonhill, Alexandria. Does the minister agree that we need to take a radical look at the approach to the diagnosis of allergy? That woman is housebound and incapable of taking any medicine because of her allergy.

The Deputy Presiding Officer: We are wandering away from the question, Mr Quinan. Keep to the question.

Mr Quinan: Okay. Does the minister agree that it is unacceptable for anyone in Scotland to await a diagnosis for four years? What is the minister going to do about that situation?

The Deputy Presiding Officer: I think that we have got the point.

Hugh Henry: I am unaware of the specific case to which the member referred. If he writes to me, I will have the matter investigated. On resources and services, we recognise that there is a problem that cannot be tackled overnight. However, additional investment is going into services in the Greater Glasgow NHS Board area. The NHS boards in the west of Scotland are involved in discussions with the Glasgow board and others to see how a more comprehensive service can be delivered. As for the specific case that the member mentioned, if he—or any member—addresses a specific case to ministers, that case will be investigated.

Scottish Ambulance Service

10. Mrs Margaret Smith (Edinburgh West) (LD): To ask the Scottish Executive when a priority dispatch system for the Scottish Ambulance Service will be implemented. (S10-4628)

The Minister for Health and Community Care (Malcolm Chisholm): The Scottish Ambulance Service sent a full business case for that project to the department a few days ago. The department is considering the case carefully but urgently. Subject to the department's approval, the service expects to be able to complete implementation of the project in 2004-05.

Mrs Smith: As the minister will be aware, many members are concerned that the reduction in the number of ambulance centres will have a negative impact on the service and on projected reaction times. Will he answer those concerns and say whether he is content that the reduction in the

number of centres will have a positive and not a negative impact on the service?

Malcolm Chisholm: The situation is the opposite of what Margaret Smith suggested. The reality is that the Scottish Ambulance Service has done an important piece of work, which the Executive asked it to do. We will look urgently at that work. However, the plan cannot be implemented unless there is investment in three operation rooms. Unless that happens, it will not be possible to move to the priority dispatch system. Those two things must be done simultaneously. I hope to be able to give a response to the report in the near future.

Richard Lochhead (North-East Scotland) (SNP): Will the minister tell members whether the Aberdeen ambulance control room will play a role in delivering the new system? If not, does that mean he is proceeding with closure against the wishes of 22,000 local people who signed a petition to keep the Aberdeen centre open?

Malcolm Chisholm: There will be room for smaller local centres, but the reality is that the new priority dispatch system depends on having three operation rooms and on major investment being put into them. I understand that that plan has given rise to concerns, but when people understand the reason for that investment in the new operation rooms, they will support the plan. It is clear that people want to move to the priority dispatch system, but that cannot happen without the investment in three operation rooms.

Janis Hughes (Glasgow Rutherglen) (Lab): In the light of the current concerns over the siting of accident and emergency facilities in Glasgow, can the minister tell us when we will finally have a trained paramedic in each ambulance who can be used in the priority dispatch system?

Malcolm Chisholm: The issue of paramedics is fundamental, too. We cannot move to the priority dispatch system unless we invest in extra paramedics. That is part of the Scottish Ambulance Service's business case. I want to look at the detailed issues over the next few weeks. There must and will be more investment in paramedics. By building up that service, we can have the kind of emergency services throughout Scotland that we want.

David Mundell (South of Scotland) (Con): The minister will be aware that last year an ambulance travelled from Glasgow to Dumfries via Edinburgh and Hawick. Will he ensure that, when the proposals are implemented and the new centres are established, there will be proper geographical computer data to allow the dispatch to take into account complicated rural geographies?

Malcolm Chisholm: One issue that we must consider is how the plan will work in remote and

rural areas. I look forward to discussing that and other issues that have been raised when I visit the Scottish Ambulance Service College the week after next. I will be talking with the chair and senior management about all the issues that members have raised.

Alcohol Problems (Action Plan)

11. Mr Keith Raffan (Mid Scotland and Fife) (LD): To ask the Scottish Executive what additional financial resources it will make available for the implementation of action points identified in its "Plan for Action on Alcohol Problems" and how such resources will be distributed. (S10-4633)

The Deputy Minister for Health and Community Care (Mrs Mary Mulligan): The Executive has made an additional £1.5 million available for a national alcohol problems communications strategy. NHS boards are being given an increase of £550,000 to support local alcohol action teams. That funding, together with additional resources to improve information required to plan local alcohol problems strategies, is coming from the £1.8 million central budget for tackling alcohol problems.

Mr Raffan: Does the minister agree that a serious imbalance exists between the Executive's spending on tackling drug misuse—£141.5 million on specific and generic programmes—and the much smaller amount that it is spending on tackling alcohol dependency? Given that the number of alcohol-related deaths is at least three times that of drug-related deaths and that alcohol dependency affects an estimated five times as many people as does drug addiction, what are the Executive's plans to redress the balance?

Mrs Mulligan: I recognise that a discrepancy exists between the moneys that are available. However, that is not the result of a lack of commitment to dealing with alcohol problems. The alcohol strategy sets out proposals to tackle alcohol misuse. By working up local plans, we are assured that we will be able to tackle alcohol misuse in a meaningful way.

Alasdair Morgan (Galloway and Upper Nithsdale) (SNP): Smuggled alcohol is of great concern when dealing with alcohol misuse—by definition, there are no controls on its sale. What measures are in place to measure the effectiveness of the extra resources that are being given to HM Customs and Excise, as set out in the plan? In particular, what are the plans to measure the 10 per cent year-on-year reduction in smuggled goods? That figure is set out in the plan under the heading "It's happening already".

Mrs Mulligan: The problem of smuggling alcohol into Scotland is known. It is difficult to know how large the problem is, but local teams

are tackling it. As the member said, additional resources are being given to HM Customs and Excise to tackle the problem.

Asylum and Immigration

12. Kate Maclean (Dundee West) (Lab): To ask the Scottish Executive when it last met Her Majesty's Government in order to discuss issues relating to asylum and immigration. (S1O-4646)

The Minister for Social Justice (Iain Gray): I met with George Foulkes, Minister of State at the Scotland Office, and Lord Rooker, Minister of State at the Home Office, on Monday 4 February, as part of on-going dialogue, to discuss asylum seekers and refugees.

Kate Maclean: The minister will be aware that the white paper on immigration and asylum that was published today contains proposals to require asylum seekers to pass an English language and citizenship test. As refugee integration is fully devolved, does the minister accept that it is likely that local councils will have the responsibility for preparations to meet the criteria, in addition to their other responsibilities for asylum seekers? Are there plans in the local government finance settlement to examine provision to cover the additional costs for councils that are already strapped for cash?

Iain Gray: The detailed arrangements that follow on from the white paper, in this area as well as in others, are under discussion and form part of the discussion to which I referred in my first answer. Provision of support for English language skills and funding arrangements were part of those discussions.

Any changes in support would complement three things. First, councils will receive £0.5 billion more grant in 2002-03 than in 2001-02, which means that additional resources are being made available. Secondly, where particular burdens arise, including in Glasgow, which is involved in the asylum seekers dispersal programme, additional funds have been provided through social inclusion partnerships for host communities as a whole. Some of those moneys have been used for language services and improving access. Thirdly, there will be additional support and the freeing-up of rules for further education colleges to enable them to undertake that type of work. In addressing the burdens that might flow from the white paper, there has to be a combination of those three things.

Linda Fabiani (Central Scotland) (SNP): When the minister next meets his colleagues in the Home Office, will he tell them that it is unacceptable for ladies and gentlemen from churches in my constituency region of Central Scotland to be fingerprinted and photographed

routinely when they choose to visit Dungavel detention centre residents?

Iain Gray: The administration of Dungavel is, of course, reserved entirely to the Home Office. I suggest that Linda Fabiani ask her Westminster colleagues to broach the subject in the proper place. As the question has been raised with me today, I will raise it at the next meeting that I have with United Kingdom Government colleagues. As I have pointed out, such meetings happen regularly.

Education (Disabilities)

13. Elaine Thomson (Aberdeen North) (Lab): To ask the Scottish Executive what steps are being taken to improve educational provision for school pupils with disabilities. (S1O-4636)

The Minister for Education and Young People (Cathy Jamieson): The Scottish Executive has introduced the Education (Disability Strategies and Pupils' Records) (Scotland) Bill to improve educational provision for school pupils with disabilities. The bill is currently undergoing stage 1 consideration and will require education authorities and independent and grant-aided schools to prepare accessibility strategies. Through those strategies, education providers will plan progressively to improve access to the curriculum, the school environment and school information for pupils with disabilities.

Elaine Thomson: Does the minister agree that narrowing gaps in attainment between advantaged and disadvantaged children is vital, whether the disadvantage comes from disability, a less affluent background or behavioural difficulties?

Due to extra social inclusion funding, all schools in Aberdeen will develop bases for children with behavioural difficulties. I invite the minister to see for herself the high standard of educational provision for children with special needs when the Parliament visits Aberdeen in May.

Cathy Jamieson: I thank Elaine Thomson for updating the Parliament on the good work that is being undertaken in Aberdeen with the assistance of Executive funding. I would like to take up that invitation when the Parliament visits Aberdeen in May and have accepted a similar invitation from Aberdeen City Council to find out how it is working on its integrated children's services plan.

Murdo Fraser (Mid Scotland and Fife) (Con): I am sure that the minister realises that implementing the measures that are contained in the bill involves a cost implication for schools. What assistance will the Executive give to schools in the independent sector to help them to meet those additional costs?

Cathy Jamieson: The Scottish Executive, as Murdo Fraser may be aware from the discussion

in the committees, has said that it will give £9 million in general local government revenue grant to assist local authorities to implement the accessibility strategies. In addition, education authorities will be able to access funding from the excellence fund inclusion programme, which will amount to around £51.3 million over the next three years.

I understand that the independent schools have made some representation to the Education, Culture and Sport Committee. My colleague Nicol Stephen has either replied or is in the course of replying to those comments.

Cathy Peattie (Falkirk East) (Lab): Does the minister agree that the role of parents is important in designing education for children with disabilities? It is important that local authorities work closely with parents and listen to what they say about their children's education.

Cathy Jamieson: I agree absolutely that it is vital that parents be involved in their children's education. That is one of the main reasons why we wish to roll out the new community schools programme. That programme will ensure that parents and others who have an interest in improving attainment levels, particularly for young people from a disadvantaged background, are involved in building on the success that we have already achieved.

Cities Review

14. Mr John Home Robertson (East Lothian) (Lab): To ask the Scottish Executive what meetings have taken place with local authorities other than the five cities to discuss the cities review. (S1O-4641)

The Minister for Social Justice (Iain Gray): I recognise fully the importance of the links between our cities and their surrounding regions and am therefore keen to involve neighbouring authorities in the cities review. Ministers have met Aberdeenshire Council and the local authorities neighbouring Glasgow and Edinburgh. A meeting is being arranged with the local authorities neighbouring Dundee.

Mr Home Robertson: Is the minister aware that the Lothian structure plan requires East Lothian Council to release 4,700 sites for private houses, mainly for people who work in Edinburgh? Does he acknowledge the need for measures to help councils such as East Lothian Council to meet the costs of providing education, transport and the other infrastructure needs of areas with growing populations? Is there not an overwhelming case for requiring housing developers to meet a substantial share of those costs? Will he address those points in the context of discussions about the cities review?

Iain Gray: Developer contributions and planning gains have been raised by several of the parties in the context of the cities review. Some have argued for increased contributions and others have argued for reduced contributions. Members can work out who might have been arguing which way.

The review team plans to discuss the issue with local authorities, with Homes for Scotland and with other parties as part of the next phase of the review. The synergy that we are seeking to develop between the cities review and the review of strategic planning is intended to address exactly such planning issues, which are crucial for the regeneration not just of cities but of city regions.

First Minister's Question Time

SCOTTISH EXECUTIVE

Prime Minister (Meetings)

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

To ask the First Minister what issues he intends to raise when he next meets the Prime Minister. (S1F-01627)

The First Minister (Mr Jack McConnell): I hope to meet the Prime Minister in the near future and to discuss the delivery of first-class public services.

Mr Swinney: Perhaps the First Minister will address with the Prime Minister the point that I will raise with him now. Can the First Minister tell me how many patients in Scotland have been removed from waiting lists not because they have been treated but because they have been reclassified?

The First Minister: I do not have the precise answer to that question, which is no doubt one of Mr Swinney's regular trick questions about the number of people on our waiting lists. I will be delighted to hear the next part of the question and then to address the issue.

Mr Swinney: It is not so much my tricks as the First Minister's tricks that I am worried about. When we exposed the previous scandal, of closed waiting lists, the First Minister kindly set up an inquiry. On the very day when he ordered that inquiry, West Lothian Healthcare NHS Trust was meeting to discuss the scandal of reclassified waiting lists.

The minutes of that meeting, which took place on 19 December 2001, say:

"The overall total on the waiting list has decreased. Gastroenterology has been reclassified so this had helped"

to reduce waiting lists. Indeed it did help. In September 2001, there were 290 patients on the waiting list, in October there were 245 and, by December, the waiting list had been struck from the public record.

Will the First Minister guarantee that all the patients in Scotland who have been removed from the official waiting list because of reclassification have been treated, or is the Executive fiddling the figures?

The First Minister: As ever, I will be happy to ensure that Mr Swinney has a precise answer about that particular set of circumstances that cannot in any way be distorted. It is right and proper that, in situations where endoscopy procedures are used, reclassification can take place. That ensures that people achieve a better

service, not a worse one, from the national health service.

As such matters proceed, the health service is dealing with a number of different patients and procedures in different ways. It is not always the case that the fact that people are not being operated on in certain places means that individuals are not receiving the treatment that they deserve. On a number of occasions recently—including a few weeks ago in the chamber—I have referred to the example of patients in Falkirk who are now receiving treatment at local clinics on a lower number of visits. That treatment would previously have required a higher number of visits, but those visits would have been in Glasgow. That might seem on paper to be fewer operations, fewer procedures and less treatment, but it is actually better treatment and is more effective and efficient for the patients concerned as well as for the national health service.

Mr Swinney: The problem is that if people are still waiting for treatment, they should be on a waiting list; they should not be reclassified off that waiting list. That is not just happening in West Lothian. One of my colleagues received the following comments from a consultant in Aberdeen, who—

The Deputy Presiding Officer (Mr Murray Tosh): Mr Swinney, could you put questions to the First Minister?

Mr Swinney: I certainly will do.

A consultant in Aberdeen has highlighted the fact that

"There has been a flurry of managerial activity here transferring patients from Daycase waiting lists to outpatient lists, apparently following a ... central directive."

He speculates:

"one wonders if the waiting lists are going to show a sudden miraculous decline."

As we have exposed the scandal of closed waiting lists, and now the scandal of reclassified waiting lists, does all the evidence not point to the fact that, when it comes to health, the Executive does not muddle, it just fiddles?

The First Minister: No. When it comes to health, the Executive puts patients first and does not play politics with the statistics or individuals concerned. If there is a health board or trust anywhere in Scotland that is not following the right procedures, as I have said before in the chamber, we will investigate that.

I am certain that, in most—if not all—of the cases that Mr Swinney and others quote in the chamber, the classification of particular procedures will have been cleared properly with

the proper statistics section at a national level. If that means that people who would in the past have been in-patients are now out-patients and are therefore on a different list somewhere else, it does not mean that they are not receiving treatment from the health service. It does not mean that they are not on the appropriate list; it means that health services in Scotland are being organised—[*Interruption.*]

The Deputy Presiding Officer: Order.

The First Minister: Thank you, Presiding Officer. It is sometimes hard for SNP members to hear the truth, but on this occasion they will.

The health service in Scotland is being modernised. We use new technologies and new procedures and we ensure that people are treated faster, more effectively and more locally. That is the case in community after community all over Scotland. If that means that people are on different waiting lists—the right waiting lists for them—we should not only defend but welcome that, because we have better health services as a result.

Secretary of State for Scotland (Meetings)

2. David McLetchie (Lothians) (Con): To ask the First Minister when he will next meet the Secretary of State for Scotland and what issues he plans to raise. (S1F-01633)

The First Minister (Mr Jack McConnell): The Secretary of State for Scotland and I will meet on 12 February. We will continue to discuss the important joint fight against drugs and the improvement of transport services in Scotland.

David McLetchie: I thank the First Minister for that answer. Before he and the Secretary of State for Scotland bid au revoir to one another, I hope that they will discuss the different approaches to reform of public services that seem to be emerging north and south of the border. In England, the Prime Minister seems prepared to tackle some of the vested interests, but in Scotland, according to weekend reports, the First Minister is going in the opposite direction. He is cosyng up to the unions and signing deals to block reforms in our public services in return for their bankrolling Labour's next election campaign. On that evidence, does the First Minister think that the Prime Minister would regard him as a wrecker or a reformer?

The First Minister: I have absolutely no doubt that the Prime Minister would regard me as a reformer and he would be absolutely right to do so. Mr McLetchie's points on these occasions are clearly an attempt to wind up political debate and that is fair enough, but we should also deal with facts in the chamber. The reality is that in Scotland we are working not just to invest in public services but to seek constant improvement to them. The Prime Minister would praise that and so should

every member of the chamber who believes genuinely in public services and not just in making politically posturing points, as seems to be the case with the SNP.

David McLetchie: As I keep telling the First Minister at question time, over 18 years there were significant improvements in our public services, but I will not bore him with a repetition of the truth. I simply point out that the First Minister's union—the GMB—is taking out newspaper advertisements to denounce the policies of the Prime Minister. The First Minister calls himself a reformer—what reforms?

I refer the First Minister to the answers that have been given to questions that my colleague Mrs Scanlon asked recently. Will he devolve power to foundation hospitals? No. Will he grant franchises to improve the management of poorly performing hospitals? No. Will he give patients on waiting lists the option of treatment elsewhere in the European Union? No. Will he sign a concordat with the independent sector? No.

Is it not the truth of the matter that there is no programme of reform in Scotland because the First Minister's so-called Scottish solutions are just code for no change and no progress?

The Deputy Presiding Officer: That was five questions.

The First Minister: I am glad that Mr McLetchie finds it easier to remember which organisations I am a member of than which organisations he was a member of. [*Laughter.*] He is a member of a very good golf club and I am sure that we can enjoy that fact.

I want to make crystal clear the commitment, not only of this ministerial team but of the whole partnership, to improvements and reform of our public services. That improvement and reform will not take place against a backdrop of trying to move people legitimately out of our public health service into the private health service simply so that the private sector can make greater profits. It is right and proper that we set up—as we announced today that we will fund fully—a national waiting times unit that will ensure that where there is spare capacity in the private or public sector, we will take it up and put patients first. We will not put politics or profits first; we will put patients first.

That seems to me to be the overriding concern in health, just as it should be in our education service. Mr McLetchie questions my commitment to reform. The rules in Scotland for teacher discipline had been in place since 1918. This time last year, working in a genuine partnership with the teacher associations, the education managers and the local authorities to achieve a consensus, we agreed to reform those rules and to deliver action to deal with poor performance in Scotland's

schools. That is the right way forward for Scotland's public services. I make no apology for pursuing reform, but doing so, where possible, on the basis of consensus and partnership.

Public Services (Trade Unions)

3. Pauline McNeill (Glasgow Kelvin) (Lab): I declare an interest as a member of the GMB.

To ask the First Minister what role trade unions have in improving public services. (S1F-01636)

The First Minister (Mr Jack McConnell): Trade unions represent the people who work at the sharp end of public services, and their contribution to delivering first-class public services is very important. We are on the side of the pupil, the patient, the passenger and the victim of crime. Scotland's teachers, nurses, doctors and police officers, along with public service staff at all levels, have a pivotal role to play. I am sure that they share our commitment to improving public services through investment and reform.

Pauline McNeill: I am pleased that the First Minister agrees that trade unions are the legitimate representatives of workers in the public sector. Does he agree that unions not only should be consulted about the future delivery of public services, but should be at the heart of developing the agenda for delivery? Does he also agree that the debate on the modernisation of public services is not simply about the role of the private sector, but about other measures that enhance services to the public, involving the work force, through partnership, as can be seen in the national health service?

The First Minister: There are many examples in Scotland of politicians and managers, both national and local, working closely with trade union and staff representatives to deliver real changes that have made a significant difference to public services. The commitment to doing that exists and we should work on it.

As political representatives, we should never forget that our primary duty is not to the providers of the service, but to those whom we represent in the chamber, such as patients, parents, pupils and passengers on our public transport systems. However, we deliver better public services by working in conjunction with the front-line staff who deliver those services. My clear intention as First Minister is that we should continue to do that.

Andrew Wilson (Central Scotland) (SNP): Does the First Minister agree that if the trade union movement were to apply a best-value or value-for-money test to its subsidising of the Labour party or individual members from the Labour party, the Labour party would fail that test, because its policies are more akin to those of the Conservatives than to those of the trade union

movement? Does the First Minister also agree with the comments made this week by Bill Speirs, the general secretary of the Scottish Trades Union Congress, who said that the language of the Prime Minister in London was more akin to that of Mrs Thatcher than to the progressive language that is used here in Scotland?

The Deputy Presiding Officer: Andrew Wilson has strayed well beyond the First Minister's area of competence, but if the First Minister wants to respond, it is in order for him to do so.

The First Minister: That is very rich coming from a member of the nationalist party, from whose benches this morning we heard classroom assistants described as people who tie laces, wipe noses and sharpen pencils. I am glad to have the opportunity to say that. Last Friday afternoon, I was in a school in Motherwell, the head teacher of which described classroom assistants as the best innovation in Scottish education in her lifetime. Classroom assistants are making a real contribution to increasing standards. If members from the SNP do not condemn Colin Campbell's remarks from this morning's debate, they should be ashamed of themselves.

MMR Vaccine

4. Mrs Margaret Smith (Edinburgh West) (LD): To ask the First Minister whether any member of the expert group on the measles, mumps and rubella vaccine has any links with any pharmaceutical company that produces the vaccine. (S1F-01642)

The First Minister (Mr Jack McConnell): Three members of the MMR expert group have shares in pharmaceutical companies. One member provides expert reports for solicitors representing a company that manufactures the MMR vaccine, and one member is acting as an expert witness for parents groups that are taking legal action against MMR vaccine manufacturers. All 18 members of the group agreed to follow the seven Nolan principles for standards in public life and, on appointment, declared any relevant private interests. That information has been in the public domain since November last year.

Mrs Smith: I thank the First Minister for his answer and I hope that the Parliament will take some comfort from the assurances that it conveys.

I remind the First Minister and the Parliament that the expert group was set up as a result of Mary Scanlon's MMR report to the Health and Community Care Committee. The report found that, on the basis of the evidence that was available to the committee, the MMR vaccine was safe and the vaccination programme should continue. The report also found that further work was required on the efficacy and viability of the

single vaccine and on the impact of the single vaccine on herd immunity.

Does the First Minister agree that politicians should act responsibly at this time and await the conclusions of the expert group's work before making speculative comments on such a sensitive issue? Such comments could have an impact on herd immunity and ultimately put children's lives at risk.

The First Minister: Obviously, I agree with Margaret Smith. However, I also want to take this opportunity to emphasise the importance of a sane and rational public discussion of this issue. As far as I recall, I contracted measles at the age of about six or seven, in about 1967. In 1967, there were 14 deaths from measles-related illnesses in Scotland. The disease did not affect me in the long term, but it affected a number of others in my age group. Such statistics should remind us all of the situation as it used to be. As long as those involved in the expert group have properly declared their interests and as long as the expert group has properly represented the interests of those who require a voice on this issue—as I believe we all accepted at the time—I hope that, when we receive the expert group's report, we will treat it seriously. In the meantime, I strongly urge parents across Scotland to use the vaccine to ensure that not only their children but the children of others, some of whom cannot use the vaccine, have the opportunity to be free from measles, mumps and rubella.

Nicola Sturgeon (Glasgow) (SNP): Does the First Minister agree that the decline in MMR vaccine uptake poses a real and immediate threat to children throughout Scotland? I know that he is as worried about child safety as I am, but the statements about MMR vaccine safety, no matter how often repeated, are increasingly failing to reassure parents. What further action will the Scottish Executive take to ensure that, in one way or another, all children in Scotland are vaccinated against those deadly diseases?

The First Minister: I will give a couple of important assurances. It is important that we try to conduct a rational discussion on this matter in the Parliament and that we ensure that the facts are discussed and put across clearly in public life in Scotland. Of course, some individuals who are concerned about the vaccine are expressing alternative points of view. However, a number of others are involved, not least the Faculty of Public Health Medicine of the Royal Colleges of Physicians of the United Kingdom, the Royal College of Paediatrics and Child Health, the public health medicine environmental group, the Community Practitioners and Health Visitors Association and the Public Health Laboratory Service, which yesterday issued a joint press

release that endorsed the continued use of the vaccine. Those professionals, who have a direct interest, are trying to get across the facts. I do not think that politicians should try to second-guess medical advice on this issue as it would be dangerous for us to do so. I hope that the chamber will remain as united as the Health and Community Care Committee was last year when it produced a considered report on this issue and asked an expert group to look at some of the other issues that are involved.

Brian Fitzpatrick (Strathkelvin and Bearsden) (Lab): I am grateful to the First Minister for his assurances. Although I recognise parents' real anxieties and the need to win the debate by using persuasive arguments, will he also bear in mind the tremendous importance that the parents of young children—including families in my constituency and me—attach to the integrity of the present, highly successful vaccination programmes? Will he reflect on the concerns that exist about the less effective, more patchy inoculation coverage rates that result from the suggested alternatives, together with the known risks of death and damage to children from measles? Will he work with the health ministers, parents and health professionals to ensure that the increase in child deaths that followed similar scares about whooping cough immunisation in the 1970s is never repeated? Although there might well be many issues that are suitable for political kick-about in the Parliament, let us not play games with children's lives.

The First Minister: It is important not to play games with children's lives. I am sure that Brian Fitzpatrick would accept that it is also important that we understand and empathise with those who have developed genuine concerns because of the nature of comments in the media. I am keen that we deal with the issue rationally, so that we allay concerns in a rational way, without lecturing to those who are involved.

I will make one point to parents who might have some doubt. Up to five per cent of children cannot take the MMR vaccine. That might be because they have leukaemia or other conditions that do not allow them to take it. The higher the number of children who do not have the vaccine, the more dangerous life becomes for the children who cannot take it. As well as the individual interest, there is a wider community interest. I sincerely hope that we will all be involved in providing some reassurance, helping to calm the situation and assuring people across Scotland that they can send their children to play with other children safe in the knowledge that their children will not contract diseases as a result.

Public Appointments (Parliamentary Approval) (Scotland) Bill: Stage 1

The Deputy Presiding Officer (Mr Murray Tosh): The next item of business is a debate on motion S1M-2619, in the name of Alex Neil, on the general principles of the Public Appointments (Parliamentary Approval) (Scotland) Bill. I invite members who wish to speak in the debate to press their request-to-speak buttons. Members who are leaving the chamber should do so quickly and quietly. I hope that they will use all the exits.

15:32

Alex Neil (Central Scotland) (SNP): I will pay tribute to and thank four sets of people: first, those who drafted the bill; secondly, the Parliament's non-Executive bills unit, which is one of the Parliament's biggest assets; thirdly, the clerk to the Local Government Committee; and fourthly, the clerk to the Equal Opportunities Committee. I will not offer gratitude to the majority members of each committee, who I think fell down at the last hurdle.

The aims of my bill are twofold. The first aim is to increase democratic accountability and transparency for public appointments in Scotland. The second aim is to put an end, once and for all, to the practice and culture of cronyism, which has pervaded public appointments in Scotland for far too long.

My bill seeks to give the Parliament the power to vet and, in extreme cases, to veto public appointments. If enacted, it would give the Parliament a duty to scrutinise the nominations for the chairs of quangos and would give the Parliament the power to scrutinise other nominations without necessarily going to confirmation. Experience elsewhere shows that only 0.1 per cent of the other nominees would ever come in front of a committee for scrutiny, but the very existence of the power will mean that ministers will think twice before they put their pals forward for the cushy and lucrative numbers in the quangos.

We are talking about ensuring parliamentary control of a set of people who have enormous power in Scotland. There are 114 quangos and more than 900 people are involved. Next year, those people will spend about £9 billion of public money in Scotland. That is a huge sum of money. One quango spends nearly £700 million of public money, so the Parliament has a duty to ensure that the person who is in charge of that organisation has the ability, expertise and experience to do the job.

There have been many red herrings and I have no doubt that we are about to hear more of them this afternoon. The first red herring is that the bill will politicise the process. After last week, who in their right mind—unless they have been living on Mars or in East Kilbride—could believe that the process is not already political? Is not every appointment made by a minister? Is not every minister a politician? Does not that make the process political?

Despite the fact that the number of Labour party activists—currently falling quickly throughout the country—represents about 2.2 per cent of the population, Labour party representation among the chairmanships of the water boards is not 0.2 per cent but 100 per cent. If we examine all the public appointments for which a political affiliation has been declared, the proportion of Labour party members is not 0.2 per cent but 66 per cent. If we consider the independent assessors—the word “independent” must be used fairly liberally and certainly not accurately—we find that 50 per cent of those who were nominated last week were Labour party supporters. I would say that there is already a touch of politicisation in the process.

Tavish Scott (Shetland) (LD): I am grateful for the opportunity to slow down Mr Neil in the middle of his peroration. Will he confirm that, as convener of the Enterprise and Lifelong Learning Committee, he was asked to nominate the independent assessors that he has just mentioned? I hold in my hand a document that lists the independent assessor posts and the bodies that were invited to make nominations, among which Alex Neil's name is listed.

Alex Neil: I did not nominate anyone because I do not believe in the process. I, too, have the list of organisations that were invited to make nominations. Of the 32 local authorities in Scotland, only three were invited to make nominations. Angus Council was not one of those three. To be fair, Clackmannanshire Council was invited. Dundee City Council was also invited. No Liberal council was invited to make a nomination. The other council that was invited to nominate was Glasgow City Council, which supports my bill.

Iain Smith (North-East Fife) (LD) rose—

Alex Neil: Sit down.

Iain Smith: Will the member take an intervention?

Alex Neil: Okay, I will take it.

Iain Smith: Does the member accept that the normal way for the Executive to consult councils is through the Convention of Scottish Local Authorities? The three councils that Alex Neil referred to are those that have chosen not to be members of COSLA. The Executive did not want

simply to exclude those councils. Every other council was consulted through COSLA.

Alex Neil: Not only was he a poor minister, he is a poor Liberal Democrat. He is neither Liberal nor Democrat. Unbelievable. Iain Smith seems not to know the wording of his own 1999 manifesto, which stated that the Liberal Democrats were committed to—as always, I quote accurately and precisely—

“a system of open nomination and confirmation”.

That was the Liberal promise, but look at them on the Liberal benches now. The price of a Liberal principle is four Mondeos. If I looked across and saw a shiver, it would not find a spine to run up.

One of the other red herrings is that the bill will discourage people from applying to be quango members. Where is the evidence? Last week, we had a raging success for the applications for the positions of independent assessor, when we received 27 applications for 12 jobs. That is an amazing rate of application.

I will tell members why people will not apply for the jobs. They will not apply for the jobs because many of them think, rightly or wrongly, that without a Labour party card, they have no chance of getting them. They will not apply for the jobs because, under the present system, there is trial by media. There is no proper system of parliamentary scrutiny, so the scrutiny occurs on the front pages of the newspapers and on radio and television. Those nominated have no right of reply. Under my system, their rights would be protected because they would come to a confirmation hearing and would get a proper hearing that focused on their ability to do the job.

Another red herring is that, during the confirmation hearing, we would go down the road of questioning people about their personal life. To those who say that, I say, “Read the bill.” The bill is carefully crafted. There are only four areas on which people can be interviewed—including the code of practice, the statutory requirements and their ability to do the job. The idea that people would be disinclined—

Iain Smith: Will the member give way?

Alex Neil: Sit doon the noo. Iain Smith will get a chance to speak later. I am sure that we will all be on tenterhooks.

What surprises me about the Liberal Democrats is—

Mr Lloyd Quinan (West of Scotland) (SNP): Nothing.

Alex Neil: I was going to say what surprised me, not what their intelligence quotient is.

I am surprised that the Liberal Democrats are allowing themselves to be tarred with the brush of Labour cronyism, which is what they are doing. Lanarkshire Labour's practices have been imported into Scotland's Parliament—cronyism, and the culture of cronyism.

There are some exceptions. The former First Minister said in *Scotland on Sunday*:

“This Parliament should have the power to vet and veto appointments to the quangos.”

Henry McLeish was absolutely right; and to be fair to him, had he still been First Minister, the bill would have had a fairer hearing from the Executive than it has had.

Let us look at the Liberal Democrats. Speaking on their behalf down south, Shirley Williams has said that they want a system of parliamentary scrutiny and confirmation hearings. Mark Oaten, one of their famous speakers in the House of Commons, has said that they want a system of open confirmation and nomination. Let us face it: unfortunately, the Liberal Democrats have been bought off. They shame the name of liberalism and the philosophy of liberalism. This bill implements not only a Liberal manifesto commitment but a Liberal philosophy. The late John Bannerman and the late Jo Grimond must be turning in their graves when they consider this shower of modern-day Liberals.

I ask the Liberals, and I ask decent Labour folk, to think about the bill. It is about the new politics; it is about democratic representation; it is about the new Scotland; it is about getting rid of cronyism; and it is about making this a Parliament that we can start to be proud of.

I move,

That the Parliament agrees to the general principles of the Public Appointments (Parliamentary Approval) (Scotland) Bill.

15:44

The Deputy Minister for Finance and Public Services (Peter Peacock): I am not sure that we actually heard any arguments about Alex Neil's bill in the course of that rant. During question time, Alex Neil asked us to form an opinion on whether his head buttoned up the back; I do have an opinion on that, and I also notice that his jacket no longer buttons up the front. That is for sure.

From what we have heard today and over the past two weeks, it is clear that Alex Neil is not in the slightest bit interested in improving the operations of government. He is interested only in trying to provide himself and his cronies with a vehicle to try to smear the Labour party—something that he always seeks to do.

Mr Quinan: Will the minister give way on that point?

Peter Peacock: No, I want to make progress.

Mr Quinan: The minister must substantiate his point.

The Deputy Presiding Officer (Mr George Reid): Order. The minister is not giving way.

Peter Peacock: It is clear that Alex Neil seeks deliberately to take us along the route to a political battleground that none of us wants to see. It is noticeable that, over the past couple of weeks, Alex Neil has not sought to smear the individuals who have been appointed, because he knows that they have been appointed on merit. Similarly, two SNP activists that Alex Neil nominated just a few months ago, using the system that he now denigrates, were appointed on merit as independent assessors. I have the letter in my hand to prove that.

Alex Neil: I want to put it firmly on record that we were approached when Mr McConnell was the relevant minister and that Mr Salmond agreed to make nominations on behalf of the SNP, on condition that that was the last time that they were done that way and that in future the process would be open and democratic. We were given an undertaking, but as usual the promise was broken.

Peter Peacock: I am happy to leave the letter that makes the nominations and which is signed by Alex Neil for members to study.

Mr Duncan McNeil (Greenock and Inverclyde) (Lab): Will the minister confirm that the letter is not signed by Alex Salmond, the former MSP who escaped to Westminster?

Peter Peacock: I can confirm that the letter is signed by Alex Neil MSP.

I want to set out why we oppose the bill so firmly. Our position derives from consideration of the wide range of initiatives that the Executive is taking to promote openness in government and to open up public life to scrutiny—to make it more transparent, independent and accountable. That is in stark contrast to what we believe would be the damaging effects of the Public Appointments (Parliamentary Scrutiny) (Scotland) Bill.

In 1995, even the Tories recognised that they had to clean up their act and begin to appoint people on merit. The Nolan report was commissioned and signalled a watershed in how public appointments are undertaken—merit came to the forefront. The discretion of ministers was narrowed substantially, a code of practice was brought into force and independent assessors were appointed. The system is now audited and political activities are recorded, an annual report is given to the Scottish Parliament and there are

major diversity initiatives that try to bring a wider range of people into modern public service. We have adopted all that.

Parliament has also approved the Ethical Standards in Public Life etc (Scotland) Act 2000, which sets up a standards commissioner. Members of non-departmental public bodies are now required to declare and register their interests and, if they fail to do so adequately, severe sanctions follow. The Parliament is currently considering the Scottish Public Sector Ombudsman Bill, which will make it easier for people to complain about deficiencies in administration in public service. That, too, is independent of Parliament. We have introduced the Freedom of Information (Scotland) Bill, which will give rights of access to information and create an independent commissioner to adjudicate in matters relating to those rights.

Despite all that progress, we want to go much further. We propose to create a Scottish commissioner for public appointments. We will give new additional powers to that commissioner, such as the power to appoint independent assessors and to train and evaluate them—removing that from ministers.

Mr Quinan: Will the member give way?

Peter Peacock: No, I am not giving way.

We are giving the commissioner a power to whistleblow on any minister who seems to be abusing the code. The matter will be referred to Parliament and the process will stop until the Parliament considers the matter. The commissioner will be appointed by the Queen on the recommendation of Parliament—not ministers. The budget for the post will come from the Parliament—not the Executive—thereby strengthening the independent position of the commissioner's office.

The Parliament itself will get major new powers. We would like to see a public appointments committee, with the power to interview the commissioner and recommend their appointment to the Queen, to receive and scrutinise the annual report and to lead a debate in Parliament. The committee would also receive the whistleblower report to which I referred a moment ago.

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

Peter Peacock: No, I must get on.

There will be new duties on ministers to notify committees about vacancies and appointments and to verify that the commissioners are content with the process.

Against the background of radical reform, more independence and more scrutiny in the

Parliament, Alex Neil's bill is not only irrelevant, but takes us back in time. The bill owes its origins to a pre-Nolan and pre-devolution view of the world.

There is no support for Alex Neil's bill. The Executive consulted on public appointments and no support for the bill was indicated. The Local Government Committee has also indicated that it does not support the bill. Alex Neil's bill on the hearing system would significantly compromise the role of the independent commissioner and make his or her judgment subject to second-guessing by a parliamentary committee. That would conflict with the commissioner's role.

Mr Quinan: On a point of order, Presiding Officer. Is it appropriate for a minister to be economic with the truth, in saying that there is no support for the bill, when there were 100 submissions in support of it?

Members: That is not a point of order.

The Deputy Presiding Officer: The chair will judge that. It is not a point of order.

Peter Peacock: We also believe that the role that Alex Neil envisages would conflict significantly with the role of the commissioner. The commissioner's specific role is to monitor the process and to scrutinise. What would his or her role be if a hearing process were introduced? It would undermine and compromise significantly the commissioner's office and its independence.

I take up Alex Neil's specific point about diversity. We believe that the bill would undermine significantly the efforts to achieve diversity. There is a major drive to ensure that it is not the usual suspects, but a new range of people who are put on public bodies.

We are targeting unrepresented groups—disabled people, people from ethnic minorities, women, the SNP and other minority groups—and we are encouraging those people to apply.

Through a work-shadowing initiative, we are making sure that people can shadow people who are currently on public bodies so that applicants can be confident that they can do the job. There is an extensive series of workshops and events to encourage people to apply.

As Alex Neil has indicated, it is hard enough at the moment to attract people. If people believe that they will have to face parliamentary scrutiny, particularly if that scrutiny is conducted in the utterly disreputable way in which Alex Neil has behaved in the past few weeks, it is no wonder that they will find it difficult to apply. Anybody in the chamber who wishes to examine the evidence given to the committee by Dame Rennie Fritchie can do so.

We believe that the proposed system is designed to politicise significantly and bring into disrepute and constant argument the process of nominating and electing people to public bodies. Show trials would become the order of the day. As the past two weeks have shown, the SNP is quite clear that it would target individuals. It would seek deliberately to block the system of appointments and try to grind it to a halt. We firmly believe that Alex Neil's bill does not take us in the right direction.

The Executive's proposals are fundamentally more comprehensive, thoughtful and thorough. They ensure a clear role for Parliament and that is why the Executive will not support Alex Neil's bill.

15:52

Tricia Marwick (Mid Scotland and Fife) (SNP):

There is a perception that an old-pal network thrives in Scotland, corroding and undermining democracy and public confidence. The reality is that there is an old-pal network in Scotland, thriving and corroding and undermining democracy and public confidence.

Lack of confidence in quango appointments is a challenge that must be addressed. Alex Neil's bill tackles the 900 Executive appointments made to the 114 Scottish quangos.

This week we heard about the 50 per cent of independent Labour—[*Interruption.*] Did I say "independent Labour"? That is going back a bit. This week we heard that 50 per cent of independent assessors are from the Labour party.

There are even Executive cronies at the top level of assessors. Alex Neil's bill provides a practical means of delivering accountability, which ensures that appointments are not only made on merit but are seen to be made on merit. That would begin to restore public confidence in the appointments procedure.

There is a lack of public confidence in the procedure. That came out in Dame Rennie Fritchie's evidence to the committee. The public believes that there is political interference in the process. We must address the perception as well as the reality of the situation.

At the outset, let me say that I am disappointed with the Local Government Committee's approach to the bill. It seemed that minds had been made up and that circular arguments were made to justify what was, frankly, unjustifiable.

Bill Butler (Glasgow Anniesland) (Lab): Will the member give way?

Tricia Marwick: I am sure the member will get his chance later.

Let us examine some of the conclusions of the Local Government Committee, from which Sandra White and I exempted ourselves.

First, let us examine the conclusion that the bill will deter people from diverse backgrounds from applying for public appointments. That argument was based on a vague assertion in the Executive's consultation paper.

Even the research that the Executive commissioned to consider the specific issue of deterrence failed to come up with any hard evidence. The Executive claims that it does not want to deter people from the broad pool of potential candidates, but experience shows that the current situation fails to encourage people to apply.

A further conclusion was that

"the Bill could render nominees for public appointments more vulnerable to discrimination than would otherwise be the case."

Iain Smith rose—

Tricia Marwick: The committee accepts that under the bill the Parliament would be required to consider

"any statutory requirements concerning the person appointed",

which would include anti-discrimination legislation. Therefore, the idea that a committee of MSPs of this Parliament would turn down an individual because of their race, gender, religion or any other such issue is, quite frankly, ludicrous.

Mr Michael McMahon (Hamilton North and Bellshill) (Lab): Will the member give way?

Tricia Marwick: No, I will not give way to Michael McMahon. He made circular arguments in committee; I will not engage in those arguments during my time in the chamber.

The third conclusion of the Local Government Committee was that the bill

"will slow down key appointments".

There is absolutely no evidence to support that. The committee decided to ignore the submissions from the Scottish Civic Forum and Glasgow City Council, which both commented that concerns about delays had been overstated. Of the 12 submissions in favour of the bill, not one raised that as a concern.

The Local Government Committee's sixth conclusion was that the bill

"will depend excessively on changes to the Parliament's Standing Orders, which cannot be scrutinised at this stage."

The Local Government Committee completely ignored the advice of the experts on that issue. The Subordinate Legislation Committee, which

deals solely with the technical aspects of legislation, concluded:

"The procedures described are entirely suited to standing orders rather than statutory instrument or primary legislation."

The Local Government Committee ignored the recommendations of the Subordinate Legislation Committee on that point.

Finally, the Local Government Committee said that the bill

"will lead to a politicisation of the appointments process".

Alex Neil covered that point more than adequately. The point is that the system is already political, and that we need to find a way to take political hands out of the process all together.

I turn now to the Executive, because in September, when it made its original submission to the Local Government Committee, it was confident to the point of arrogance. There was no mention of a public appointments commissioner (Scotland) bill then. No—the Executive believed that responsibility for making appointments to public bodies that are accountable to the Executive must rest with ministers, who in turn are accountable to Parliament for their actions.

Since Labour came to power, 60 per cent of the political appointees who have declared a political affiliation have been Labour supporters. That revelation did nothing to back up the Executive's complacent assertion that everything is okay as far as quango appointments are concerned. Alex Neil's bill is needed more now than it has ever been.

The Executive was caught with its trousers down. It recognised that the public were seriously concerned about the number of political appointments that it was making, so it had to come up with its own system, come hell or high water. As a result, the Deputy Minister for Finance and Public Services turned up at the Local Government Committee to give evidence on Alex Neil's bill, but took the opportunity to come along with a proposed bill of his own. The proposed bill had been cobbled together over the weekend. The minister's presentation consisted of seven slides; the first six were devoted to the Executive's plans, which we were not considering, and there was one slide on Alex Neil's bill, which we were supposed to be considering.

The Deputy Presiding Officer: You must close quickly, please.

Tricia Marwick: Peter Peacock has described Alex Neil's bill as being out of its time, like a dinosaur roaming a past age. It is not the bill that is a dinosaur, it is the old-pal network, which poisons confidence in democracy. That network and those perceptions must go—and soon.

15:59

Bill Aitken (Glasgow) (Con): This is an important debate. Debates that deal with such large budgets are always important, but that is not the principal issue today. Mr Neil—who we do not regard as a repository of all intellect and intelligence—deserves some credit, because he is seeking to introduce measures that will combat the growing and pernicious culture of cronyism that has permeated Scottish public life for years. While we do not agree with the bill in its entirety, it is manifestly clear that some action must be taken to make public appointments more transparent and open.

It was with feelings of incredulity that I read the comments of the Local Government Committee. The Labour-Liberal majority considered that the bill's proposals would

"lead to a politicisation of the appointments process".

By any standard, that is an astonishing statement, but it is par for the course.

In answer to parliamentary questions last November, Angus MacKay—then a minister—confirmed that more than 60 per cent of the appointees to quangos had declared political affiliation to the Labour party, and that trend increases.

Tavish Scott *rose—*

Iain Smith *rose—*

Bill Aitken: I must continue.

Of the appointments that have been made since January 2000, 75 per cent have been Labour supporters. As Alex Neil said, when the so-called independent assessors were appointed, six declared an affiliation to the Labour party, and against that background the Local Government Committee fears politicisation of the appointments process. The situation is a scandal that borders on the Kafkaesque.

Scotland has the problem of a culture of cronyism. Labour has dominated many areas of Scottish political life for many years. It has won more parliamentary and council seats than other parties. As democrats, we cannot complain that Labour runs elected authorities, but when Labour seeks to use its electoral dominance to control every aspect of Scottish public life, it is time to protest and take action.

There is a nauseating hypocrisy about Labour's approach. The party of Blair-speak, with its pious lectures about inclusivity, cross-party approaches and the spirit of the new politics jars with reality. It is a serious concern that many Labour politicians cannot differentiate between the public good and what is good for the Labour party. For many, the only criterion is what is good for them personally.

That lies behind the criticisms that the Local Government Committee made. Labour does not trust parliamentary committees to use the proposed scrutiny powers properly, because committee members are politicians. It is absurd that the committee appears totally relaxed about the idea that a minister of one political party will be less prone to political manoeuvring than a committee. The statistics that the chamber has been given show that that is a fallacy.

Tavish Scott: Will the member give way?

Bill Aitken: No.

No impartial observer could be anything but disappointed by the Executive's position on the bill, as outlined by Peter Peacock and the committee. The Executive's proposals are anodyne at best and will provide little confidence. One must wonder what is behind them. The fact is that the Labour party is hotchin with control freaks who are desperate to direct every aspect of Scottish public life.

The new commissioner that Peter Peacock proposes would no doubt have to meet with the approval of Keir Hardie House. It is more than likely that some party apparatchik will find his or her way on to the public payroll.

I will now deal with the Liberal Democrats. They put similar proposals to those in the bill in their election manifesto, and in opposing the bill, they have taken hypocrisy to even greater levels than we have come to expect from them. People are understandably sick and tired of their sanctimonious cant.

Tavish Scott: Will the member give way?

Bill Aitken: That cant is invariably followed by a weird and wonderful collection of weasel words, as the Liberal Democrats support Labour policies that they know to be wrong in order to maintain their place in the coalition.

Tavish Scott: Do not be so sanctimonious.

Bill Aitken: On this issue, the credibility of Labour's Liberal Democrat bootlickers is non-existent.

Tavish Scott: Do not be so sanctimonious.

The Deputy Presiding Officer: Order. Mr Scott is becoming over-excited. Mr Aitken is not responding.

Bill Aitken: We recognise that not everything in Mr Neil's bill is correct, although it bears many similarities to the Conservative proposals that were outlined at Westminster, where the matter has been discussed and where the Liberal Democrats largely support our proposals.

We accept that many dangers exist. The one

aspect of Peter Peacock's contribution with which we agree is about the danger of witch hunts and political grandstanding. However, the flaws in Mr Neil's bill could be resolved at stage 2. We are content to support the bill's progress to that stage. We will not allow the status quo to remain as a blot on Scottish public life.

16:04

Iain Smith (North-East Fife) (LD): I am always flattered by the SNP's determination to ensure that the Scottish Liberal Democrat manifesto is implemented. That determination gives a rare whiff of good judgment that is sorely lacking in almost everything else the SNP does.

We have heard the same tired old record from Alex Neil and Bill Aitken. Alex Neil lodged his proposal two and a half years ago, but the debate and the Executive have moved on; it is time Alex Neil caught up. If he wants to give the Liberal Democrats a hand with implementing our manifesto, he should join us in supporting the Executive's proposals.

As part of the partnership Government, the Liberal Democrats contribute fully to the development of Scottish Executive policy. In public appointments, as in many other areas of policy including tuition fees, free personal care, freedom of information and land reform, Liberal Democrats lead the way. The new proposals, which Peter Peacock announced to the Local Government Committee on 15 January and which he confirmed today, are different to those that were contained in "Public Bodies: Proposals for Change" last June.

It is no secret that the Liberal Democrats did not think that the appointment procedure that was laid out in that document went far enough. In particular, the role of the Parliament in scrutinising the appointments process was inadequate. That is why the Liberal Democrats proposed changes that would strengthen Parliament's role and why Liberal Democrat ministers negotiated those changes.

Peter Peacock outlined the new proposals, so I will refer only to the key points. They include a public appointments committee and a Scottish public appointments commissioner, who will be recommended by the Parliament. The commissioner will appoint independent assessors, who will oversee every public appointment in Scotland. The commissioner will have the right to delay an appointment and to draw it to the attention of the Parliament if he or she is concerned that the Nolan principles have not been adhered to. Notice of vacancies and appointments will be given to the relevant committees of the Parliament. The substantial shift in the balance between ministers and Parliament will ensure

effective and independent scrutiny. It would be a brave minister indeed who ignored the commissioner and the Parliament.

The Liberal Democrat manifesto did not call for public confirmatory hearings for all appointments to quangos. The new proposals more than satisfy our manifesto commitment for

"a Public Appointments Committee of Parliament with a system of open nomination and confirmation."

Does Alex Neil believe that the Scottish Parliament should approve every appointment to the Scottish standing committee for the calculation of residual values of fertilisers and feeding stuffs? That is what his bill proposes. We must consider whether to approve the general principles of the bill. Although Tricia Marwick suggested otherwise, the Local Government Committee gave careful consideration to the bill and concluded that although greater scrutiny of public appointments is required, the bill is not the most appropriate vehicle through which to achieve that.

The Local Government Committee's report contains serious concerns about the bill. For example, the bill might deter people from diverse backgrounds from applying—Dame Rennie Fritchie's evidence convinced the committee of that—and it might blur the lines of ministerial accountability. The Equal Opportunities Committee, the commissioner for racial equality and the committee's legal advice stated that the implications of the bill for the rights of individuals under equality legislation are uncertain. Time forces me to leave those matters for other members to deal with in full. I found Alex Neil's oral evidence, and his speech today, on those matters to be unconvincing.

I want to mention the committee's concerns about the politicisation of the process and the absence in the bill of clear guidance on how and why appointments could be challenged. There is nothing in the bill to say how that would be done; it is left to the standing orders.

In his evidence to the committee, Alex Neil made much of the unfairness to candidates of the present system. He said that they can be vilified in the press because of their political affiliation, but that they have no right to reply. He said:

"At present, a nominee who happens to be a member of a political party ends up being trailed through the papers and hammered simply because he or she is a member of a political party, whether or not he or she is the right person for the job."—[*Official Report, Local Government Committee*, 15 January 2002; c 2626.]

In his evidence to the Equal Opportunities Committee he went even further. He said:

"For example, the minute that Esther Robertson's appointment to the head of SFEFC was announced, MSPs made major criticisms in the press that the only reason that

she had been appointed was because she had been a member of the Labour party ... she did not have the right of reply. As a result, she began the job under a cloud"—[*Official Report, Equal Opportunities Committee*, 11 December 2001; c 1324.]

That is a tragic tale. Someone was forced to start work under a cloud because a member of the Scottish Parliament had taken less than a minute to scrutinise the appointment before rushing to the press to denounce it. Who is the quick-fire MSP who can judge someone's suitability for a job in less than 60 seconds?

Tricia Marwick rose—

Iain Smith: She is standing up. Step forward Tricia Marwick.

Tricia Marwick: Iain Smith has not commented on Esther Robertson's other jobs; for example, as chair of Fife Health Board and her other quango appointment. She might well have the qualifications for her present position, but we were never allowed to examine the matter. There is something wrong with a situation in which a Labour party member has had three top quango jobs since this lot came to power.

Iain Smith: Tricia Marwick's criticism was not that Esther Robertson had jobs on other quangos, but that she got the job unfairly because she was a prominent member of the Labour party. She said so in *The Herald*. Alex Neil thinks that we need the bill to protect public appointees because he cannot trust his SNP colleagues not to jump to conclusions in less than a minute.

Let me turn to the text of Alex Neil's motion on the recent appointment of independent assessors, which was published in the business bulletin on Monday.

The Deputy Presiding Officer: You must finish quickly.

Iain Smith: I want to cover this important point. I am not here to defend the status quo. In fact, I do not support the status quo, which is why I support the Executive's new proposals. Does Alex Neil really believe, as his motion says, that

"none of the 12 can command public confidence"?

Does he include Dr Alex Wright, the SNP member, or the five assessors who have no political affiliation?

The Deputy Presiding Officer: Right. You have covered the point. Please finish.

Iain Smith: Alex Neil also calls the process "shoddy". Does that mean that Dame Rennie Fritchie's scrutiny of the process was shoddy?

I ask the Parliament to reject Alex Neil's bill and to support instead the Executive's proposals, which will ensure that politics is taken out of public

appointments and that there will be full independent and parliamentary scrutiny of the process.

The Deputy Presiding Officer: We now move to open debate. I will allow the convener of the Local Government Committee, Trish Marwick, five minutes. [MEMBERS: "Trish Godman."] I am sorry—I meant Trish Godman. Other members will have four minutes. It is likely that the last two members on the list will have to drop off.

16:11

Trish Godman (West Renfrewshire) (Lab): There is quite a difference between Tricia Marwick and me.

It is fair to say that there is cross-party agreement that we need a more transparent system of public appointments. A fair, honest and visible procedure for the recruitment and selection of applicants for such appointments would sound the death knell of the old-boy network and the equally pernicious practice of cronyism. As a result, I support transparency of and checks and balances on ministerial appointments, but I honestly believe that the Public Appointments (Parliamentary Approval) (Scotland) Bill would not give us the reformed system that we seek.

The Local Government Committee decided by division that the bill would, among other things, deter people from diverse backgrounds from applying for public appointments, that it would politicise the appointments process and that it would obscure the lines of ministerial accountability. I am sure that other members will pick up on the many other points that the committee raised. Before I go on, I thank Tricia Marwick for helping us with the wording of the recommendations, although she then voted against them, which was rather confusing. The committee agreed by division to recommend to the Parliament that approval should not be given to the general principles of the bill. I say that with some regret because I agree with some of Alex Neil's objectives.

In a nutshell, we must enhance the Executive's accountability with regard to public appointments. Furthermore, we have a duty to eliminate powerful networks and the plague of cronyism. We can all agree on that. Like other members, I was much impressed by Dame Rennie Fritchie's fair-minded criticisms of the bill. She said that, on the basis of her experience, women candidates and candidates from ethnic minorities might be deterred by the hurdles that are outlined in the bill. We need only to think of the nerves and anxiety that people suffer when they apply for a job and go for an interview. Under the bill's requirements, candidates for public appointments would also be

told at some point that not only will they be interviewed but that, if they are successful, they may have to appear before a parliamentary committee, after which the appointment will have to be put before Parliament for approval. I believe that, with such a process, the people that we are trying to get into the quangos would be deterred from doing so.

It is also unhelpful for Alex Neil to suggest that if candidates are frightened of public hearings, they are unfit for public office. Such candidates are not seeking political office, but positions on public bodies.

Another criticism that is worth mentioning is the possibility of political divisions in committee or parliamentary hearings. In his evidence, Peter Peacock suggested that

"there would be a tendency within the system to allow those hearings to be used as sorts of show trials of particular individuals whom political parties, over time or at any given moment in time, might choose to target for that particular purpose".—[*Official Report, Local Government Committee*, 15 January 2002; c 2665.]

When I heard that, I thought that the minister had gone over the top, but when I gave his comment some consideration, I thought that he was right. Such hearings would block the principle of appointment by merit. In any case, a candidate's membership of a particular political party does not mean that he or she is incapable of doing the job for which they have applied.

I do not believe that the bill addresses the issue of independent scrutiny. Ministers who are responsible for the appointments should be accountable to the Parliament. If the commissioner has concerns about the procedures that are carried out before an appointment is made, the minister should have to justify that appointment before a committee and, if necessary, before the Parliament.

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Does Trish Godman draw a distinction between general quango appointments and the appointment of the 26 independent assessors who really should be free of all political affiliations?

Trish Godman: I do not agree that we should expect candidates to be free of all political affiliations. We would not get anybody to do a job anywhere if that was the case.

It is important that the Parliament should have a key role in the scrutiny of the commissioner's annual report, first through a committee meeting at which the minister and the commissioner can be cross-examined, then through a parliamentary debate.

I fire a warning shot at the minister. Back

benchers such as I will not be happy to maintain the status quo while offering a token grumble from the back benches from time to time. That is not what we are about. We need a system that ensures that cronyism is dead and that merit is alive and kicking. I believe that Alex Neil's bill does not address that and I recommend that the Parliament does not approve the general principles of the bill.

16:16

Mr Gil Paterson (Central Scotland) (SNP): I thank Alex Neil for his member's bill and I thank members who supported the initiative in the first place.

When the prospect of a public appointments bill was first raised, my initial thought was that at last we would have a mechanism to put a stop to back-door appointments. However, I was concerned about the confirmation hearings system, which might from the outset have put off prospective candidates. My fear was quickly allayed, however, when the proposed bill was given a hearing in committee. I now fully understand the need to have that device in place. It will ensure the achievement of the ultimate goal of the bill, which is to create a fully accountable system that operates in the best interests of non-departmental public bodies and in the interests of delivery of quality services in Scotland. In previous appointments, positions have been filled by people whose professional credentials and abilities have been less than adequate.

Bill Butler: Gil Paterson mentions people whose expertise is not up to the job. Can he name three such people?

Mr Paterson: No. I would never name people—this is not the forum for that. Even if Bill Butler were such a person, I would not name him.

I supported the first Asian candidate for the Scottish National Party about 20 years ago, not because he was an Asian but because he was the best candidate. People need a lot of encouragement and support. If we want to get people into public service who are perhaps not very good at coming forward, such as women and people from the ethnic minorities, we must encourage them and ensure that the infrastructure is in place that allows them to do that. The best people will then come forward. They are there and they will come forward.

My other concern was the impact that the bill would have on the role of the public appointments commissioner for Scotland, if the Executive went ahead and created that position. However, it has been made clear that the creation of the commissioner can only complement the sentiments of the bill. The public appointments

commissioner will retain a role in overseeing the appointments while the bill will ensure that the procedures are in place to select the best possible candidates through a system that is safeguarded against cronyism.

The Parliament makes great claims about openness and accountability. The bill would bring public appointments from the back door to the front door. As elected representatives, we have the opportunity to create valuable legislation that will make certain that we get the right people for the jobs. It will remove the folly of providing jobs for the boys and girls, which has been done so many times with less-than-effective results.

The small costs of the bill to the Executive pale into insignificance as we look at the bigger picture. Would we rather save a few pounds and have a repeat of the VisitScotland fiasco, or do we spend and guarantee a transparent and democratic system that benefits all concerned? The VisitScotland incident was ultimately costly to the Executive financially and damaging to the appointments system. There was no gain for the tourist industry or the people of Scotland. The bill would put an end to such embarrassing situations. I am not saying that the bill will not add work for the Parliament, but it is surely better to tackle the problem.

I commend Alex Neil and the support that he received from Parliament, which ensured that the bill has been given the opportunity to be debated in the chamber. Getting the best value for money with the highest return is a solid base from which to start. The bill can only be a step in the right direction in making certain that non-departmental public bodies are in capable hands.

16:21

John Young (West of Scotland) (Con): I quote:

"I set out the fundamental principles which I am determined will underpin our decisions and actions: to be open and transparent in all that we do."

Who said that? Was it Abraham Lincoln? Was it Richard Nixon? Was it Tony Blair? It was none of those. Jack McConnell said it in his press release of 27 November 2001, when he announced his new Cabinet after the night of the long knives.

Today we are discussing public appointments. If ever a bill was given the wrong title, it is the Public Appointments (Parliamentary Approval) (Scotland) Bill. Labour, in many ways, has manipulated the system by making not public appointments, but political appointments. In November last year, Angus MacKay told David McLetchie that more than 60 per cent of those who were appointed to public bodies and who had declared a political affiliation were Labour party supporters. That

percentage has probably moved upwards. At one time in a Labour controlled authority such as Glasgow, even Mayor Daly of Chicago would have ended the operations that were being carried out. On 29 January the Lib-Lab Executive—perhaps that should be the Lab, or Labour, Executive—appointed 12 independent assessors to scrutinise appointments. However, at least six of the 12 declared political activity. Guess who with: the Labour party.

Bill Butler: Is the member claiming that the process is in some way corrupt or that the people are corrupt? Has he any evidence for such an assertion?

John Young: Does Bill Butler mean Glasgow City Council? In the week that I was elected to the then Glasgow Corporation at least seven councillors were taken away in handcuffs. I will not say which party they were in. [*Laughter.*]

Bill Butler: They were all Tories.

John Young: I was not one of them. At the Local Government Committee—here is another intervention. I hope that I will get extra time.

Brian Fitzpatrick (Strathkelvin and Bearsden) (Lab): Does the member care to tell us how many Conservative ministers were required to resign in disgrace between 1979 and 1997? The answer is 21, in case he does not know.

John Young: To be frank, I do not know whether that is the answer. However, I am sure that the member will confirm that in writing. That will be most interesting.

I hope that I am getting an extra minute out of this, Presiding Officer.

The Deputy Presiding Officer: You just push on, Mr Young. You have a minute and a half.

John Young: In the Local Government Committee, nice Mr Peacock was wheeled out. Now, Peter Peacock appears to be a reasonable picture of moderation and someone in whom one might have confidence. He is a sort of male equivalent of Sylvia Jackson. His revelations were hardly shattering, but the one thing that came through loud and clear was the construction of a virtual tower of Babel. Some 12 different points were mentioned. As usual, one would have to appoint the proverbial commissioner, who would be aided by senior assessors; new offices would be created, more staff would be recruited and, of course, there would be more expenditure.

In his remarks, which were very revealing, Peter Peacock said:

"The Executive needs to consider Alex Neil's bill and decide whether it has anything to offer. I think that the Executive has decided that that is not the case." —[*Official Report, Local Government Committee*, 15 April 2002; c 2664.]

He used the word “think”, which means that the Executive must not have told him—because the Executive had decided. However, Peter Peacock thought that that was the case. Did he not know? Was he not consulted? Why did he not say that the Executive had reached a decision? Is the Executive a Holyrood branch of Tammany Hall? That is the way it is heading.

The Conservatives at UK level proposed that MPs rather than the Government should make public body appointments. They also called on the Government to adopt US-style confirmation hearings when appointing quango chiefs, to make the system more accountable. Mention was made that some budding applicants would be scared off. If so—tough. If that is the case, they do not have the necessary fibre to hold such high positions.

All the anonymous members of health boards and trusts should have their photographs and main contact phone numbers on posters that are displayed in libraries, shopping centres and so on. Their public consultations should be conducted properly, unlike the farce last week when Greater Glasgow NHS Board held an all-day meeting that was crammed into a room in the Mitchell Library. I have no doubt that that was done on purpose to exclude many people who are in employment, including MPs and MSPs.

I am on my final sentence, Presiding Officer.

In the end, those appointees have an agenda of their own and their Labour masters will implement what they want, but not what the people want, which is particularly the case for health boards, of which perhaps 51 per cent should be appointed or elected by the electorate, although that is a personal view and not—to my knowledge—an official Conservative party line.

The Deputy Presiding Officer: That was an extraordinarily long sentence, Mr Young.

16:25

Mr Michael McMahon (Hamilton North and Bellshill) (Lab): I congratulate Alex Neil on producing what some MSPs consider to be the perfect bill. Unfortunately for him, the only people who think that are his sycophantic colleagues in the SNP.

Mr Neil is also to be congratulated on taking up an issue on which I am sure everyone in the chamber agrees and managing to divide us on it. That is indeed a remarkable achievement, but given the tenor of Mr Neil's arguments, the comments that he made earlier and his comments during evidence to the Local Government Committee and the Equal Opportunities Committee, it was inevitable.

Alex Neil's bill contains more holes than a North

sea trawler's nets. If the bill is to progress, it will require to undergo a host of changes in order to address the concerns that were raised by the committees and by those who gave evidence to them. Given the Executive's commitment to introducing its own proposals, which even Alex Neil agrees amount to 80 per cent of what he is seeking, it is not worth wasting Parliament's time on this bill.

The Local Government Committee's report indicated concerns which colleagues expanded on earlier. One change that we did not argue for was a renaming of Alex Neil's bill but, given his contribution, perhaps we should have done. Rather than the Public Appointments (Parliamentary Approval) (Scotland) Bill, it should be called the I Hate the Labour Party and Want to Take Every Opportunity to Give It a Good Kicking Bill—that is what the whole process has been about.

The way in which Mr Neil's colleagues have rolled over and ignored every concern that was raised during evidence on the bill has highlighted the hypocrisy of the Nats. They never tire of telling Labour MSPs that we are Executive lobby fodder and that the Lib-Dems are Labour's poodles. However, when it comes to it, the Nats have exposed their own incapacity to criticise their party colleagues.

I am proud to be a member of two committees that have shown the ability regularly and effectively to challenge Executive proposals. We have built a track record of listening to groups and individuals concerned about ministers' proposals, and addressing those concerns. In keeping with that record, we did the same with Alex Neil's bill and it is to Tricia Marwick's shame that she made her earlier comments.

Tricia Marwick *rose*—

Mr McMahon: However, when it came to criticising Alex Neil, his spineless pals could not bring themselves to criticise their own leader-in-waiting.

It was not a problem for them that people might be deterred from applying for posts. When Alex Neil did not outline the changes to standing orders that would be required to make the bill workable, they did not indicate their concern. They did not complain that the appointments process would be slowed down unnecessarily to allow the Parliament's committees the opportunity to score points by politicising that process.

All of that might be considered to be a matter of opinion around which a serious debate could ensue. Perhaps amendments could be lodged to address the problems that have been identified in the bill. The concerns that witnesses raised at committee were ignored by the Nats because they

were feart to criticise Alex Neil's bill.

Alex Neil *rose—*

Mr Paterson *rose—*

Mr McMahon: No amendments were called for and all criticism was dismissed out of hand.

The Deputy Presiding Officer: The member has one minute.

Mr McMahon: For the SNP, parliamentary scrutiny appears to mean that everyone should scrutinise Labour, but that no one should criticise an SNP proposal.

Some sections of the bill are up for debate, but there can be no debate where the facts get in the way of Alex Neil's views. Evidence from the Commission for Racial Equality and the Equal Opportunities Commission included concern that committees of the Parliament are not subject to the acts governing discrimination on the grounds of sex, race or disability. That evidence was put to Alex Neil. His reply was, "Nonsense." I am sorry, Alex, but the legal advice that we received proves that that is not the case.

For Alex Neil's bill to succeed would require the Scottish Parliament to remove the right of the people to challenge a decision if they perceive it to be discriminatory. If the Parliament is to be taken seriously, it cannot tolerate that.

The bill contains a variety of flaws. The fundamental flaw, which cannot be overcome as it goes against everything to which the Scottish Parliament is committed, is the failure to protect the rights of the Scottish people. In the main, it is for that reason that I will not support Alex Neil and I hope that I have the agreement of all other members on that.

16:30

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): The bill addresses the important issue of how we ensure public confidence in the public appointments system. The Liberal Democrat manifesto commits us to

"Raise standards and accountability in public life by drawing up a strong code of conduct for MSPs."

The Parliament has implemented that already. The manifesto also called for the establishment of

"a Public Appointments Committee of Parliament with a system of open nomination and confirmation."

For the Liberal Democrats, the question is how best to achieve our manifesto aims. Alex Neil's bill provides one approach. However, I believe that it is important to get the matter right.

The Parliament's committee system has been designed to ensure close scrutiny of legislative

proposals. We ignore the specialist committee recommendations at our peril.

Alex Neil: Will Mike Rumbles give way?

Mr Rumbles: I will give way in a moment.

Only once have MSPs ignored a committee's advice and we have seen the mess that that caused with the Protection of Wild Mammals (Scotland) Bill. Alex Neil, to give him his due, spoke out forcefully in the stage 1 debate on that bill, urging the Parliament to ignore the Rural Development Committee's recommendations. Once again, he is urging us to throw out a committee's recommendations. That approach is thoroughly irresponsible and, if we follow Alex Neil's wishes, we risk wrecking the success story that is our committee system.

Alex Neil: Is not it true that nine of the 13 witnesses who gave evidence to the Local Government Committee recommended that the bill be passed? Perhaps the committee's recommendation is a case of the committee's not listening to the people. Is not it the case that, only four days ago, Mr Rumbles told me that he was in favour of the bill?

Mr Rumbles: No, that is not true.

Alex Neil: Yes, you did.

Mr Rumbles: No, that is absolutely untrue.

Alex Neil: You did.

Mr Rumbles: One should not make such accusations in the chamber when they are blatantly untrue.

The Local Government Committee stated that it was not persuaded by the bill. Events supersede Alex Neil: we now have a commitment from the Scottish Executive to make greater improvements than would be made by the bill. The committee was not persuaded that the bill was the most appropriate vehicle to provide greater scrutiny of public appointments. If Alex Neil cannot gain the support of the committee, we should not proceed further with the bill.

In evidence to the committee, the Scottish Executive made a commitment—Alex Neil should take note—to establish a Scottish commissioner for public appointments. The Executive proposes that the commissioner should not be a ministerial appointment and supports the view that recommendations for appointments should go through a new public appointments committee of the Parliament, subject to the wishes of the Parliament.

Tommy Sheridan (Glasgow) (SSP): Will Mike Rumbles give way?

Mr Rumbles: I am in my last minute.

The Deputy Presiding Officer: You are in your last minute and must finish inside a minute. Do you want to give way?

Mr Rumbles: No. I need to press on.

I want a change in the rules. I made the point earlier today that I would like the proposed commissioner to appoint the 26 independent ministerial assessors so that they do not have party political affiliations. I draw a distinction between the independent assessors and all the other public appointments.

I believe that the Executive's commitment is a real improvement on the current system, implements fully the Liberal Democrats' manifesto commitments and will fulfil the aim of the exercise, which is to ensure complete public confidence in the appointments process. For those reasons, we should accept the Local Government Committee's views—that is why the committee exists—and not proceed any further with the bill.

The Deputy Presiding Officer: My regrets to Bill Butler and Lloyd Quinan, who sat through the debate but were not called.

We move to closing speeches. The way things fall, it runs Liberal to Liberal.

16:34

Tavish Scott (Shetland) (LD): Much of what Alex Neil has sought to do should be commended. He has, as Trish Godman said earlier, sought to open up the process by which quango appointments are made. However, Alex Neil should have acknowledged during the debate, as he did on "Newsnight" on 15 January, that 80 per cent of what he was seeking to achieve has now been achieved by the Scottish Executive's proposals. That, for a member's bill from an Opposition back bencher, is no mean achievement. A lot of what we are seeking to achieve across the parties—apart from the Conservatives, to whose sanctimony I will come in a moment—should be applauded.

Perhaps the minister, when winding up, could cover the legislative mechanism and the timetable under which the Executive will bring forward its final proposals.

There are two central issues in the debate: parliamentary scrutiny and the politicisation of the appointments process. It is important to examine closely what the Executive is proposing for parliamentary scrutiny: a Scottish public appointments commissioner, appointed by the Queen on the recommendation of Parliament—not on that of the Executive. The Tories and, presumably, the SNP will oppose that measure.

All vacancies will be advertised to the relevant

parliamentary committee and the Scottish public appointments commissioner will be able to raise with the relevant minister any concerns whatever about the appointments process. In addition, if the commissioner is not satisfied with the minister's response, the matter can be referred to Parliament before the appointment is confirmed. The checks and balances that the Executive—and the Labour and Liberal Democrat groups working together—proposes to put into the system are important for improving the very system of accountability and the process that we want to establish.

The real points are these. First, Mr Neil's bill would give the perfect opportunity for SNP members—but not Mr Neil himself, whom I recognise as a fair convener of the Enterprise and Lifelong Learning Committee, although I thought that we heard a bit of a music hall turn from him today—to make every quango appointment a political interrogation. Tricia Marwick illustrated that this afternoon. Secondly, the parliamentary commissioner will appoint the independent assessors, thereby resolving the issue that has been raised in recent weeks.

As for the Conservatives, their position is consistent with only two principles: political opportunism and, now, the increasing tendency of the Scottish Tories to be controlled by everything that Iain Duncan Smith says in London. David McLetchie illustrated that at its best during First Minister's question time. He criticised other parties in the same context. Just yesterday, however, we heard an utterly irresponsible and opportunistic line on the very important issue of the measles, mumps and rubella vaccine. The Tories should be ashamed of themselves.

It was the Tories who took political appointments to a new height. Let us recall that, under the previous Tory Government, 30 per cent of the quango appointments were not just Tory MPs, but Tory MPs' wives. I ask you! The case that I always recall is that of Hamish Gray, who lost the Ross, Cromarty and Skye seat to Charles Kennedy in 1983. What did the Tories do the day after Hamish Gray lost that seat? They put him in the House of Lords, made him a minister of state in the Scottish Office and, not only that, gave him special responsibility for the Highlands and Islands, the very region that had kicked him out of the House of Commons. I will therefore take no lessons from the sanctimonious Tories on my far and extreme right.

I am pleased that the Liberal Democrat and Labour parliamentary parties have brought pressure to bear on the Executive to improve its initial proposals, which are, indeed, significantly improved. I have set out what those improvements are, although the Tories will still oppose the proposals. I look forward to the election campaign

and to opposing the Tories on that process. I urge members to endorse the Executive's proposals as outlined by Mr Peacock, and to oppose Mr Neil's bill.

16:38

Mr Keith Harding (Mid Scotland and Fife) (Con): This has certainly been a lively debate, which I think has touched many a raw nerve. I congratulate Alex Neil on introducing the Public Appointments (Parliamentary Approval) (Scotland) Bill, which represents a genuine attempt to improve the public appointments system in Scotland by making it more open and accountable. All the parties in the Parliament are publicly committed to that, but there is disagreement over the best method of achieving that goal.

What no one should doubt is the necessity of tackling this problem as a matter of urgency. Whether we like it or not, the public's perception of quango appointments is that there is a culture of cronyism in Scotland, and that jobs are handed out on the basis of who you know, not what you know.

Iain Smith: It is the Tories who are responsible for that—

Mr Harding: I kept quiet while Iain Smith spoke; could he please do the same?

The First Minister has made many statements acknowledging that the issue of public appointments requires urgent attention. As Minister for Finance, he launched a consultation document on modernising the public appointments system, stating:

"It is about ensuring that our public bodies command public confidence by being fair, open and transparent."

He went on to point out, quite rightly, that

"Devolution creates the opportunity to modernise our public appointments system."—[*Official Report*, 30 March 2000; Vol 5, c 1242.]

The Executive has now come up with proposals to do that, with which we have no great problem. During the debate at the launch of the consultation on public appointments, we argued that there should be a separate Scottish commissioner for public appointments. I would hope that the proposals to appoint such a person, who would be answerable to Parliament, would command all-party support.

As far as we are concerned, the problem is twofold. First, the Executive's proposals are just that. There is no firm timetable for their implementation. Secondly, we fear that the proposals, however well intentioned, simply do not go far enough towards addressing public concerns. That is because the powers of

patronage, which will remain in the hands of ministers after the implementation of the Executive's proposals, are still too great.

In order to regain public confidence, we must not only put our house in order, but be seen to do so as a matter of urgency. That is why we are sympathetic to Alex Neil's bill, which is on the table and offers the Parliament a practical way of addressing the problem. I hope that the Executive will rethink its outright opposition to the bill. In the debate on public appointments back in March 2000, the First Minister said that he welcomed

"good ideas whatever their source".—[*Official Report*, 30 March 2000; Vol 5, c 1240.]

That is certainly the spirit in which we have approached the bill.

In principle we agree with the idea of increasing parliamentary accountability and Alex Neil's bill would move us in that direction. The bill is similar in many respects to proposals that the Conservatives made in Westminster. It might interest Mr Scott to know that I voted to support the general principles of the bill before Iain Duncan Smith spoke. He is following us; we are not following him. We believe that the bill would help to restore public confidence in the public appointments process. It would make more open the scrutiny of appointments and would end the perceived political bias in the present system.

We have some concerns, but we believe that those could be addressed by amendments at stage 2.

I turn now to the Liberal Democrats. I urge them to take the opportunity of delivering a full promise from their manifesto by supporting the motion to agree to the general principles of the bill. There is no doubt that, as usual, the Liberal Democrats will do as Labour tells them. Their manifesto is worthless. I suggest that the Liberal Democrats leave the coalition and join the Opposition, where they could achieve far more of their manifesto promises far more quickly.

If the motion is not agreed to, Alex Neil has the consolation that he has forced the Executive to address the issue that it created. The Liberal Democrats obviously expected earlier today that we were going to vote against the motion. That is indicative of the fact that they do not do their research, because Mr Rumbles was not even aware that I voted against rejecting the general principles of the bill.

Mr Rumbles: On that point—

The Deputy Presiding Officer: I am sorry, Mr Rumbles, but Mr Harding is closing.

Mr Harding: If Mr Rumbles wants to make excuses, he should do so in his own time. He

should read page 32 of the Local Government Committee report; my vote is recorded at the bottom.

We will support the bill today, as it offers the best available means to end the culture of cronyism in Scotland.

16:43

Ms Sandra White (Glasgow) (SNP): We have heard about the cosy partnership between the Liberal Democrats and the Labour party. Iain Smith mentioned 15 January. It must be said that if it had not been for Alex Neil, there would have been no proposals from the Executive. They are just proposals; we do not know whether they will be enacted by 2003. Alex Neil's bill, if agreed to, would be enacted by then. The Executive's proposals were put through as a gut nerve reaction to Alex Neil's bill and that is the honest truth.

Mike Rumbles mentioned the committees. One of the strengths of the Parliament is the committee system and our ability to take an independent view. I respect Trish Godman's sincerity in her summary, but as a member of the Local Government Committee I have been greatly disappointed by the part the Labour party and the Liberal Democrats have played on the bill.

Dr Sylvia Jackson (Stirling) (Lab): Will the member give way?

Ms White: I am sorry; I do not have time.

The Liberal Democrat and Labour members of the committee have tamely followed the Executive's pathway. They have tamely agreed to go along with the Liberals and the Labour party and continually voted for the Executive's proposal, which SNP members—and Keith Harding—voted against. They have not opposed their party. That is a real worry for the committees. They should be independent. It is unfortunate that in this case they have not been.

In her summary, Trish Godman says that she agrees with some of Alex Neil's bill but cannot vote for it on principle. That is rather sad.

Mr McMahon rose—

Ms White: I will come on to the points that Michael McMahon made shortly, if he will be quiet.

It has also been said that the bill would deter people from diverse backgrounds from applying for public appointments. That claim is based on a vague assertion that the Executive makes in its consultation paper. There is no hard evidence to back it up. Reference has been made to concerns expressed by the Equality Network, but the Equality Network supports the bill and does not believe that it contains flaws that cannot be overcome.

Michael McMahon said that, under the bill, nominees would be more vulnerable to discrimination. Some members of the Local Government Committee argued that the Parliament is not bound by equality law as the Executive is, but the Parliament is required to consider any statutory requirement relating to appointees, including the application of anti-discrimination legislation by the Scottish ministers. Furthermore, the Parliament's legal office stated that it is widely accepted that the Scottish Parliament is a public authority as defined by the Human Rights Act 1998. I do not see Michael McMahon's problem. There is also the option of judicial review.

It has been said that the bill would lead to the politicisation of the appointments process. That claim is deeply flawed.

Iain Smith: Will the member give way?

Ms White: I will not.

There has been no politicisation of the appointments process in countries that use systems similar to that proposed in the bill. Indeed, many believe that the current system is already politicised. The Executive and the Lib-Lab pact seem to be saying that their politics are the politics of patronage and should never come under democratic scrutiny.

The Labour party—and now the Lib Dems—like to maintain their grip on power and on public life. They rely on keeping control of public appointments. I suspect that that, and no other reason, is the real reason for their opposition to Alex Neil's bill. The Labour party's power in much of Scotland depends on patronage, favouritism and cronyism. Once again, Labour's only motivation is to work in its own selfish self-interest. I am sorry to say that the Lib Dems have joined that party.

I call on members to support Alex Neil's bill and to reject the Lib-Lab Executive's proposals.

16:47

Peter Peacock: I am conscious that we have very little time, but I would like to pick up as many of the points that have been made in the debate as possible and to do justice to them.

Several members—Iain Smith, Trish Godman, Tavish Scott, Michael McMahon and others—have referred to the dire consequences that the bill would have if it were passed, noting that it would open up the appointments process to much more politicisation. They raised the prospect of show trials, in which Opposition members would deliberately target candidates for appointments.

Members did not point out that if, under the bill,

a committee of the Parliament decided not to hold a hearing, that decision would itself become politicised. Given Alex Neil's behaviour over the past couple of weeks, I can imagine that in such a situation back benchers would be accused of supporting ministers to stop the scrutiny process kicking in. I can also envisage ending up with whipped votes on appointments that are supposed to be made on merit rather than on the basis of political judgments.

Contrary to what Alex Neil said—this also refers to points that other members have made—the process that he proposes would expose individuals to questioning about their personal circumstances. Under the hearings process that he envisages, a committee of the Parliament would have to check the qualities of an individual seeking appointment to a post. What would there be to stop an individual being asked when they stopped beating their wife, husband or partner, whether they had ever smoked dope, whether they had been in a brawl when they were a teenager, or how much they drank? Matters of that sort would immediately be opened up to public scrutiny. If that would not stop people applying, I do not know what would.

There is also a range of practical difficulties with the bill. Tricia Marwick said that she does not think that the bill would delay appointments, but it sets out a procedure that could delay appointments by 56 days at the very least. If a committee rejected an appointment, an organisation looking for a new chair could be left leaderless for at least six months. At the same time, the minister responsible would be held to account for the performance of that organisation. That is not a satisfactory situation.

Tavish Scott asked about the timetable for the Executive's proposals.

Tricia Marwick: Will the minister give way?

Peter Peacock: I want to make progress on this point.

Sandra White said that there is no timetable and that the Executive's proposals would not be in place by 2003. In fact, we hope to start the consultation period next week and to introduce a bill to Parliament by the end of May. If Parliament agrees that the bill be passed, a new system should be in place by 2003. I presume that that is the assurance that Tavish Scott was seeking.

Tavish Scott dealt very well with the sanctimonious approach of the Tories—the people who invented cronyism in the past decade or more. Given the revelations of the past week, in which Keith Harding was involved, the Conservatives could be described as the grand masters of cronyism. The right-wing coalition between the SNP and the Tory party in the

Parliament clearly and quickly swings into action in these situations, so that their prejudices about the real world are reinforced.

Trish Godman and Gil Paterson raised the issue of diversity, although I thought the way Gil Paterson did it was rather obscure. I advise him that I had not realised that Alex Neil's bill also seeks to scrutinise the appointment of organisations' chief executives—the VisitScotland appointment to which he referred was of a chief executive, not a board member. On the hugely important issue of diversity, which I tried to address in my opening speech, all the evidence points to the fact that Alex Neil's bill would impede attempts to bring in more people from diverse backgrounds, even if that is an unintended consequence.

John Young came at the debate from the completely wrong direction. He demonstrated the problem with the bill when he said that people who are not of the right fibre to be able to withstand the scrutiny process are not fit for the job. Colleagues such as Paul Martin, who sits on the Labour back benches, were right to ask me why people from tenants associations, residents groups or community councils never end up on a quango. That is precisely the point: by making an attack on the lack of diversity a high priority, the Executive is trying to make it more possible for such people to become members of public bodies. We want people from very ordinary backgrounds to be given a chance to contribute their life experience to the operation of public bodies—but Alex Neil's bill would act in exactly the opposite way.

I took seriously Trish Godman's request for an assurance that merit, and not cronyism, should be the dominant factor in the system. That is exactly what our proposal is designed to achieve. We want to ensure that politicians are significantly removed from the process.

The debate has shown that Alex Neil's bill has nothing to offer the advancement of openness and scrutiny in the Parliament and Scottish public life. The modernisers and the progressive forces on the Executive benches are committed to the introduction of comprehensive measures to bring about more openness in all that we do. We want to be more transparent, to give more power over appointments to the Parliament—and less power to ministers—and to make the whole system more independent.

Alex Neil's intention is to create a platform for himself and his cronies that would enable them to organise show trials of anyone they wanted to target at any time and to play out their obsessions with the Labour party. The bill would lead to more politicisation, not less, less independence, not more, and less diversity in appointments. That is why the Executive does not support the bill and I

urge the Parliament not to support it.

The Deputy Presiding Officer: I call Alex Neil to wind up the debate. Mr Neil, you have until 5 pm—just under eight minutes.

16:52

Alex Neil: I thank Tavish Scott for making the only honest contribution to the debate from the Executive benches. He recognised that the proposals that the Executive made two weeks ago would never have been made if my bill had not been introduced. The Executive brought those proposals to the Local Government Committee at the very last minute because of the potential threat that some Liberal Democrats might vote for my bill. It is well known that a number of Liberal Democrat members—Mike Rumbles, Donald Gorrie, Robert Brown, Nora Radcliffe and Margaret Smith—support my bill—

Mr Rumbles *rose*—

Alex Neil: —so anyone who says that there is no support for it is speaking absolute nonsense.

I point out to the committee's convener, Trish Godman, that the committees have a responsibility and a duty to consider the evidence objectively and independently. Nine of the 13 witnesses who were called to give evidence to the Local Government Committee supported the bill.

Mr McMahon: Quality over quantity.

Alex Neil: I hear "quality" and "quantity" from behind me. I thought that quantity counted in a democracy. After all, who has the majority? As for quality, the organisations that supported my bill include the likes of the Scottish Civic Forum and the Commission for Racial Equality.

Trish Godman: Will the member give way?

Alex Neil: No. Trish Godman would not take an intervention from me.

Irrespective of whether one judges the evidence to the Local Government Committee on the basis of any definition of quantity or quality, members of the committee would have come out in favour of my bill if they had not been dragooned by the whips. That is the central point.

Several members *rose*—

Alex Neil: I will not take an intervention. Members would not take one from me. Sit, sit, sit.

I recognise that the Executive has moved some way towards what we are trying to achieve, but I must make two points on its proposals, which were cobbled together over that weekend. First, they are still skeletal. I will return to that in a minute. Secondly, they will deal with only 80 per cent of the issue—the crucial 20 per cent is

missing. The crucial 20 per cent is the need—in the words of the Liberal Democrat manifesto—for "open nomination and confirmation."

By any reasonable definition, the Executive's proposals do not propose

"open nomination and confirmation."

Iain Smith: Will the member give way?

Alex Neil: Sit down.

The whole process will continue to be carried out behind closed doors. That is why a recent survey by the commissioner for public appointments made it clear that two thirds of the electorate have no confidence in the present system because they think it stinks of cronyism. The events of last week help to prove that the system still stinks of cronyism.

The Executive proposals, which were enough to buy off the Liberal Democrats, would not be enough to buy off any decent-thinking true democrat. Let us consider the example of the proposal for a public appointments committee in the Scottish Parliament. When the Local Government Committee dealt with my bill, the Executive whips dragooned committee members into one particular way of doing things. If the public appointments committee was to be run in that way—

Iain Smith *rose*—

Trish Godman *rose*—

Alex Neil: To prove that the public appointments committee will be independent, will the Executive give us a commitment that the chair of the committee will be a non-Executive member? Will the Executive give us a commitment that the Executive will not have a built-in majority on the public appointments committee? Of course it will not give us such a commitment.

Mr Rumbles: Will the member give way?

Alex Neil: The Executive will not give us a commitment because it will stuff that committee with all the usual yes-men, placemen and party hacks, to perpetuate the system. The Liberal Democrats will no doubt go along with it.

Dr Winnie Ewing (Highlands and Islands) (SNP): I have sat through the debate from beginning to end. I want to ask Mr Neil whether he will condemn a principle that was enunciated by Mr Rumbles. That principle was that if a committee states a view and a member does not agree with it, the member has no right to introduce a bill. That would be a very severe threat to the rights of a member of the Parliament.

The Deputy Presiding Officer: You have a minute and a half, Mr Neil.

Alex Neil: I agree absolutely with Mrs Ewing. I am surprised at Mr Rumbles, who usually rumbles such things much more quickly than he has done on this occasion.

Mr Rumbles: On a point of order, Presiding Officer. Is it appropriate for members to name other members repeatedly and to lie about them, without their being able to give a response?

The Deputy Presiding Officer: It is certainly not helpful, particularly in relation to the convener of the Local Government Committee.

Alex Neil: The other substantive point that has been made is that the creation of a Scottish commissioner will in itself put an end to cronyism. The fact of life is that that is not a new position in the sense that we have had a commissioner for the past five years. Her name is Dame Rennie Fritchie. She has been responsible for public appointments that have been made by the Parliament and the Executive, as well as for those that have been made from London. Despite her five years of effort, Dame Rennie Fritchie—who is a very able lady indeed—has not been able to put an end to cronyism in Scotland because it is so in-built. That suggests to me that the Parliament needs to intervene.

There is an argument about the mechanism that the Parliament should use, but the fundamental and important principle is that the final part of the appointment process for senior positions should be in front of the Parliament's committees. It should be done in the open, not behind closed doors.

To conclude, far from reaching an objective decision, the Local Government Committee has on this occasion shown itself to be at the behest of the Executive whips, which is unusual for that committee.

Trish Godman *rose*—

Dr Jackson *rose*—

Alex Neil: I say to members of the Local Government Committee that the bill would not deter, but encourage, people. It would lead not to politicisation but to democratisation. The bill would put an end to Labour cronyism in this country once and for all.

Iain Smith: On a point of order, Presiding Officer. Is it in order for a member repeatedly throughout his speech to make accusations that are without foundation against other members, without allowing those members the right to respond?

The Deputy Presiding Officer (Mr Murray Tosh): Although that may not be appropriate, it does not seem to be out of order, nor is it unprecedented in the chamber.

Parliamentary Bureau Motion

17:01

The Deputy Presiding Officer (Mr Murray Tosh): The next item of business is consideration of a Parliamentary Bureau motion. I ask Euan Robson to move motion S1M-2708, on the designation of lead committees.

Motion moved,

That the Parliament agrees that the Education, Culture and Sport Committee be designated as lead committee in consideration of the Scottish Qualifications Authority Bill.—
[*Euan Robson.*]

Point of Order

17:02

Bruce Crawford (Mid Scotland and Fife) (SNP): On a point of order, Presiding Officer. Today, a written answer was published for a parliamentary question that Des McNulty lodged. The written answer states that copies of the second consultation paper on the water environment and water services bill will be placed

“in the Parliament's Reference Centre”.

Allan Wilson, who is the minister with responsibility for water, has issued a press release that mentions the second consultation paper. I should say that the press release makes no mention of opening up the water industry to competition. My point of order is that there are no copies of the consultation paper in the Scottish Parliament information centre this afternoon. The minister is hiding the truth.

The Deputy Presiding Officer (Mr Murray Tosh): The issue has been looked into. The documents in question do not appear to be where they are said to be. It is clear that further clarification and reporting back will be required. I am not in a position to say any more at this stage.

Decision Time

17:03

The Deputy Presiding Officer (Mr Murray Tosh): There are eight questions to be put as a result of today's business. The first question is, that amendment S1M-2703.1, in the name of Wendy Alexander, which seeks to amend motion S1M-2703, in the name of Kenny MacAskill, on Scotland's road network, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Davidson, Mr David (North-East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (South of Scotland) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Johnstone, Alex (North-East Scotland) (Con)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)

McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Thomson, Elaine (Aberdeen North) (Lab)
 Wallace, Ben (North-East Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)
 Young, John (West of Scotland) (Con)

AGAINST

Campbell, Colin (West of Scotland) (SNP)
 Canavan, Dennis (Falkirk West)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Lochhead, Richard (North-East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Ms Margo (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McLeod, Fiona (West of Scotland) (SNP)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Sheridan, Tommy (Glasgow) (SSP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Ullrich, Kay (West of Scotland) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)

ABSTENTIONS

Harper, Robin (Lothians) (Green)

The Deputy Presiding Officer: The result of the division is: For 79, Against 33, Abstentions 1.

Amendment agreed to.

The Deputy Presiding Officer: The second question is, that amendment S1M-2703.2, in the name of David Mundell, which seeks to amend motion S1M-2703, in the name of Kenny MacAskill, on Scotland's road network, as amended, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

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

AGAINST

Baillie, Jackie (Dumbarton) (Lab)
Barrie, Scott (Dunfermline West) (Lab)
Boyack, Sarah (Edinburgh Central) (Lab)
Brankin, Rhona (Midlothian) (Lab)
Brown, Robert (Glasgow) (LD)
Butler, Bill (Glasgow Anniesland) (Lab)
Campbell, Colin (West of Scotland) (SNP)
Canavan, Dennis (Falkirk West)
Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
Crawford, Bruce (Mid Scotland and Fife) (SNP)
Cunningham, Roseanna (Perth) (SNP)
Curran, Ms Margaret (Glasgow Baillieston) (Lab)
Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
Elder, Dorothy-Grace (Glasgow) (SNP)
Ewing, Dr Winnie (Highlands and Islands) (SNP)
Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
Ewing, Mrs Margaret (Moray) (SNP)
Fabiani, Linda (Central Scotland) (SNP)
Ferguson, Patricia (Glasgow Maryhill) (Lab)
Finnie, Ross (West of Scotland) (LD)
Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)
Gibson, Mr Kenneth (Glasgow) (SNP)
Gillon, Karen (Clydesdale) (Lab)
Godman, Trish (West Renfrewshire) (Lab)
Gorrie, Donald (Central Scotland) (LD)
Grahame, Christine (South of Scotland) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Iain (Edinburgh Pentlands) (Lab)
Henry, Hugh (Paisley South) (Lab)
Home Robertson, Mr John (East Lothian) (Lab)
Hughes, Janis (Glasgow Rutherglen) (Lab)
Hyslop, Fiona (Lothians) (SNP)
Ingram, Mr Adam (South of Scotland) (SNP)
Jackson, Dr Sylvia (Stirling) (Lab)
Jackson, Gordon (Glasgow Govan) (Lab)

Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
Kerr, Mr Andy (East Kilbride) (Lab)
Lamont, Johann (Glasgow Pollok) (Lab)
Livingstone, Marilyn (Kirkcaldy) (Lab)
Lochhead, Richard (North-East Scotland) (SNP)
Lyon, George (Argyll and Bute) (LD)
MacAskill, Mr Kenny (Lothians) (SNP)
Macdonald, Lewis (Aberdeen Central) (Lab)
MacDonald, Ms Margo (Lothians) (SNP)
Macintosh, Mr Kenneth (Eastwood) (Lab)
MacKay, Angus (Edinburgh South) (Lab)
Maclean, Kate (Dundee West) (Lab)
Macmillan, Maureen (Highlands and Islands) (Lab)
Martin, Paul (Glasgow Springburn) (Lab)
Marwick, Tricia (Mid Scotland and Fife) (SNP)
Matheson, Michael (Central Scotland) (SNP)
McAllion, Mr John (Dundee East) (Lab)
McAveety, Mr Frank (Glasgow Shettleston) (Lab)
McCabe, Mr Tom (Hamilton South) (Lab)
McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
McLeod, Fiona (West of Scotland) (SNP)
McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
McNeill, Pauline (Glasgow Kelvin) (Lab)
McNulty, Des (Clydebank and Milngavie) (Lab)
Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
Muldoon, Bristow (Livingston) (Lab)
Mulligan, Mrs Mary (Linlithgow) (Lab)
Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
Murray, Dr Elaine (Dumfries) (Lab)
Neil, Alex (Central Scotland) (SNP)
Paterson, Mr Gil (Central Scotland) (SNP)
Peacock, Peter (Highlands and Islands) (Lab)
Peattie, Cathy (Falkirk East) (Lab)
Quinan, Mr Lloyd (West of Scotland) (SNP)
Radcliffe, Nora (Gordon) (LD)
Reid, Mr George (Mid Scotland and Fife) (SNP)
Robson, Euan (Roxburgh and Berwickshire) (LD)
Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
Russell, Michael (South of Scotland) (SNP)
Scott, Tavish (Shetland) (LD)
Sheridan, Tommy (Glasgow) (SSP)
Simpson, Dr Richard (Ochil) (Lab)
Smith, Elaine (Coatbridge and Chryston) (Lab)
Smith, Iain (North-East Fife) (LD)
Smith, Mrs Margaret (Edinburgh West) (LD)
Stevenson, Stewart (Banff and Buchan) (SNP)
Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
Sturgeon, Nicola (Glasgow) (SNP)
Swinney, Mr John (North Tayside) (SNP)
Thomson, Elaine (Aberdeen North) (Lab)
Ullrich, Kay (West of Scotland) (SNP)
Wallace, Mr Jim (Orkney) (LD)
Watson, Mike (Glasgow Cathcart) (Lab)
Welsh, Mr Andrew (Angus) (SNP)
White, Ms Sandra (Glasgow) (SNP)
Wilson, Allan (Cunninghame North) (Lab)
Wilson, Andrew (Central Scotland) (SNP)

ABSTENTIONS

Harper, Robin (Lothians) (Green)

The Deputy Presiding Officer: The result of the division is: For 16, Against 96, Abstentions 1.

Amendment disagreed to.

The Deputy Presiding Officer: The third question is, that motion S1M-2703, in the name of Kenny MacAskill, on Scotland's road network, as amended, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Canavan, Dennis (Falkirk West)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Davidson, Mr David (North-East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (South of Scotland) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Gorrie, Donald (Central Scotland) (LD)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Johnstone, Alex (North-East Scotland) (Con)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 Munro, John Farquhar (Ross, Skye and Inverness West)

(LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Thomson, Elaine (Aberdeen North) (Lab)
 Wallace, Ben (North-East Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)
 Young, John (West of Scotland) (Con)

AGAINST

Campbell, Colin (West of Scotland) (SNP)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Lochhead, Richard (North-East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Ms Margo (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McLeod, Fiona (West of Scotland) (SNP)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Sheridan, Tommy (Glasgow) (SSP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Ullrich, Kay (West of Scotland) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)

ABSTENTIONS

Harper, Robin (Lothians) (Green)

The Deputy Presiding Officer: The result of the division is: For 80, Against 32, Abstentions 1.

Motion, as amended, agreed to.

Resolved,

That the Parliament notes the actions taken by the Scottish Executive to ensure that the trunk road maintenance contracts deliver the prescribed level of service; calls upon the Executive to continue monitoring the performance of the operating companies to ensure

compliance with their contractual obligations, and further invites the Executive to enter into dialogue with local authorities to assess the effects of the contracts on local roads maintenance.

The Deputy Presiding Officer: The next question is, that amendment S1M-2697.2, in the name of Cathy Jamieson, which seeks to amend motion S1M-2697, in the name of Michael Russell, on class sizes and pupil attainment, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)
 Gillon, Karen (Clydesdale) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)

Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Thomson, Elaine (Aberdeen North) (Lab)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Campbell, Colin (West of Scotland) (SNP)
 Canavan, Dennis (Falkirk West)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fergusson, Alex (South of Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Harper, Robin (Lothians) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Johnstone, Alex (North-East Scotland) (Con)
 Lochhead, Richard (North-East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Ms Margo (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McGregor, Mr Jamie (Highlands and Islands) (Con)
 McLeod, Fiona (West of Scotland) (SNP)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Mundell, David (South of Scotland) (Con)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Sheridan, Tommy (Glasgow) (SSP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Ullrich, Kay (West of Scotland) (SNP)
 Wallace, Ben (North-East Scotland) (Con)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)
 Young, John (West of Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 63, Against 50, Abstentions 0.

Amendment agreed to.

The Deputy Presiding Officer: Amendment

S1M-2697.1, in the name of Brian Monteith, is pre-empted.

The next question is, that motion S1M-2697, in the name of Michael Russell, on class sizes and pupil attainment, as amended, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Canavan, Dennis (Falkirk West)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)
 Gillon, Karen (Clydesdale) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)

Simpson, Dr Richard (Ochil) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Thomson, Elaine (Aberdeen North) (Lab)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fergusson, Alex (South of Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Harper, Robin (Lothians) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Johnstone, Alex (North-East Scotland) (Con)
 Lochhead, Richard (North-East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Ms Margo (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McGregor, Mr Jamie (Highlands and Islands) (Con)
 McLeod, Fiona (West of Scotland) (SNP)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Mundell, David (South of Scotland) (Con)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Sheridan, Tommy (Glasgow) (SSP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Ullrich, Kay (West of Scotland) (SNP)
 Wallace, Ben (North-East Scotland) (Con)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)
 Young, John (West of Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 64, Against 48, Abstentions 0.

Motion, as amended, agreed to.

Resolved,

That the Parliament believes that class size is an important aspect of educational provision; notes that the performance indicators recently published by the Accounts Commission relate to the financial year 2000-01 whilst the targets in the Programme for Government relate to the

financial year 2001-02; welcomes the progress that the Scottish Executive and local authorities have made in reducing the size of Primary 1 to Primary 3 classes; recognises that education is about developing individuals to their full potential, and considers that the Scottish Executive should continue to promote the raising of standards in education through the implementation of the National Priorities for Education at national, local authority and school level.

The Deputy Presiding Officer: The next question is, that motion S1M-2619, in the name of Alex Neil, on the general principles of the Public Appointments (Parliamentary Approval) (Scotland) Bill, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Aitken, Bill (Glasgow) (Con)
 Campbell, Colin (West of Scotland) (SNP)
 Canavan, Dennis (Falkirk West)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fergusson, Alex (South of Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Harper, Robin (Lothians) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Johnstone, Alex (North-East Scotland) (Con)
 Lochhead, Richard (North-East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Ms Margo (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLeod, Fiona (West of Scotland) (SNP)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Mundell, David (South of Scotland) (Con)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Sheridan, Tommy (Glasgow) (SSP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Ullrich, Kay (West of Scotland) (SNP)
 Wallace, Ben (North-East Scotland) (Con)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)
 Young, John (West of Scotland) (Con)

AGAINST

Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)
 Gillon, Karen (Clydesdale) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Thomson, Elaine (Aberdeen North) (Lab)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

The Deputy Presiding Officer: The result of the division is: For 50, Against 63, Abstentions 0.

Motion disagreed to.

The Deputy Presiding Officer: The final question is, that motion S1M-2708, in the name of Patricia Ferguson, on the designation of lead committees, be agreed to.

Motion agreed to.

That the Parliament agrees that the Education, Culture and Sport Committee be designated as lead committee in consideration of the Scottish Qualifications Authority Bill.

Musical Instrument Instructors

The Deputy Presiding Officer (Mr Murray Tosh): The final item of business is a members' business debate on motion S1M-2533, in the name of Donald Gorrie, on musical instrument instructors.

Motion debated,

That the Parliament notes with concern reports of impending changes in the contracts, status and conditions of musical instrument instructors in schools, designed to make them casual, lower grade employees; believes that giving pupils the chance to learn to play a musical instrument and to take part in orchestras and groups is an essential part of educational and cultural life, and considers that the Executive should ensure that musical instrument instructors retain the contracts and status of full teaching members of the school community.

17:12

Donald Gorrie (Central Scotland) (LD): Many members wish to speak in the debate and I hope that you will use all your powers, Presiding Officer, to extend the debate as much as possible to encourage numbers of speakers, rather than verbosity.

I want to make two points before I get into the main argument. First, the motion is not anti-Executive—the issue has not yet come before ministers and they are in no way to blame if there is any blame to be apportioned. We are trying to set down the issue in order to emphasise the importance of music in schools and the role of music instructors; we seek assurances from the Executive. Secondly, the debate does not interfere with the Educational Institute of Scotland ballot. The EIS members are quite capable of making up their own minds. However, there are several issues related to that. I am told on good authority that more instructors belong to the Musicians Union than belong to the EIS. The Musicians Union is a respectable union, but for some reason it is not recognised for negotiating purposes by the Convention of Scottish Local Authorities. Many people who are not represented by the EIS have raised the issue and it is fair that Parliament should address it.

As chairman of the Edinburgh Youth Orchestra, I was approached by some of the music instructors on the board, who told me that the problem was coming up and asked whether I could do something about it. That is why I have brought the motion for debate in Parliament.

The concern of the music instructors and others is that the decoupling, in two or three years' time, of the music instructors' pay and conditions from those of class teachers is symbolic of the downgrading of music and the devaluing of music instructors. It is an issue of status and of

recognition of the importance of the job. It is a question not of a few pounds here or there, but of the value that is placed on music. That is what we are talking about.

I have been approached by psychologists and advisers who are in the same boat, to a degree, as music instructors. However, I have not been briefed on that so I merely mention it to show that music instructors are not alone in having been left out since the McCrone settlement. I aim to get an assurance from the minister that the Executive values music in schools and will put its weight and its money behind music.

I will refer to a few relevant issues and I am sure that members will pick up many others. I believe that more than two thirds of Scottish councils charge for music instruction. That hits people who are not on benefits—those who are on benefits do not have to pay—but who are still relatively poor, with the effect that they are deterred from taking up music. The National Youth Orchestra of Scotland has identified that problem. The orchestra goes round the whole country auditioning people to join the orchestra and it has found a distinct falling off, not in the overall number of people who are applying but in the number of people who are applying from poorer areas. Charging fees goes against the policy of the Executive and the Parliament.

Approximately 85 per cent of the professional musicians in Scotland's professional orchestras benefited from free tuition, which shows that it is of great value.

One problem is that there is an anti-music or anti-musician prejudice in some establishments. I am afraid that that is shared by some classroom teachers. The prejudice was described to me by the principal of the Royal Scottish Academy of Music and Drama as "the exquisite condescension" of the establishment towards musicians. That expresses it very well. Some parts of the establishment have the wrong view, although I am sure that the minister does not.

Part of the problem is that the music instructors' qualifications do not fit in with the rules of the General Teaching Council. All the people who have come into the profession in recent years have studied for four years or so at a music college. Many of them also have other degrees. They are well-qualified people. However, their particular qualifications happen not to fit the GTC rules and we should consider that issue. Why do they not fit the GTC rules? Surely we could change the GTC rules to make them recognise good qualifications for musicians and others in the same position.

To be technical, the performance of pupils playing musical instruments counts for

approximately one third of the marks to be gained in music exams. For that nit-picking reason, and setting aside the more important point of the overall value of music, musical instrument instructors should be recognised. There is also the more important issue that music should be central to our education system and music instructors are central to the school staff because they provide an essential part of education that is undervalued in some quarters.

Through a good professional system, we must attract good teachers of music. There is some indication that we are losing teachers. The NYOS has identified that more and more of its members have received private tuition. That does not mean that they have come from private schools; they go to state schools but get private tuition because the school tuition is inadequate in some way. We have to improve all that.

The Scottish Arts Council is conducting an audit of youth music, the results of which will be helpful in the future. However, we need to have recognised qualifications and a coherent system of teaching that has some sort of structure, so that it is not a case of each man and woman for him or herself.

Above all, music instructors perceive that the decision by the negotiating body devalues them and thereby devalues music. That is a harmful perception. I would like a commitment from the Minister for Education and Young People that she will devote all her energies—as well as doing other things—to helping music instruction in schools through advice, guidance and money.

17:20

Michael Russell (South of Scotland) (SNP): I have apologised to the minister because I shall not be able to stay for the entire debate. I also apologise to members. I am speaking in Stonehouse this evening with Karen Gillon. As we are likely to be agreeing on the same platform, it may be standing room only.

I congratulate Donald Gorrie on the motion, which is exactly what is required to address the issue. If we were voting this evening, I would have no hesitation in voting whole-heartedly for the motion, not just on behalf of my party, but as an individual, because Mr Gorrie has got to the heart of the matter.

Music is not an add-on to the school curriculum; it is not an optional extra. It is regrettable that in many schools we are almost getting to the stage where it is an add-on. The curriculum may include some small element of formal musical instruction or musical appreciation, but it does not include as a normal part of the curriculum learning to play an instrument or learning to participate in music.

At the risk of repeating the congratulatory double act that Ian Jenkins and I took part in earlier today, I recall that Ian Jenkins made a pertinent and important point at a committee meeting earlier this week. He talked about the need to have music, dance, theatre and other actions as the purpose of education, and to feed the soul as much as the mind. That is the phrase that he used, and it is wise. If we do not do that, we will impoverish the whole educational process and reduce the ability of young people to develop as fully rounded human beings. They may be skilled in a variety of things, but their souls will not have developed. I use that term not in a religious sense, but in the sense of an appreciation of life, an ability to interact and an ability to think sensitively. All those attributes will be missing.

Because of that, music instructors are central to what happens in schools. They need to be recognised as part of the school establishment, not regarded as something that is added on. It follows from that that their recognition, in terms of salary and pay and conditions, must be part of the overall package in schools. The difficulty with the emerging settlement—I accept that it is an emerging settlement; Donald Gorrie was right to draw attention to the fact that the matter is not concluded—is that the essential link with teaching salaries will be broken. The matter will be voted on by the music instructors, who are—as Mr Gorrie pointed out—from a number of trade unions and from none. However, the link with the teaching salary is important for many music instructors, not just for financial purposes, but because it ties in the link with the school. The link is a clear manifestation of the music instructors' involvement in the educational process, therefore to break that link, as is proposed, would make them more vulnerable as further cuts or changes take place.

We have to be realistic about what we need to achieve. We need more music instructors rather than fewer. If the link is broken, many music instructors will feel undervalued. They may not leave but it will be more difficult to recruit new ones and, as a result, the offering of music instruction in schools will become rarer. I hope that the whole chamber will unite on that point today; I suspect that it will.

Before anything is done irretrievably, let us make it clear that we understand the importance of music instructors and of treating them fairly. That is the message that I hope we can send out from the debate.

I commend Mr Gorrie on his motion. Personally and politically, it is the right thing to say. If the chamber were to say it today, and if the minister echoed it, we would have moved forward Scottish education as profoundly as we did not do this morning.

17:24

Maureen Macmillan (Highlands and Islands (Lab)): I will make a short speech, because I have to rush many miles up the road tonight.

I wish to say how much I appreciate the work that instrument instructors do in schools. My daughter did higher music. Her instrument was the clarinet. The dedication of her instrument instructor was paramount in helping her to get a good grade in her higher music.

Instrumental instructors play an important role in a school such as Plockton High School, which is dedicated to traditional music. I would not like people not to be willing to become instrument instructors because of anxieties over future pay structures.

I have had representations from constituents on the matter. They say that it took instrument instructors a long time to obtain a nationwide deal on their salaries. Before that, they were paid ad hoc. Only at the changeover to regional councils were their conditions of employment addressed. As Donald Gorrie said, it was mostly the Musicians Union that, by taking authorities to industrial tribunals, negotiated the agreement that provided the conditions of service and salary structure that instructors enjoy. Then the EIS took on the negotiations for instructors.

I know that the EIS is not happy about the breaking of the link between instructors and teachers, because I have had contact with it today. However, it recognises the attraction of a properly constituted negotiating forum for instructors, where agreement would be required for any future change to instructors' pay or conditions.

I have also had representations from constituents about educational psychologists. Highland Council's area is short of educational psychologists. That shortage of qualified staff has been exacerbated by the fact that there is no indication of what their salary levels will be. Educational psychologists await the publication of the Currie report, which seems to have been delayed. They do not think that it will be possible for their negotiation body to consider salaries when it meets today. I do not know what the outcome will be.

Educational psychologists are crucial in the assessment of children and their needs in schools. I hope that the minister will address the psychologists' problems.

I thank you, Presiding Officer, for the opportunity to speak, and I hope that you will excuse me as I must leave.

17:27

Nora Radcliffe (Gordon) (LD): Music is not only enriching, but an incredibly powerful communication medium. It operates across almost any barrier to communication—age, race, ability, class, status, disability and even deafness: look at Evelyn Glennie and what she has achieved. She began with music tuition at Ellon Academy, in my constituency.

The ability to make music opens up wide vistas of personal development, friendship, advancement, satisfaction, pleasure and giving pleasure. We cannot overstate the value of instrumental tuition to our young people. I know how much my children gained from their involvement in music and music making, which was made possible by tuition that was available to them through the education authority, which at that time employed a team of excellent, and even inspirational, instrument tutors. I heartily endorse Donald Gorrie's motion.

I am old enough to remember the teachers' strike, when a raft of extra-curricular activity disappeared, including drama groups, chess clubs, football teams and debating societies. Many of them were never resurrected. However, music tuition and music making continued through that difficult time. We still owe a debt of gratitude to those dedicated tutors. We should recognise the value of the contribution that they make to the development of young people as individuals and to the cultural richness of their and our lives.

I, too, have been approached by other groups that were not included in the McCrone deal. I received an e-mail earlier this week from an educational psychologist in my constituency. I will let her make her own case, by reading what she said. The message reads:

"I note with pleasure that your colleague Donald Gorrie has tabled a motion backing the cause of the music instructors who, along with educational advisers and educational psychologists, were omitted from the McCrone settlement.

I agree entirely with Donald Gorrie's whole argument about the great importance of music teaching in schools and I hope that you will feel able to support his motion on Thursday when it will be discussed. I should also like to draw to your attention two other small groups in the field of education also ignored by the McCrone deal. These are the education advisers and the educational psychologists. I am an educational psychologist and member of the team in Inverurie where we are working with the same increasing pupil roll as the teachers of this area and as yet there is no sign of a salary settlement for us. We have a heavy case load and we would be pleased to see recognition of the importance of our work in the general framework of the education system in the form of a pay settlement equal to that awarded to the teachers.

I hope you may be able to bring our case to the attention of the Scottish Parliament and perhaps help bring about a settlement."

17:30

Murdo Fraser (Mid Scotland and Fife) (Con): I commend Donald Gorrie on his motion and on securing the debate. Donald will be aware that I supported his motion a week or two ago. I also commend the lobbying by instrument teachers, particularly Alistair Orr from Stirling, who is in the public gallery. Those teachers have been active in approaching members of the Parliament on the issue.

My speech will be brief because many of the points that I would like to make have been well made by others. There is general consensus in the chamber on what should be done. I oppose the proposals to sever the link between instrument teachers' pay and conditions and those of classroom teachers. Instrument teachers play a vital part in education.

I have no particular interest to declare: I am one of the least musical people around. However, through friends, I have seen the benefits of instrumental tuition. They include the opportunity for self-expression and, in the same way as organised sports, team building. People get involved in sports and team games at school, which is important for learning life skills. Not everyone is sporty, but by joining an orchestra people can learn team-building skills. I am neither sporty nor musical, which perhaps explains why I am an MSP instead of having a proper job.

I want to mention one point about the motion. It is important that we use the term "instrument teachers" and not "music instructors". It is important that we see instrument teachers as teachers; they should be treated as teachers and their status should not be downgraded. In fact, it should be upgraded in recognition of their important function. Terminology is important, so we should avoid the term "music instructors".

Instrument teachers should be treated in the same way as other teachers. They should have the same pay and conditions, the same access to accredited courses and the same right to GTC registration. On 26 January, *The Herald* quoted Alistair Orr as saying that

"the statutory link with teachers' pay is essential as it is a badge of our professionalism and gives us status with the teaching profession".

I am sure that he speaks for many of his colleagues.

Maureen Macmillan, who has now left the chamber, referred to the EIS. Members of the profession to whom I have spoken feel let down by the EIS, which is supposed to represent all teachers and not exclude instrument teachers. There is real anger among the ranks of instrument teachers about the way in which they have been abandoned by the EIS. The EIS puts great store

on instrument teachers being taken under the wing of the Scottish negotiating committee for teachers. The problem is that instrument teachers have no confidence in the SNCT because it recommended severing the link with classroom teachers' pay. The EIS does not properly represent the views of instrument teachers on those issues.

As Donald Gorrie said, many instrument teachers are members of the Musicians Union, not the EIS. If the EIS wants to have credibility on the issue, it must take into account the views of all instrument teachers, not simply its members.

I commend and support Donald Gorrie's motion. I oppose the downgrading of the status of instrument teachers, which was brought about by the McCrone settlement.

17:34

Robin Harper (Lothians) (Green): An honour that I have received, which gave me great pleasure, was being made a fellow of the EIS after 20 years' service to the union. I was proud of that, and I am proud of the record of the EIS in defending teachers' pay and working for better conditions for teachers. That work resulted in the McCrone agreement, which is clearly the best agreement that teachers have ever had.

Around 80 per cent of teachers in Scotland are members of the EIS. The union argues that it achieved the wonderful conditions for teachers because of its power. However, I feel that the EIS is pulling up the ladder behind it, and I am deeply concerned that it does not appear to be defending the conditions of music instructors. When I was a professional musician, I was a member of the Musicians Union, and I know that it struggles. Although it does its very best for its members and fights very hard to secure good agreements, it is not a big, strong union and does not have the EIS's power. I hope that EIS members read this debate and register the concerns that have been expressed so far.

Music should be right at the centre of the school curriculum. We would not have music in schools without individual tuition; it is the only way to teach people how to play instruments. As a result, music instructors are very important.

Donald Gorrie mentioned the benefits of playing music, such as hand-to-eye co-ordination, the development of self-confidence and the ability to co-operate, self-fulfilment and other transferable skills. Do we want to diminish and throw away such aspects? People from Plato to Rousseau and more modern educationists such as A S Neill and R F MacKenzie have all spoken up for the place not only of music but of drama, physical education and art. Well, Plato did not have anything good to say about the last, but never mind about that.

I want to register one final concern. There has been a steady decline in the number of part-time teachers of all central subjects—including music—in our primary schools. I do not know whether that has anything to do with policy or is just the councils' usual step of making cuts in these subjects first. That is the final reason why it is so crucial to link instructors' pay to teachers' pay; we know that they are always the first to be threatened with cuts in schools and education.

It is great that Donald Gorrie has secured the debate, and I hope that it has some effect.

17:37

Linda Fabiani (Central Scotland) (SNP): When I was listening to Donald Gorrie, I was struck by a question that I would like to ask the minister. There are around 670 or 680 instrument instructors in schools, some of whom have teaching contracts, and I would like to know whether removing the link applies across the board or only to instructors without teaching contracts.

I fully support Mr Gorrie's motion. When I first considered the issue, what came to mind was the Executive's national cultural strategy document, "Creating our future ... minding our past", which was one of the Executive's flagship documents some time ago. It puts great emphasis on participation in Scotland's culture and seeks to increase such participation among children. In fact, the document specifically states that, as well as instrument tuition within the class, many children

"can choose to receive additional specialist tuition".

Furthermore,

"Pupils who choose to study music at S3 and beyond"

can

"receive specialist tuition in one or more instruments".

The strategy document makes a commitment to

"Produce guidance on best practice for local authorities on the provision of instrumental tuition services".

Has that been done?

The strategy document also refers to the

"disparity in the provision of instrumental tuition across ... local authorities"

and the variation in tuition rates. Indeed, the document appears to recognise that there is a problem in that respect and states that the Executive will

"work with education authorities to maximise opportunities for instrumental tuition in schools, free to those unable to pay".

What steps have been taken towards such fine

objectives?

I was worried at first about the introduction of tuition fees in some schools; now we have this latest move to break the statutory link with teachers' pay. I feel very much that if that goes ahead, it will reduce the status of the instructor and the musician within the profession. We have to consider whether those people will want to continue working with such a reduced status. The situation seems to be completely at odds with the national cultural strategy's emphasis on the importance of tuition. Steps are now being taken to undermine the position of these folk who are doing such a good job.

Like other members, I draw attention to the position of education advisers. More than a decade ago, music had its own specialist advisers in each education authority, providing support for teachers and instructors alike. Music now forms part of a group of subjects that are covered by one adviser who is not necessarily a music specialist. Naturally, that must have a negative effect on the provision of in-service guidance for teachers and instructors. Instrument instructors are not the only ones to face a reduction in status; the advisory service is much reduced, grossly overburdened and faces a similar demoralising situation, which is compounded by the fact that advisers do not come under the McCrone settlement either, and are waiting to see what will happen to their salaries.

The encouraging aims of the national cultural strategy, which was broadly welcomed when it was introduced a long time ago, cannot be achieved without enthusiastic support from the profession. The actions that are now being contemplated do not encourage that.

17:41

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I, too, offer my congratulations to Donald Gorrie on securing this appropriate debate. As members have said, instrument teachers out there are mightily relieved that we are airing the subject. The e-mails and letters that I have received have been warmly supportive of Donald Gorrie for what he has done today.

Like Murdo Fraser, I was not the most sporty kid in my day. To avoid playing football at Tain Academy, I took up the fiddle, under Miss Macrae, on a Thursday morning. It was great. It got me off playing football and I learned to play the fiddle. If I was to play the fiddle in the chamber today, it would bring tears to members' eyes—and not tears of joy. Although I am not much cop at the fiddle these days, learning to play it gave me a gift for life, as I now appreciate music and find it a way in which to relax.

As Robin Harper hinted, it is generally

recognised that achievement in music is closely linked to achievement in other academic subjects. It is about the rigour of practice, hand-to-eye co-ordination and broadening the mind and expanding brain cells at a time of life when someone can learn fastest, before they start to go downhill—which I am told is from 24 onwards. For those reasons, if nothing else, it is important that the status and remuneration of instrument teachers are underpinned and not allowed to fall behind.

I want to touch on the subject of free instrument tuition. John Farquhar Munro and I share the scars of some mighty battles that we had in our Highland Council days, when we found ourselves on the opposite side from, for example, Mr Peacock—although we are friends now. We lost the debate, and it was only people on benefits who got free tuition. The people just above the benefits line were caught by that decision. When push came to shove—when people were not receiving benefits but were short of cash and had to decide between buying bread or paying bills—the kids' money went. I hope that we can revisit that issue on a national and cross-party basis. It is fundamentally wrong that a child of rich parents will get lessons but a child of parents who are not rich but not on benefits will not.

Some members will recall that I brought a traditional music group, the Gizzen Briggs, down from Tain Academy a year and a bit ago. The refreshments were provided by a certain whisky company that is not unassociated with the 16 men of Tain. That was the flower of a musical renaissance that has grown in the Highlands since I was a child and since John Farquhar Munro was a child. It would be too bad if that renaissance, which has taken place over the past 10 to 15 years, was seen to wind back. It is the flower of our achievement in this country and I hope that members from all quarters of the chamber can play from the same sheet.

17:45

Sarah Boyack (Edinburgh Central) (Lab): I congratulate Donald Gorrie on securing the debate and on giving us more than lengthy notice that he would bring this debate to the chamber. During last month's members' debate on Dr Colin O'Riordan we were given sufficient notice of this issue so that we could all think about it and speak to people about it.

As an EIS member, I should probably declare an interest in the debate. However, I was in the higher education section of the EIS, so I have no idea of how the schools bit of the union worked. That used to mystify me. I do not want to indulge in what came close to being a bit of union bashing from Murdo Fraser in the chamber tonight. It is

important that people are involved in trade unions, but that does not make the issues easy. It is highly appropriate that we are having this debate and bringing to life an issue that is discussed across the country.

It is important that we record gratitude for the work of music teachers and instructors. Colleagues in the chamber have done that eloquently. It is also important that we do not regard music tuition as an add-on extra. Music is important, as members have said, for young people's personal development, for team building and confidence building and for the sheer enjoyment of the subject at school. I am sure that Robin Harper will agree with me that to find young people enjoying themselves at school is such a gift that we should nurture it when we have it.

I was struck by the tone of the correspondence that I had. That correspondence motivated me to speak today. We might not be able to solve the issue in this debate, but a particular plea came through in the letters and the correspondence from the people who are involved. There is a worry and a perception that music tuition and instrument instruction will be downgraded and will not be given the recognition and acknowledgement that they deserve.

I would like the minister to take time in her closing speech to give us a flavour of the Executive's policy on music in schools, to affirm the importance of music and to give us some commitments.

Pauline McNeill (Glasgow Kelvin) (Lab): Will the member give way?

Sarah Boyack: Yes. I am happy to give way.

The Deputy Presiding Officer: I think that this has been choreographed.

Pauline McNeill: It was not prearranged, honest.

I thank Sarah Boyack for giving way. This is a tremendous opportunity to debate the question of music and I want to make a short contribution.

When I was 12, I taught myself to play the piano at the local church hall. I feel that if my school had provided free tuition, I could have been a much more talented piano player today. There is a serious point in that remark, which is that I would like as much emphasis as possible to be given to the issue of the universal provision of free music teaching and free instrument teaching.

I know that many talented children are out there who will miss an opportunity. We agree across all parties that we have a lot of raw talent in Scotland. Music is important to this country. If we miss the opportunity to create universal provision, it will be to the detriment of music in Scotland.

Sarah Boyack: Thank you for that intervention.

The Deputy Presiding Officer: That was a groundbreaking intervention.

Sarah Boyack: I thought that Pauline McNeill was going to talk about the importance of musical tuition in Glasgow. That was the only reason that I allowed her to intervene. She did not press her request-to-speak button when the Presiding Officer asked members to do so.

It is important that we support the cause of music in our schools. One thing that was touched on is the importance of orchestras in our schools not just at the individual school level, but at the level of the development of regional and national orchestras. I know that Donald Gorrie is an active supporter of orchestras in Edinburgh.

It is also important to put on the record Nora Radcliffe's comments about the work that is done outwith the school day. Many school orchestras do not meet within the school timetable—for example, the regional orchestras meet in the evening and at weekends. There is much individual and personal commitment from teachers and pupils to enable those orchestras to keep going.

For the long-term future of music in Scotland, which must be part of this debate, young people need to develop skills and enthusiasm so that they can learn to become musicians. As professional musicians, they can keep our national orchestras going or go abroad and join international orchestras. It is important also that we encourage gifted, talented amateurs who keep music going in informal situations such as local music societies or groups. That is a talent, skill and enthusiasm that a young person can gain for a lifetime.

It is highly appropriate that we acknowledge the patience, enthusiasm and professionalism that instructors bring to the work that is going on in our schools. That sentiment was put extremely interestingly—and I use that phrase advisedly—by the director of the National Association of Youth Orchestras when she wrote to me. She said:

"Without the extremely dedicated and high calibre instrumental teachers nourishing the seedlings in the potting-sheds of music classrooms in schools up and down the country, we are in danger of ... losing"

some of our high-quality Scottish orchestras. It was a nice bit of imagery to think of instrument teachers in potting sheds instead of in classrooms.

At school, I campaigned to play the clarinet or the flute. One of my most exciting days was the day on which the music teacher interrupted our sports class to say that he had got me an instrument. I wondered whether it was going to be a flute or a clarinet. He said, "I have got you a trumpet." I was delighted, as musical instruments were not available to all. We had to wait for them

to become available. The excitement of being allowed to play a musical instrument was one of the moments that I will remember always from my school days. It made me enthusiastic.

If we do anything in the Parliament, we should enable young people in our schools to have the opportunity—regardless of background and even regardless of talent—to develop their experience of music. It is highly appropriate that we are debating this subject, as I understand that the Festival of British Youth Orchestras is coming to Edinburgh this summer. I am sure that that will be debated again, if not in the chamber, at a local level.

We need to attract more and not fewer people to become involved in music. As other members have said, the importance of musical instrument teachers is absolutely vital. I ask the minister to do all she can to support the superb work that is done by instructors across the country.

Donald Gorrie: May I move a motion to extend the business?

The Deputy Presiding Officer: Yes.

Motion moved,

That, under Rule 8.14.3, the debate be extended until 6.15 pm.—[*Donald Gorrie.*]

Motion agreed to.

17:52

Mr Brian Monteith (Mid Scotland and Fife) (Con): I congratulate Donald Gorrie on securing the debate, which I welcome. I have followed the issue closely, as I have been concerned from the beginning about why the link between the pay and conditions of music instructors and teachers should be broken. The link currently puts instructors on 92.5 per cent of teachers' pay scales. The McCrone agreement has, in general terms, improved the pay and conditions of teachers. Why should that agreement make a difference to the link between music instructors and teachers? If the link remains in place, music instructors will get 92.5 per cent of the new McCrone deal. Surely that is what the link is in place to achieve.

We know that the EIS is to hold a consultative ballot. It is only proper for a ballot to be held, but two things strike me as odd. Why are the sole negotiating rights with the EIS? As has been said by others members, instructors are more likely to be members of the Musicians Union or not to be unionised. Surely the negotiations and the ballot could have been arranged jointly. That would have given a better picture of what music instructors think about the negotiations.

The letter that the EIS sent to its members lists a number of benefits of the McCrone deal. The letter is not entirely convincing. It states that:

"There can be no assumption that future awards will be different for different groups."

That is right but, on the other hand, they might be. If there is no link, there is no guarantee. Music instructors will be concerned that, at some point, they may be treated differently.

The letter goes on to say:

"Your negotiators believe that acceptance of the proposals offers the best prospect for maintaining the close links between the pay and conditions of teachers and Music Instructors."

Surely the best possible link is the link itself. I cannot see a cogent argument in the letter for breaking the link.

Even odder is another letter from Ronnie Smith, the general secretary of the EIS, who, in responding to a member's inquiries about the ballot, said:

"The EIS has decided to consult its Music Instructor members, through the mechanism of a consultative ballot, on their attitude to the offer which is on the table. The ballot is, of course, an internal matter and of no concern to Donald Gorrie or any of the other non-EIS members".

Is that the same EIS that wanted a Scottish Parliament and contributed so handsomely to the yes-yes campaign? Of course it is the same EIS.

The ballot is a matter of concern for others. It is a matter of concern for MSPs. That is not to say that we should dictate, but we should certainly take up such interests—and are doing so tonight, thanks to Donald Gorrie—especially if the negotiations result in the loss of the link between teachers' and music instructors' pay, a downgrading of music instructors and less music instruction. If I had heard full and convincing arguments from COSLA and the EIS, I would have been minded to listen and possibly to accept them, but I have not. I have heard only arguments that suggest to me that efforts are being made to make savings. Because the full arguments clearly do not exist, I can only conclude that there is no argument.

Let us not downgrade music instructors. As other members have said, let us upgrade them. Let us find ways of making them instrument teachers and of giving them the necessary professional development and in-service training. Let us find ways of meeting the GTC requirements that will allow us to call music instructors teachers and to ensure that we have what we want: flourishing music teaching in Scotland.

17:56

Tavish Scott (Shetland) (LD): I endorse the sentiments behind Donald Gorrie's motion and the comments that members from all parties have made. The debate is surely about a civilised Scotland in which we value instrument teachers and in which Government, Parliament, education authorities, unions and society value those who provide so much for our young people and give so much of their time. It is about a Scotland in which we value those people as full teaching members of the school community.

Like Sarah Boyack, I received representations from—and was therefore encouraged to take part in this brief debate by—a constituent. In my case, the constituent teaches classical violin in schools throughout Shetland. Members should bear in mind the fact that that involves jumping on planes and inter-island ferries. I will quote from his letter, which raises an issue that Brian Monteith mentioned. The letter says:

"Historically Instructors have been paid on a scale 92.5% of the corresponding teachers scale. As numerically we are very much in the minority compared with teachers, we would have equally low clout in pay negotiations and therefore this 92.5% link has been of great value to all Instructors."

That is an important point. I hope that the minister will reflect on it in her closing speech.

My constituent is a member of the EIS. As he states in his communication, instructors are being invited to accept a new salary and conditions package. The recommendation that they received at the end of last year to accept the deal said:

"This agreement deletes the current contractual entitlement of Music Instructors to be paid 92.5% of all corresponding scale points for teachers."

The constituents who have approached me on the matter are certainly concerned about how they are being represented. That is important and that is why this debate is important. I hope that the minister will act on that matter.

I value the role that instrument teachers play in Scottish schools, especially in my constituency. Music is in the blood of communities such as Shetland—especially after Up-Helly-Aa last week. Last Tuesday afternoon, during the Up-Helly-Aa festival, an excellent concert, organised by Shetland Arts Trust and entitled "Fiery Sessions", took place in one of our local theatre halls. The concert brought together young and old, as well as new and traditional forms of music. It was performed with verve and dash. I hope that the minister will have the chance in future years to observe or perhaps take part in the festival for herself.

Up-Helly-Aa is a part of my community's future, history and culture. It is very much about music.

That is why the development of and investment in core music provision—brass, woodwind and classical violin—and non-core provision, which for Shetland schools means traditional fiddle, accordion and percussion, is so important.

The number of children receiving non-core music provision in schools in Shetland is rising thanks to the pioneering work of David Gardner and others in Shetland Arts Trust. My daughter now plays the piano—rather well, I may say. My son would rather play left back for Rangers, much to the chagrin of his parents, but there we go.

There must be a purpose to such investment—and there is. Linda Fabiani made a good point about the cultural strategy. Shetland's cultural strategy, which feeds into the Executive's, heavily emphasises the role that musical tradition can play. That is important for building and enhancing the experience that I believe we should make available to all children, irrespective of background, in a civilised society.

At the heart of the programme are the instrument teachers. They are dedicated to raising standards and to stretching our young people's minds and imaginations. Their creative talents should be rewarded and considered fairly in the context of the teaching profession. I hope that, in winding up, the minister will respond positively to the principle that many members have advocated in the debate.

18:01

Colin Campbell (West of Scotland) (SNP): I can play no musical instrument whatever. In second year in school, I and about half the other boys in the class were thrown out of the school choir, which was to sing a chunk of the "Messiah" on the radio. I do not, therefore, have a good record on this subject. However, there were no music instructors then, which may have been part of the problem—although the fact that I could not sing might have had something to do with it, but that is another issue.

My older and younger sons both learned to play the trombone in their primary school. Thereafter, they had to make the huge decision between Saturday morning orchestral work and Saturday morning rugby. They went for rugby. Councils should consider the organisational aspect of that. I have a granddaughter who is learning the French horn and a grandson who is learning the violin, both in local authority schools. It does them no end of good.

As has been said, the social advantages of learning to play musical instruments are enormous. It teaches children discipline, to work together and to produce a joyous noise, for want of a better way of putting it. I recently attended the

East Renfrewshire Holocaust memorial event, which was held at St Ninian's High School in Eastwood. The most touching parts of the event were those that involved music: children singing solo and in choirs and the East Renfrewshire ensemble playing, at balcony height, a moving piece by Sibelius. Whether those children had been taught by primary school teachers, music teachers or music instructors is of no matter: their music had the effect of touching the soul. The more ways that we can find to touch the soul, the better.

Part of the problem that instructors face when arguing their case is that their qualifications are different from those of other teachers, but I recall how pleased they were to be awarded 92.5 per cent of teachers' salaries. It is essential that that link be kept on a statutory basis, as that would benefit those people who give so much to children in our schools.

I will finish with a brief anecdote about the day my school shut. Fred Morrison, the piper, played "Colin Campbell's Farewell to Westwood Secondary". I owe all music instructors that.

18:03

The Minister for Education and Young People (Cathy Jamieson): I, too, am grateful to Donald Gorrie not only for giving us the opportunity to discuss pay and conditions for musical instrument instructors in schools, but for giving us an opportunity to show how much we value the work that is done in schools by music instructors and by the other teachers who are involved, and the value of that teaching to young people.

I know from visiting schools and from the work that I see in my constituency and throughout Scotland that the benefits for young people who are involved in musical activities are not easily measurable. However, if we talk to young people, they tell us just how much they value those activities. I want to confirm that the Executive values the excellent service and the commitment that is given both by music teachers and by musical instrument instructors in schools and elsewhere.

I will not be able to make reference to every member who spoke in the debate, but I will try to sum up the points that have been raised.

A number of members commented on the support that pupils would be denied if musical instrument instructors were not in schools. They commented on the effect that that would have of not allowing pupils to be part of orchestras and bands. A number of members stressed how valuable those opportunities are to pupils in developing their confidence and to schools' broader curriculums.

The debate confirmed—Brian Monteith and others mentioned this—that the existing contractual arrangements for musical instrument instructors allow them to receive 92.5 per cent of the corresponding scale point for classroom teachers. That is a long-standing agreement that goes back to March 1988. A number of things have happened to move us on from then. The recent agreement on "A Teaching Profession for the 21st Century" has provided a framework in which to build a modern and progressive education service. We have all welcomed the progress that has been made on that.

I acknowledge and understand that the root of the problem—which is that many of the people who are involved with musical instrument instruction believe that they are undervalued and do not have the same status as classroom teachers—stems from the time when the McCrone committee was set up. Its remit at that stage did not include musical instrument instructors and I acknowledge that people had some issues with that.

However, it is important to acknowledge that the implementation group that was given responsibility for analysing the recommendations that the McCrone report made picked that up quickly. Subsequently, the Scottish negotiating committee for teachers was asked to consider the position of musical instrument instructors.

A number of members mentioned educational advisers and psychologists. I know that Maureen Macmillan has not been able to wait to hear the whole debate, but we are awaiting the publication of the Currie report, which will consider psychologists. There is continuing work on considering the position of advisers. That work is in hand and we hope to be able to make progress on it by the end of the month.

I return to musical instrument instructors. The SNCT conditions of service working group took their case forward. Musical instrument instructors are not classified in the same way as classroom teachers have been classified. The rationale for that relates to the fact that instructors do not operate in the same classroom setting as teachers. In many instances they are employed primarily to teach small groups of pupils on particular musical instruments and they do not have responsibility for curriculum development in the way that classroom teachers do.

However, following careful consideration of the duties of musical instrument instructors and their role compared to that of the teaching profession, the SNCT conditions of service working group recommended that an offer should be made, which was endorsed on 5 December. That paved the way for the Convention of Scottish Local Authorities to make an offer to the musical

instrument instructors.

It is important that we spell out what that means and how it relates to the McCrone settlement. The offer, as it stands, is that musical instrument instructors will receive, as follows, a minimum of the four salary increases. They will receive 10 per cent from 1 April 2001. The award is backdated until then. They will receive another 4 per cent from 1 April 2002, 3.5 per cent from 1 January 2003 and 4 per cent from 1 August 2003. All that is in line with the settlement that has been given to classroom teachers.

The working year for the instructors will be 195 days, of which five will be used for in-service training. That is also in line with the teaching profession. They will do a 35-hour working week—the same as teachers—including a maximum of 27.5 hours of pupil contact in any week. For instructors who must travel, the travelling times between assignments will be included in pupil contact time. They will have a minimum of two and a half hours a week for preparation and instrument maintenance and another five hours for an appropriate and agreed balance of other activities, such as orchestras. An additional contractual 35 hours will be introduced for all music instructors to take on personal and professional development—attendance at courses and so on—just as has been offered to teachers.

The offer that has been made provides exactly the same percentage increase that was offered to and accepted by the teaching profession last year. The offer to the teaching profession also involved significant changes to teachers' professional conditions of service, in exchange for the increases in salary to which I referred. For that reason, the SNCT is also seeking changes to the conditions of service of musical instrument instructors. That is the reason for the proposal to delete musical instrument instructors' current contractual entitlement to 92.5 per cent of teachers' earnings.

I understand that musical instrument instructors have expressed concerns about that proposal, but the SNCT considers that the offer that has been made is fair and takes account of the valuable role that musical instrument instructors play. The SNCT feels that the position that has been adopted by the EIS and its other partners does not suggest that musical instrument instructors are being downgraded to the position of casual, underpaid or undervalued employees.

Mr Monteith: I understand that the pay settlement in the McCrone deal was negotiated in return for the conditions that were agreed. Musical instrument instructors are getting the pay settlement that was agreed under the McCrone deal, but in order to conform to those aspects of the deal that relate to conditions, they must give

up the link between their pay and teachers' earnings. I do not see the logic in that. Musical instrument instructors will get 92.5 per cent of the pay settlement that has been agreed in return for a change in their conditions. Why should they still have to give up the link with teachers' earnings? The recognition that will be given to musical instrument instructors is recognition of their trade union, rather than of the musical instrument instructors themselves.

Cathy Jamieson: The EIS, which is balloting its members on the issue, takes the view that the deal has the benefit of ensuring that, for the first time, musical instrument instructors as a group will be included in national and local negotiations. It is recognised that the instructors' trade union is actively involved in that process. Mr Monteith referred earlier to the letter that that trade union circulated today. It is important to acknowledge that, although the EIS has in the past expressed concerns about the issue that we are debating, it feels overall that the offer benefits musical instrument instructors more than it disadvantages them, particularly on pay.

It is important to note that a ballot is currently under way. I feel—along with many colleagues who are trade unionists—that while trade union members are being balloted on an offer that has been made, it is inappropriate for us to go into much more detail about what might happen in future years. I do not want to continue to discuss that at the moment. It is important to acknowledge that the offer that has been made was endorsed by all partners in the SNCT. Today the EIS has concluded that the offer is in the best interests of its members.

I want to pick up a number of points that I have not yet had the opportunity to pursue. Linda Fabiani asked how we would continue to promote culture in schools. Since I was appointed as the Minister for Education and Young People, I have had discussions with the new Minister for Tourism, Culture and Sport about that. It is our view that a range of cultural activities—including music, traditional music, arts and drama—are vital. We want those activities to continue in schools and we are considering how best to promote them.

Overall, the debate has been worth while. It has illustrated that all members recognise and value the work that has been done and the benefits of young people's involvement in music. I want to put my support for that work on record. However, I stress again that, because a ballot is taking place, it would be entirely inappropriate of me to make any further comment until we receive the outcome of that ballot which, I understand, will be in the near future.

I hope that members acknowledge that the Executive supports the principle of continuing with

the instruction of music in schools. I also hope that members have listened to what I have said about the offer that has been made and that they now understand the position.

Ben Wallace (North-East Scotland) (Con): On a point of order, Presiding Officer.

The Deputy Presiding Officer: Yes, Mr Wallace?

Ben Wallace: I am grateful to you, Presiding Officer, and apologise for the fact that my point of order is in no way linked to this evening's members' business debate.

Some time has passed since Jack McConnell was appointed as First Minister and created his new front-bench team. Lord Watson was included in that new team and it was widely reported that he was to drop the stewardship of, or his lead role in, the Protection of Wild Mammals (Scotland) Bill. Only a few days are left before the bill is debated at stage 3, but we have yet to learn who is to take over as member in charge of the bill. I have looked at standing orders and have heard comments by the Executive's lawyers, but I still believe that a member needs to be in charge of the bill at stage 3. Therefore, I urge you to press upon Lord Watson the need to make it clear as soon as possible which member is to take over stewardship of the bill.

The Deputy Presiding Officer: I appreciate your point, Mr Wallace, but I do not think that it is a point of order. It is not for the Presiding Officers to designate who is to be the member in charge of a bill. That responsibility lies with the member who introduced the bill. Perhaps we will discover who is to be so designated between now and next week.

Ben Wallace: I take your point on board, Presiding Officer. However, can you give members an idea of when it would be appropriate for us to learn who is to be the member in charge of the bill? Is there a time limit, or are we to find out one minute before the debate begins?

The Deputy Presiding Officer: There is no time limit. I do not think that there is anything that I can usefully add, but I will reflect on what you have said and if there is any further pertinent information, I will so advise.

Cathy Jamieson: I am sorry to raise another point of order, Presiding Officer. I understand that the purpose of members' business debates is to give members an opportunity to debate an issue of importance and to allow back benchers to question ministers and gain answers. That is what happened this evening and I am conscious that people are in the gallery to hear the debate. I ask you to examine the position of members who raise points of order that bear no relation to the debate, and to give members guidance on the matter.

The Deputy Presiding Officer: I am afraid that it is absolutely in order for members to raise points of order at any time, although we ask members to be sparing in their use of the practice. The fact that the point of order has no bearing on the debate is irrelevant.

Meeting closed at 18:17.

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