

# **MEETING OF THE PARLIAMENT**

Wednesday 4 September 2002  
(*Afternoon*)

Session 1

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DEPUTY FIRST MINISTER—Right hon Jim Wallace QC MSP

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MINISTER FOR JUSTICE—Right hon Jim Wallace QC MSP  
DEPUTY MINISTER FOR JUSTICE—Dr Richard Simpson MSP

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DEPUTY MINISTER FOR ENTERPRISE, TRANSPORT AND LIFELONG LEARNING—Lewis Macdonald MSP

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DEPUTY MINISTER FOR ENVIRONMENT AND RURAL DEVELOPMENT—Allan Wilson MSP

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MINISTER FOR FINANCE AND PUBLIC SERVICES—Mr Andy Kerr MSP  
DEPUTY MINISTER FOR FINANCE AND PUBLIC SERVICES—Peter Peacock MSP

### **Health and Community Care**

MINISTER FOR HEALTH AND COMMUNITY CARE—Malcolm Chisholm MSP  
DEPUTY MINISTERS FOR HEALTH AND COMMUNITY CARE—Mr Frank McAveety MSP, Mrs Mary Mulligan MSP

### **Parliamentary Business**

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DEPUTY MINISTER FOR PARLIAMENTARY BUSINESS—Euan Robson MSP

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Transport and the Environment	Bristow Muldoon	Nora Radcliffe

4 September 2002

## Scottish Parliament

*Wednesday 4 September 2002*

*(Afternoon)*

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

### Time for Reflection

**The Presiding Officer (Sir David Steel):** To lead our time for reflection this afternoon, we welcome the Right Rev Monsignor Michael Conway of St Ignatius Parish in Wishaw.

**Right Rev Monsignor Michael J Conway (St Ignatius Parish, Wishaw):** I thank Sir David Steel for inviting me to share this time for reflection with members. I will begin by outlining my background.

At the outset of my ministry, I spent 10 years working in parishes throughout Lanarkshire. For the following 22 years, I was involved in tertiary education—for 16 years as a chaplain in the University of Glasgow and for six years as rector of Scotus College, Glasgow, which is a seminary where we train candidates for the Catholic priesthood. At present, I am in a parish in Wishaw. I will not burden members with an overview of those years, but I would like to share an aspect of my work at Scotus College.

The major function of a seminary is to equip students to cope with the pressure of full-time service to people. One little exercise that I found useful was to invite the students to reflect on Jean-Paul Sartre's observation that

"Hell is other people",

and on a quotation from another French writer, Gabriel Marcel, who wrote that

"Hell is being alone".

I would go on to emphasise that to be good at what we do, we must be happy in doing it. I would point out that although at times my students would inevitably identify with both those responses, they should never allow those extremes of mood to determine their attitude to people.

I am pretty certain that, at times, most of us have felt that hell is other people and that we would rather be miles away from people and alone with our thoughts. I believe that such a reaction is not unusual when serving the public. In attempting to cope, we sometimes go into what could be called survival mode, by which I mean that we become somewhat emotionally disengaged as we go through the motions of the daily round. In other words, we become practical cynics.

People's demands and expectations, along with our expectations, can push us into that mode, but paradoxically, it is only through appreciating people and their needs that we can be saved from such an attitude.

In the New Testament, Jesus became overwhelmed by the demands of the public and tried to get away to deserted and lonely places with his little group of supporters many times. Sometimes he even felt the need to go off by himself to reflect on and absorb his experiences and to pray, so that he could return with renewed enthusiasm and insight for his work among the people.

To give of our best we must recognise that our energy, enthusiasm and emotions need replenishing. Indeed, we are often the last people to recognise the reduced quality of our performance and to acknowledge our need for personal space. Most important, we do not always realise that when people become hell for us, perhaps we are also hell for them. That is a signal that we should head for the desert.

## Business Motions

14:35

**The Presiding Officer (Sir David Steel):** The first item of business is consideration of business motion S1M-3344, in the name of Patricia Ferguson, on behalf of the Parliamentary Bureau, setting out a business programme. I ask Euan Robson to move the motion, which is printed in the business bulletin.

*Motion moved,*

That the Parliament agrees—

(a) as a revision to the Business Programme agreed on Wednesday 26 June 2002:

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after first Parliamentary Bureau Motions, delete all and insert

*followed by* Executive Debate on Scottish Water Supplies and Public Health

*followed by* Ministerial Statement on the World Summit on Sustainable Development

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business—debate on the subject of S1M-3327 Karen Gillon: Attacks on Emergency Service Staff

(b) the following programme of business—

Thursday 5 September 2002

9.30 am Ministerial Statement on Prison Estates

*followed by* Executive Debate on The Scottish Fuel Poverty Statement

*followed by* Business Motion

2.30 pm Question Time

3.10 pm First Minister's Question Time

3.30 pm Executive Debate on Throughcare and Aftercare of Looked After Children

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business—debate on the subject of S1M-3309 Mrs Margaret Ewing: NHS Dental Services in Moray

and (c) that Stage 1 of the Public Appointments and Public Bodies etc. (Scotland) Bill be completed by 1 November 2002.—[*Euan Robson.*]

**The Presiding Officer:** I have received one request to speak against the motion. I call Andrew Wilson.

14:36

**Andrew Wilson (Central Scotland) (SNP):** I rise to speak against the business motion because I think it important that the Parliament recognises that, during the summer recess, the Scottish economy entered recession for the first time in 20 years. We are back to the bad old days of Mrs Thatcher and the Conservatives. Although our request for a recall of Parliament was rejected by the Presiding Officer, whose point of view we must respect—the referee's decision is final—we believe that the Executive is required to bring a matter of such central importance to Scotland's future as a subject for debate in the Parliament as soon as possible.

Will the Executive therefore reconsider the business motion and insert the important debate on the Scottish economy at the earliest opportunity? If the Executive is unwilling to show leadership during a time of crisis, the SNP will use its own time to do just that.

14:37

**The Deputy Minister for Parliamentary Business (Euan Robson):** The Parliamentary Bureau discussed the matter in some detail, but the SNP proposal was not pressed. In view of Mr Wilson's comments, that is perhaps surprising. I understand that the SNP will choose the Scottish economy as the subject for its debate next Thursday. I do not propose to change the motion.

*Motion agreed to.*

**The Presiding Officer:** The second business motion is S1M-3332, in the name of Patricia Ferguson, on behalf of the Parliamentary Bureau, setting out the date for completion of stage 1 of the Criminal Justice (Scotland) Bill.

*Motion moved,*

That the Parliament agrees that the date for completion of Stage 1 of the Criminal Justice (Scotland) Bill be extended to 18 September 2002.—[*Euan Robson.*]

*Motion agreed to.*



## Scottish Water Supplies and Public Health

**The Presiding Officer (Sir David Steel):** The main item of business today is a debate on motion S1M-3338, in the name of Ross Finnie, on Scottish water supplies and public health, and two amendments to that motion.

14:37

**The Minister for Environment and Rural Development (Ross Finnie):** The Executive has called today's debate to assure Parliament and the people of Scotland that public health is protected from the risks that are inherent in providing a public water supply. In light of the questions raised during the discovery of cryptosporidium in the water supply in Glasgow and Edinburgh, we want to put the state of the public water supply into its proper perspective and detail the steps that we take to protect public health.

My purpose today is to reassure members present, as well as the wider public, about four basic things. First, the quality of Scotland's water supplies is good. It has substantially improved in recent years and will improve. However, ministers acknowledge that, despite those improvements, there is absolutely no room for complacency. That is why, secondly, we have agreed an investment programme for the water industry that is designed to meet higher standards than have ever been achieved before. Thirdly, it is important that we recognise that we have in place a rigorous and effective system of regulation, which ensures that the current infrastructure is operated in a way that provides the best possible protection for public health. Fourthly, I want to make it clear that the Executive is determined to learn whatever lessons have arisen from the recent incidents in Edinburgh and Glasgow and that we will act upon those promptly and effectively.

The quality of Scotland's public drinking water supplies is good and is improving. It does not pose an unacceptable risk to public health. The drinking water quality regulator has today published his initial situation report on public health issues regarding water supply across Scotland. The report highlights the substantial improvements that have been made in the quality of Scotland's drinking water over the past decade. The percentage of incidents in which a prescribed threshold has been breached has halved. For some vital parameters, such as faecal coliforms, the improvement is even more substantial.

However, it is important to appreciate that, given the safety factors involved in setting quality standards, the mere breach of a quality standard does not in itself pose a threat to public health.

**Tommy Sheridan (Glasgow) (SSP):** Will the minister evaluate the importance of the refusal of East Dunbartonshire Council to support the water treatment centre in Mugdock? How important will that decision be for the safety of water in the Glasgow area?

**Ross Finnie:** That matter is important and, if the member does not mind, I will come to it later. First, I want to set out the framework within which we are operating.

We acknowledge that, following the introduction of the revised European Union drinking water directive in 1998, we in Scotland must meet new standards. A number of legislative drivers will lead to new standards in the way in which we treat waste water. All of that was set out in the quality and standards process that the Executive conducted last year. The process involved consultation with all interested parties—including this Parliament—and culminated in the publication of the report that I have in my hand. The report makes clear the standards that need to be met and the risks and uncertainties associated with possible measures to meet those standards. Indeed, the report specifically points to the need to invest in order to facilitate a reduction in the levels of trihalomethanes and a reduction in the risk from cryptosporidium. I therefore put it to the Scottish National Party that it is disingenuous to suggest that people in this Parliament or elsewhere were not aware of those risks in our public water supply.

In the quality and standards process, I believe that, by choosing the central option, we got the balance right between meeting all regulatory requirements and setting the burden to be placed on charge payers. The decision that we took means that Scottish Water will invest nearly £2 billion over the next four years in its water and waste water networks. Of that sum, around half will be spent on improving drinking water and the distribution network.

**Bruce Crawford (Mid Scotland and Fife) (SNP):** Will the minister concede that, even with that level of expenditure, water quality in Scotland will still be below that in England?

**Ross Finnie:** The drinking water quality regulator set out in his report the standards that are to be met by Scottish Water up to 2006. That is what is in this report—[*Interruption.*]

Let me get to the point. SNP members are getting very agitated. They must keep calm. The standards will represent a substantial improvement. We will continue to improve. It is an evolving process. However, there is a limit to what can be achieved over any period of time. That was set out by the drinking water quality regulator.

We can be confident in our water and in its further improvement because we have a robust

system of regulation that protects public health. Improvements include the fact that Scottish Water must take measures to meet the water quality standards.

The Water Supply (Water Quality) (Scotland) Regulations 2001 require that water supplied for drinking contains no organisms that pose a substantial potential risk to human health. They contain standards for 57 different parameters—including standards for coliforms such as *E coli*, for various metals such as aluminium and lead, and for THMs.

Much mention has been made of the presence of THMs, which, of course, are the by-product of using chlorine disinfection. THMs have been linked to disease. However, the Scottish national standard for total THMs is more than twice as stringent as the World Health Organization guideline. European Community guidelines will tighten to match the Scottish standard in 2008. Until the investment to which I referred is in place to reduce the presence of THMs, it is paramount that we eliminate bacteria and other microbes such as *E coli* from drinking water. The WHO has said that, where there is a choice between disinfection and tackling those elements on the one hand, and tackling THMs on the other, efficient disinfection must never be compromised. We are committed to following that advice.

The other factor to be considered is the reporting assessment regime. The regime is designed to ensure that it is directed towards the protection of public health, so that, where a threat is identified, action is directed towards mitigating that risk. Such factors will underpin the cryptosporidium direction, which initiates preventive action.

The standard for the cryptosporidium direction is clear. Unfortunately, too many people have jumped to the wrong conclusion. That includes the SNP spokesperson who said in a press release:

"We know that no level of cryptosporidium is safe."

That is wrong. The Bouchier committee of 1998 concluded that, given the uncertainties in the scientific and medical evidence, it

"is not possible to recommend a health-related standard for cryptosporidium in drinking water."

Indeed, on 9 August, Professor Bouchier issued a statement to correct misinterpretations of the committee's conclusions such as those of the SNP. He said that his advice

"reflected the scientific evidence available at the time. This should not be interpreted however, as indicating that low concentrations in the water inevitably present an unacceptable health risk. Action in any particular case must depend on a local risk assessment, taking account of all relevant factors, including the implications of any alternative approach."

**Nicola Sturgeon (Glasgow) (SNP):** The minister correctly quotes the 1998 report by Professor Bouchier, in which he says:

"It is not possible to recommend a health-related standard for cryptosporidium in drinking water."

In that case, why, in the report of the ad hoc group—of which the minister was a member—that was published today, is there a request for Professor Bouchier to reconvene his expert group to advise on health-related standards for cryptosporidium in the water supply? What on earth is the Executive talking about?

**Ross Finnie:** We think that that would be an improvement. We can exchange quotes. Professor Bouchier says that his advice

"reflected the scientific evidence available at the time."

We are asking him to review that because the detection and analytical processes for cryptosporidium are advancing all the time—they are much better than they were. We are asking Professor Bouchier to advise on health standards if it is possible to do so. Let us stick to the essential feature: the assertion that a low concentration in the water inevitably presents an unacceptable health risk is wrong.

In the absence of a standard we have implemented a regime that maximises the protection of public health. Under the direction, cryptosporidium is reported immediately to the relevant national health service board and the drinking water quality unit. It is then the responsibility of the NHS board, through the local department of public health, to assess the risk and decide, in consultation with other parties, including Scottish Water, what measures need to be taken. That includes deciding whether health professionals and the public should be alerted to the risks. The water quality regime is stringent and robust. The regulator has significant powers to take appropriate action if the regulatory requirements are not met.

It is against that background that we should consider the recent alerts in Glasgow and Edinburgh. In both cases, Scottish Water detected levels of cryptosporidium in the final treated water and reported them immediately to the local NHS board. In Glasgow, on Friday 2 August, public health officials decided to notify local general practitioners of their concerns for patients at risk. Following receipt of further tests, the incident control team concluded that a boil water notice was appropriate. That precautionary action was announced on the evening of Saturday 3 August and lifted on Wednesday 7 August.

Questions have been raised as to the way in which that information was given in two phases—first to the GPs and later to the general public.

Those decisions were taken by the NHS board, based on its professional assessment of the apparent public health risks. Further details will be included in the control team's official report. I advise members that at the earliest opportunity Scottish Water took the precautionary action of re-zoning the distribution network.

In Edinburgh, the incident control team met on 9 August to consider levels that had been detected. It became apparent to that team that those levels were too low and short lived to justify taking such precautionary actions.

Overall, at the point of trying to protect public health, the system of Scottish Water being required to notify any presence of cryptosporidium and Scottish Water advising the relevant public health board to take the appropriate investigative action, worked. However, I accept, as does the Executive, that after that system of protection of public health had operated satisfactorily, there were serious shortcomings in the way in which information was handled in both cases. In Edinburgh, where the incident was caused by a problem with the filtration system, there were very obvious confusions, through the issuing of a press statement alerting the public to the fact that cryptosporidium had been detected and a subsequent statement that confirmed that no action was necessary.

The problem was more serious in Glasgow. Although the boil water notice was delivered well and promptly in some parts of the city that were affected, in other places it was not. Worse than that was the fact that residents of Clydebank were omitted from the original boil water notice. I asked Scottish Water to investigate why its systems did not pick up on the fact that Clydebank was receiving the affected water and it has prepared a report, identifying the problem and setting out the measures to be taken. I understand that Scottish Water will discuss the detail of the report with local representatives—I hope that that will include members of the Scottish Parliament—to reassure them that that problem is being addressed.

I have also asked the water industry commissioner for Scotland, who has a particular responsibility for consumers, to investigate the way in which Scottish Water provided information to its customers. Some members are aware that the water industry commissioner has already convened local meetings. A blow-by-blow account of each incident is properly a matter for the reports of the two incident control teams, who are concluding their investigations. Their reports will be published in due course.

As I said at the outset of the debate, the Executive recognises that there can be no room for complacency. The ministerial group, which was set up by the First Minister to consider what steps

were necessary, published its report today. The report contains eight principal recommendations and action to implement them is already under way.

The first action, as has already been pointed out, is that Professor Bouchier, amongst others, is to give clearer advice on the way in which doctors and scientists arrive at judgments on the health risks that are posed by cryptosporidium.

Secondly, the drinking water quality regulator will review the cryptosporidium direction to see whether or not, in the light of changed circumstances, it needs to be strengthened or adjusted in any way.

Thirdly, after the wholly unacceptable events in Clydebank, Scottish Water is reviewing its arrangements to ensure that it holds accurate information on the network across Scotland to allow effective communication with the public to take place.

Fourthly, the Executive, in conjunction with Scottish Water and NHS boards, aims to complete the current review of the water hazard incident plans and produce an all-Scotland plan by December.

Fifthly, the health department is preparing for consultation draft guidance on the roles and responsibilities of incident and outbreak control teams.

Sixthly, we are introducing requirements to ensure that the recommendations from those teams are followed up properly.

Seventhly, the health department is developing guidance on good practice on risk assessment and communications under the chief medical officer who initiated a review of those arrangements.

Finally, we published today the interim guidance for use by all relevant agencies on public health action following the detection of cryptosporidium in public water supplies.

**Mary Scanlon (Highlands and Islands) (Con):**

In the introduction to the "Drinking Water Quality in Scotland 2000" document, the minister promises to put in place

"a systematic risk management process to effectively eliminate the risk"

from cryptosporidium

"by 2005."

Is he saying that those measures are not adequate and that what has been done is not sufficient to eliminate the risk?

**The Presiding Officer:** My apologies. I should not have allowed that intervention, as the minister

is up to time. I ask him to wind up. However, by all means, he should respond.

**Ross Finnie:** It is clear that we have to make the investment. Without it, we have the risk, which is why we have the precautionary process of reporting.

It is extraordinarily important that we have the treatment plant at Milngavie, as without a treatment plant, we will be unable to deliver on the obligation of the water company to satisfy the requirements of the drinking water quality regulator by 2005. If the procedures that are in place are assessed in an objective and rational way, there is no reason for the public not to have confidence that Scotland's drinking water quality is good and that it poses no unacceptable risk to public health.

I repeat that I accept, and the Executive accepts, that there is absolutely no room for complacency. That is why we have made a commitment to a massive improvement programme. We have in place a rigorous and effective system of control, monitoring and reporting, which is designed and aimed solely at protecting public health. We have put those steps in place to ensure that the lessons from the recent incidents will be taken. We will address any deficiencies that are identified and we will continue to enhance the protection of public health, which we believe is of paramount importance.

I move,

That the Parliament recognises the progress made over recent years in improving Scotland's drinking water quality; acknowledges that substantial investment in the water industry infrastructure and its operation is needed to increase further water quality standards and enhance the protection of public health, as identified in *Investment Priorities for Scotland's Water Authorities 2002-06*, and supports the continued implementation by the Scottish Executive, Scottish Water, regulators and NHS boards of the most rigorous regime possible in terms of monitoring, reporting and assessment of water quality.

**The Presiding Officer:** According to my screen, only five members want to take part in the debate. I do not believe that. I ask those members who wish to take part to press their request-to-speak buttons.

14:55

**Bruce Crawford (Mid Scotland and Fife) (SNP):** First, let me say that we very much welcome today's debate. The issue of Scotland's water and the fundamental right of her citizens to have access to a clean and safe supply is very serious and deserves to be treated in that manner. Everyone is aware of the communications fiasco that surrounded the recent cryptosporidium outbreaks in Glasgow and Edinburgh. I will say more about that later.

Before this summer's outbreak in Glasgow, the previous significant incident occurred in spring 2000. There were 90 confirmed cases as a result of that outbreak, six of which required hospitalisation. Tragically, one elderly person died. No one can doubt that cryptosporidium is anything but a serious risk to public health.

As a result of the outbreak in 2000, an outbreak control team was formed to investigate and report on the circumstances. The OCT produced its report in November 2001. Although many of its recommendations have been implemented, several key recommendations have either not been implemented at all or are being implemented only today after an unsatisfactory delay of 10 months as a result of the ad hoc committee's report. The Parliament deserves to know this afternoon why it has taken 10 months to begin to implement some of those vital recommendations. Indeed, some have still not been dealt with.

For example, the OCT recommended that all the livestock should be moved from Loch Katrine. However, on 7 August, the *Daily Mail* reported that 3,000 sheep were still located in the Loch Katrine catchment area. We need to know today how many sheep remain and when we can expect them to be removed.

It was also recommended that the water authority should discuss the status of Loch Katrine with the regulator, with a view to providing specific advice to food and drinks manufacturers. The advice was to refer to the continuing risk of cryptosporidium to ensure that manufacturers could introduce local treatment options if necessary. Why has that recommendation not been acted upon? What has been done since the recent outbreak to implement it? Today's report appears to contain no reference to how that matter will be addressed.

Moreover, it was recommended that the Greater Glasgow Health Board, in conjunction with the water authority, should consider advising the public about the status of Loch Katrine water to allow the public to decide for themselves the on-going precautionary action that they should take. Additionally, it was recommended that advice should be issued to all doctors in the Greater Glasgow Health Board area to enable them to decide on the on-going need for the very young, the elderly and immuno-compromised patients to boil water. Why were those recommendations not acted upon 10 months ago? Why are we beginning to act on them only today as a result of the ad hoc report? That delay jeopardised public health.

What about the recommendation that, in the interests of impartiality and transparency, the water authorities should not form part of any future OCTs? Again, the recommendation has not been

implemented, and again we ask why. Perhaps the answer lies hidden in the small print at the end of the OCT report, where it states that West of Scotland Water did not endorse the report because it did not agree with the recommendations. As a result, it was agreed to refer the report to the Scottish Executive for—in the report's own words—"further direction and input".

The ad hoc group's report, which we received today, says that the OCT reports should be sent routinely to the Scottish Executive. Well, that did a lot of good. For goodness' sake, it was sent to the Executive 10 months ago in November 2001.

What has happened to the report since it reached the Executive? After all, Ross Finnie's own water quality team was aware of the findings of the OCT report—it attended all the OCT meetings. The Executive's own water quality report, issued in August 2001, stated that it awaited the outcome of the OCT report. Just what happened to the report when it entered the black hole of the Executive? On whose shelf did it sit gathering dust? Why was no action taken? Surely the minister was aware of the report's existence. Why, even today, have we no idea what further direction and guidance was provided by the Executive, apart from what is contained in the ad hoc report?

The dangers of cryptosporidium are well known. The Executive's own document states:

"the water authorities are required to implement an approach based on assessing the risk of, and taking precautionary steps to limit, contamination by the end of 2000."

It did not take long for the Executive to realise that that target would never be achieved. Therefore, in March 2000, a direction setting out the so-called strict timetable to reduce assessed risks by 2005 was issued. The minister referred to that. However, with the failure of the recent planning application, even that stretched target begins to look increasingly unachievable.

Not only do we have the problem of cryptosporidium, but there are trihalomethanes and lead as well as other contaminants. Scientific studies have linked the existence of THMs to an increased risk of cancer, to reproductive problems and to miscarriages. From the most recently available water quality report for 2000—the minister failed to tell us this—it is clear that 34 per cent of Scotland's water zones are failing to meet the regulatory requirements because of the level of contamination from THMs. Yet in 1996, that figure was only 24 per cent. If the failure rate in 2000 is even higher than it was in 1996, it far from inspires confidence that the Executive's targets for the reduction of THMs are achievable under planned levels of expenditure.

**Ross Finnie:** Does the member dispute the advice of the WHO, which says that where there is a choice between disinfecting a water supply to get rid of serious micro-organisms and the short-term health question of THMs, one should never compromise disinfection?

**Bruce Crawford:** I am not disputing that. The minister is getting mired in the technicalities. I am pointing out clearly that, with a situation that worsens year in, year out, the Executive's investment programme might not be sufficient to deal with it.

Whether the targets are realistic is predicated on the level of investment that is made available. In the Executive consultation paper from 2001, three options were outlined for future investment levels. The central option was finally selected, meaning that the legal standards would be met and that some improvements would be made to the assets, but that there would be only enough investment in the underground structure to prevent further decay. That option was described by the water industry commissioner in his strategic review for 2002-06 as not allowing for any significant improvement in the overall network.

The question we must ask ourselves now is, are we satisfied that all the answers have been provided with regard to the handling of the recent cryptosporidium outbreak in Glasgow? Given the difficulties experienced by Scottish Water in meeting their deadlines, are the investment levels of sufficient order to ensure that Scottish Water can supply a clean and safe product at an early date?

**Ross Finnie:** Does Bruce Crawford acknowledge that, when those three options were presented, it was made clear that the water quality standards were not compromised in any way, irrespective of which option was selected?

**Bruce Crawford:** It was also made clear that, under those options, the lead replacement treatment that we require in Scotland would not be carried out.

If we are being honest, the answer is that we cannot be satisfied on either count with the information that is currently available. Only an in-depth inquiry by the Transport and the Environment Committee will be able to produce adequate answers.

In the meantime, I am sure that the public will be absolutely astounded by the motion that was lodged by Ross Finnie for today's debate. The Executive's motion has airbrushed out any sense that in recent weeks there existed a significant cryptosporidium problem in Glasgow's water supply, and that a communications fiasco was created by Ross Finnie and Scottish Water over the outbreak. The motion smacks of arrogance and complacency.

Throughout the period of the outbreak, the people of Glasgow were provided with information that was inadequate and inaccurate. Worse still, the minister provided information that was at the least downright misleading. It might be that we are never going to get appropriate answers from Ross Finnie. The people of Glasgow deserve an apology from Ross Finnie and, so far, that has not been forthcoming.

In the 19<sup>th</sup> century, the supply of wholesome water was considered to be a fundamental right. It is a disgrace that the minister cannot guarantee that in the 21<sup>st</sup> century.

I move amendment S1M-3338.1, to leave out from "recognises" to end and insert:

"believes that it is a fundamental right of Scotland's citizens to have access to a clean and safe water supply to ensure that public health is not compromised; requests the Transport and the Environment Committee to initiate an inquiry into the extent of contamination of water supplies from cryptosporidium, trihalomethanes and lead, or other sources of contamination, and into whether the investment programme currently planned by Scottish Water is adequate to ensure these clean and safe supplies and to restore public confidence in the water that people drink and use; further requests the Transport and the Environment Committee to consider whether the current regulatory regime with separate offices for the Water Commissioner and the Water Regulator acts in the best interests of the consumer; believes that legislation concerning the supply of water contaminated by cryptosporidium should be introduced bringing the level of protection afforded to consumers in Scotland to at least the level in England, and has serious reservations about the inept handling of the recent cryptosporidium outbreak in Glasgow by the Minister for Environment and Rural Development and Scottish Water, in particular the failure to fully implement the findings of the report produced by the Outbreak Control Team in November 2001 and to adequately and accurately inform the public about the safety of their water supply."

15:04

**John Scott (Ayr) (Con):** "People could die," said no less a figure than Hugh Pennington. "People will die because of cryptosporidium in the water, and the young and elderly will be most at risk."

Those warnings are not the warnings of the Tory party in Scotland. They are the warnings given to the Scottish Executive last month by the Government scientist Hugh Pennington. That we need to have this debate at all is a matter of huge concern. That it should be the first debate of the new parliamentary year underlines its importance and the fact that water has unexpectedly been one of the biggest political issues of the summer.

Let us turn the clock back a little, to before the summer, characterised as it has been not just by talk about water quality but also by extraordinarily high rainfall. Let us turn the clock back to 1 April and the formation of Scottish Water. In a speech on the Water Industry (Scotland) Bill, I said that

the Scottish Conservative party would wait and see whether the new animal that is Scottish Water would deliver the goods for the Scottish public. I noted that its success would be judged on its ability to deliver high-quality, clean water economically, and said that we would reserve judgment until it did so.

I suppose that those were the natural misgivings of a party that regards Scottish Water as an experiment—an experimental type of company that pretends to be a public limited company but which is actually under the direct control of Ross Finnie. In honesty, I did not expect its weaknesses to be revealed so soon, but the real question is about whether they are the weaknesses of the company or the weaknesses of the minister. That question must be answered today.

Was the cryptosporidium outbreak in Glasgow avoidable? Should animals have been removed from the water catchment area of the Mugdock reservoir before such an outbreak occurred? Keeping cryptosporidium out of a public water supply is not rocket science. If we cannot provide adequate and proper filtration for any reason, sheep and cattle, the main carriers of the organism, must be kept off the catchment area. Normally, radiation from the sun would be enough to destroy those oocysts, but in the wettest summer for many years the climatic conditions were such as to render a challenge to public health inevitable unless action was taken.

We all know that, mercifully, in the event no one died on this occasion from that mismanagement of the situation, but one is left with the feeling that that was only by the grace of God and not as a result of planning by Scottish Water.

**Ross Finnie:** I hear what John Scott says about trying to eliminate the problem, but does he accept that 96 per cent of all Scotland's water is supplied from sources where there are animals in or around the areas that feed into them? In Scotland's particular circumstances, how does he suggest that we eliminate the faecal content that gets into the water supply other than by using water treatment plants?

**John Scott:** When it is acknowledged that the water treatment plants do not work, surely it would have been wise to implement the recommendations of last year's report that suggested that the animals should be removed. Would not that have been prudent?

We all know that no one died, and that is a mercy, but cryptosporidium in the public water supply is such a well-known hazard that the minister must tell us today how many sheep and cattle are still grazing in the catchment areas of our public water supplies in Scotland.

**Ross Finnie indicated disagreement.**

**John Scott:** He has taken them off then, has he? Thank goodness for that; it is about time. If, as I suspect, there are still several thousand animals grazing on the catchment areas of Scotland's public water supplies, will the minister assure us that all the filtration systems have been checked since the outbreak in Glasgow? Is Scottish Water essentially exercising due diligence by removing those animals now, even if they were not removed before? Is the procurator fiscal considering whether an offence has been committed concerning the recent outbreaks? Will all livestock be taken off those areas in future?

Another question that needs to be answered is whether the Executive will be holding a public inquiry into the causes and effects of the cryptosporidium outbreak in the Glasgow water supply. Will the Executive be inviting the Food Standards Agency Scotland to review Scottish Water's practices and procedures, despite such scrutiny not being within its current remit and notwithstanding the investigations of the Bouchier expert group and the interim guidance notes that were issued today? Those questions need answers, and we need leadership.

Tough decisions need to be taken, but tougher decisions lie ahead for the Executive on the appealed planning decisions for the treatment works in east Dunbartonshire. Tough decisions need to be taken in the real world and not simply discussed by Labour back benchers and ministers. If Scottish Water is to build a water treatment plant, it may have to be a little more sympathetic to local public opinion. Seventeen other sites were available to Scottish Water; surely it is not beyond the wit of man to find a site that would have been agreeable to all. Perhaps a more considered and thorough approach by Scottish Water would have produced a different planning decision.

If the proposed site had been the only site available, the protesters, who are reasonable, would perhaps have taken a different view. All of them are as concerned as I am about public safety, but the proposed plant could have been sited just as effectively and efficiently elsewhere and with the blessing of public opinion.

Today, we must confront the reality of the planning decision and the issues that have been thrown up by it. The real issue in the real world is that the safety and quality of Glasgow's water supply cannot now be guaranteed for the foreseeable future. As a result of the planning decision that was taken last week, it will now be impossible for part of Glasgow's water supply to comply with the European Union directive on water quality by 2005. Even if the planning appeal is fast-tracked and a decision to go ahead is given, a year will have been lost in respect of construction of the water treatment plant. On the

other hand, if the appeal by Scottish Water is unsuccessful, the date for the provision of a water treatment plant will almost vanish into infinity. Either way, an EU directive will not be complied with. Under the second scenario, Glasgow residents may have to suffer a substandard water supply for many years to come.

One might shrug one's shoulders and say, "The water will not be any different from what it has been in the past, so what is the problem?" The real problem is the Executive's credibility. Its flagship new hybrid company under ministerial control will deliver water of a quality condemned not only by Brussels and the people of Glasgow—who must drink it whether it is harmful or not—but by the Prime Minister himself.

Scottish Water will deliver water that the Johannesburg summit would condemn in a developed country. The Prime Minister and Jack McConnell would condemn it in another country, but cannot deliver clean and safe drinking water in their own country. It ill becomes those two politicians to parade around Africa tut-tutting at water quality when Ross Finnie's water company has badly let them down.

Ross Finnie will squirm on the hook like a sprat—that is a Scottish type of prat—and, indeed, in his own eyes, he has almost absolved himself of all blame today, but the Scottish people are more observant and canny than he gives them credit for. They know that the minister has not had a good recess.

**Pauline McNeill (Glasgow Kelvin) (Lab):** Will the member give way?

**The Deputy Presiding Officer (Mr George Reid):** The member is in his final minute and must wind up.

**John Scott:** First, genetically modified crop scientists and his own scientist let him down and a U-turn on GM crop trials now looks likely—that is for another day. Secondly, cryptosporidium got into our water and his water company let him down. Last week, poor old Ross let himself down in making needless racist comments of which he admits that he is not proud.

I suggest to Jack McConnell that Ross Finnie is overworked and exhausted after the recess. He has had too many lines to defend and does not believe his own rhetoric. I say to the First Minister that his Minister for Environment and Rural Development needs a rest, like Wendy Alexander before him, who took voluntary redundancy when the heat in the oven became too great. Is it not time to offer Ross Finnie the same package, albeit for different reasons?

I move amendment S1M-3338.2, to leave out from "recognises" to end and insert:

"notes the need to improve drinking water quality across Scotland; further notes the need for significant investment to achieve this; supports the implementation by the Scottish Executive, Scottish Water, regulators and NHS boards of an even more robust regime in terms of monitoring, reporting and assessment of water quality, and regrets the Executive's handling, through Scottish Water, of Scotland's drinking water supplies, which has led to inconvenience, worry and real danger for the citizens of Glasgow and other affected consumers across Scotland."

15:14

**Bristow Muldoon (Livingston) (Lab):** In the first parliamentary debate after the recess, it is correct to consider Scottish water supplies and public health, given the genuine and widespread concern—particularly in the west of Scotland—that was generated only a few weeks ago by the question of cryptosporidium contamination. There was much criticism of how the situation was handled, which I will deal with later.

**Michael Russell (South of Scotland) (SNP):** On a point of order, Presiding Officer. I do not know whether there has been a mistake, but Mr Muldoon is the convener of the Transport and the Environment Committee and appears to be opening for the Labour party. Given that our amendment supports referral of an issue to that committee, is it in order for Mr Muldoon to open?

**The Deputy Presiding Officer:** I will reflect on that point, Mr Russell. In the meantime, I ask Mr Muldoon to continue.

**Bristow Muldoon:** People in Scotland have a right to expect clean water. They should be able to have belief in the public water system and in the ability of the public water company to supply clean water. I will reflect on some of the problems that we have experienced during the summer in that context. However, we must also recognise that we should consider the issue in the absence of hyperbole. We should recognise that many improvements have been made in Scottish water in the past 10 years in respect of coliforms, the pH of the water and metals. Bruce Crawford correctly pointed out that the position on trihalomethanes is not as well pronounced in terms of a reduction, albeit that there has been an overall downward trend in that the lowest level for about 10 years was recorded in 2000.

**Bruce Crawford:** It was lower in 1996.

**Bristow Muldoon:** My figures are slightly different.

**Bruce Crawford:** The figures that I used were provided by the Executive.

**Bristow Muldoon:** Having recognised that, we should return to the issue that important lessons may be learned from the cryptosporidium contamination that occurred this summer.

**Bruce Crawford:** Given what the member has said and given that he is the convener of the Transport and the Environment Committee, does he accept that we should have an inquiry not only into the outbreak of cryptosporidium in Glasgow, but into whether investment levels are sufficient to allow Scottish Water to make water clean and safe in Scotland?

**Bristow Muldoon:** It is certainly important that the Transport and the Environment Committee considers any reports that are produced by the incident control team. Members of the Transport and the Environment Committee have discussed that issue. I do not think that the case has been made that the investment level that is proposed for the forthcoming years is insufficient to achieve improvements in Scottish water. Sufficient evidence suggests that the proposed levels of investment will be sufficient to improve Scottish water to a satisfactory level by 2006.

**Tommy Sheridan:** As the convener of such an important committee, what is Bristow Muldoon's opinion on Scottish Water's selection of a treatment plant in Mugdock? Was that decision driven by cost? If so, does Bristow Muldoon agree that the best option should have been pursued, instead of the cheapest option?

**The Deputy Presiding Officer:** Before Mr Muldoon responds, I will come back to Mr Russell's point of order. The only qualification that would have some bearing on Mr Muldoon speaking would be if he had a registrable interest. Being convener of the committee is not a registrable interest. My understanding is that Mr Muldoon is, of course, speaking exclusively for the Labour party. If we make that clear, it might help the debate from now on.

**Bristow Muldoon:** Certainly, Presiding Officer.

**Michael Russell:** On the same point of order, Presiding Officer. Mr Muldoon has already responded in terms of his view as the convener of the Transport and the Environment Committee as to whether there should be an inquiry, without the committee being consulted on the matter. I am sorry that Mr Muldoon has been put in this position, but we are in a very serious situation. A member who is speaking on behalf of the Labour party is also convener of a parliamentary committee. He cannot ride both horses at once. Some thinking should be given to that and whoever encouraged him to do so should think again.

**The Deputy Presiding Officer:** It is for that reason that I intervened at that point and made it clear that Mr Muldoon is speaking in the debate in a Labour party role. There is no reason why he should not do so.



**Bristow Muldoon:** I find it regrettable that this number of interventions is being made in order to distract from the main issue that we are debating, which is the quality of water in Scotland.

I will respond to Mr Sheridan's intervention. I do not know that I am in a position to say whether the site that was chosen at Mugdock was the correct site. It is essential that we make progress on providing a sufficient quality of water treatment plant in the Glasgow area to ensure that everyone in Glasgow receives the correct standard of water.

**Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP):** Will Bristow Muldoon give way?

**Bristow Muldoon:** No, thank you.

Scottish Water should analyse closely whether the plan that it put forward was the best one and whether it needs to review its plans and propose an alternative site. I do not know whether I currently have the level of knowledge to say whether that was the best site.

Mr Scott's comments should be taken with a pinch of salt. In the immediate aftermath of the cryptosporidium outbreak, he issued a press release that indicated that the Conservatives believed that

"the failure to allow competition in the industry would be to the detriment of Scottish consumers."

He went on to say that he believed that

"Public sector monopolies are, by their very nature, cumbersome, inefficient and unresponsive to the needs of consumers."

That reveals the Conservatives' true agenda on the water industry, which is to privatise it.

**Ben Wallace (North-East Scotland) (Con):** Will the member give way?

**Bristow Muldoon:** No, thank you. I want to make progress, because I have taken a number of interventions.

It is recognised widely that a high degree of investment is needed to replace aging infrastructure and to deliver higher standards of drinking water and waste-water treatment. The Transport and the Environment Committee—I refer to its actions, not to its published reports—backed the investment programme of around £2 billion in the coming four years. The report of the drinking water quality regulator states that that investment programme can bring about further improvements in the quality of drinking water in Scotland.

I realise that some members want to argue that the investment programme should be revisited in the wake of the recent problems with cryptosporidium, but that case has not yet been made. Further evidence is required to make that case.

Scottish Water and others in the industry must reflect on a number of important issues that were raised by the cryptosporidium outbreak in Glasgow and Clydebank. Amongst those issues is undoubtedly the essential need to deliver a new treatment works for the Mugdock supply. I referred to that issue earlier in response to Mr Sheridan's comments, so I will not touch on it further. Scottish Water must review its records to ensure that it knows where water supplies go and which areas will be affected if there is contamination. Scottish Water must reflect on its strategy for communicating with the public, especially at weekends. It must also consider whether it was correct to alert general practitioners before the general public.

A number of questions remain in relation to the report on the 2000 outbreak in Glasgow that was published by the outbreak control team in November 2001. One issue is why sheep and cattle were still in the Loch Katrine catchment area. On that issue, Mr Scott made the fair point that, because of the known deficiencies with the treatment plants that treat water from Loch Katrine, the recommendation in the report should have been implemented more speedily. We must also ask why recommendations 11 to 14 of that report, which were referred to earlier and which involved making general information available to consumers, particularly to those who are immuno-compromised and other vulnerable groups, were not implemented earlier.

One recommendation that was in that report, but which I am not so sure about, was that the water authority should not be involved in future outbreak control teams. I am not convinced about that, because although public health experts should take the lead on such teams, the water authority has a major role in providing information to the team and in resolving contamination situations.

What I want to come out of today's debate and future consideration of the matter is a restoration of full confidence in Scotland's public water system. We have improved standards in recent years and I am confident that, through the £2 billion investment programme, standards will continue to improve in years to come. However, there is no doubt that confidence has taken a knock. It is essential that the incident control team's reports are published and scrutinised by parliamentary committees. Scottish Water must consider its channels of communication and the action that it will take to provide a new treatment plant at Loch Katrine. I will conclude with that, because of the number of interventions that I have taken.

**Michael Russell:** Further to my earlier point of order, I think that the *Official Report* will show—you might wish to check it, Presiding Officer—that

Mr Muldoon did not mention the Labour party once, although he mentioned the Transport and the Environment Committee half a dozen times. The matter must be considered carefully.

**The Deputy Presiding Officer:** I shall take your guidance, Mr Russell. I will look at the *Official Report* in due course.

15:24

**Fiona McLeod (West of Scotland) (SNP):** The minister began the debate by saying that he wants to restore public confidence in Scotland's water. After hearing 15 minutes of his speech, I do not think that the public's confidence will be greatly restored.

I lived through that nightmare a few weeks ago, as someone who was affected by it, whose neighbours were affected by it, whose family was affected by it and whose constituents were affected by it. I was surrounded by people who did not know whether they could drink the water. Once they knew that they could not drink the water, they were worried about how long they had been drinking the water. That was a huge problem for a huge number of people.

Let me illustrate how badly the communication side of the outbreak was handled, through my experience as a member of the Parliament. When I phoned Scottish Water's helpline to ask what areas were affected, it took the operators quite a long time to work through postcodes and find out which parts of my constituency were affected. When I asked them whether bottled water would be delivered, they could not tell me. When I asked them where the bowzers would be sited, they could not tell me. When, eventually, I told them that I was an MSP and asked them to take my phone number and phone me back so that I could inform my constituents, they said that they could not do that. Is that the way in which we want to inform the public? It was an abject example of how not to do that.

We have to move on, and there are three things that we should ensure happen. I am a member of the Transport and the Environment Committee. First, that committee should immediately hold an inquiry into what happened and why it happened. That inquiry should examine the events of the outbreak and the quality of Scotland's water. It should consider whether the legislation that the Parliament has just passed and the bill that the committee has just started to scrutinise are up to delivering a high standard of water. It must reconsider the evidence that we were given that, if we accepted the medium level of investment, we would ensure the production of good quality water in Scotland. Perhaps the enhanced option would have meant that we would have got quicker results

or that we would achieve levels of water quality above those that are achieved in England rather than below them.

The inquiry must also consider how quickly things are happening. The minister has talked about the ad hoc reports and we have talked about the OCT report from last November. I live where I have always lived. Five years ago, West of Scotland Water did not know where the pipes from Burncrooks went. Now, in 2002, Scottish Water is saying that it does not know where the pipes from Mugdock go. How many five-year intervals do we have to go through before we can answer such questions?

Secondly, we need a strong, authoritative and powerful regulator, not a variety of them that would include a drinking water quality regulator and a water industry commissioner. We must have a strong voice and a champion for Scotland's customers, whose priority will be to balance charges against health—unlike that of the water commissioner who admits that his passion is efficiency rather than public health.

Thirdly, we must consider legislation. The Transport and the Environment Committee started work this morning on the Water Environment and Water Services (Scotland) Bill. Will the minister take the opportunity that that bill affords to ensure that legislation on notification of, and possible prosecution over, contaminated water in Scotland is brought up to the same level as the legislation in England? If he is not going to take that opportunity, is he going to leave it to the SNP to take it? As an MSP and as someone who lives in the area that was affected, I say to the minister that we need answers, not more bland Exec-speak.

**Pauline McNeill:** On a point of order, Presiding Officer. In considering the point of order that my friend, Mike Russell, raised four times, will you also consider that the same rule that applies to Bristow Muldoon should apply to a member of the SNP who is on the lead committee? In considering that point of order, you should consider how it relates to all members of the committee—unless you draw a distinction between the convener and other committee members.

**The Deputy Presiding Officer:** I will reflect on the point of order and pull together all the points at the end. In the meantime, I am anxious to get on with the debate. Time is running very short.

15:29

**Des McNulty (Clydebank and Milngavie) (Lab):** Although I appreciate the fact that progress is being made on improving water quality, we must focus on some of the failures of recent months and highlight ways in which we can avoid similar failures in the future.

A good place to start is the response of West of Scotland Water to the outbreak control team's 2001 report on the earlier cryptosporidium incident. I will quote selectively from the response, because I do not have much time. In the document, West of Scotland Water said that it

"does not endorse the report"

and

"does not agree with the recommendations as they stand".

It was especially concerned about the recommendations on consumer advice.

As a representative of the people of Clydebank, I am angry that Scottish Water does not endorse the report, because we have had to experience the situation twice. As Fiona McLeod said, the first time round was with the Burncrooks incident, when the water was contaminated but people received poor and inadequate information, information that came too late and information that turned out to be inaccurate.

It is galling that such a situation should happen again, especially as we were given firm assurances that such an incident would not recur, that lessons would be learned and that procedures would be put in place. Obviously, those procedures did not entirely work. Some improvements have been made. We were not left in the same situation as with the Burncrooks incident. However, people in Clydebank were told first that they were not affected, then that people in the Whitecrook and Linnvale areas of Clydebank were affected and eventually that other streets and other parts of Clydebank were affected. People were given misinformation, wrong information and information that was too late. That is unacceptable.

**Bruce Crawford:** Does Des McNulty agree that it is unacceptable that no action was taken for 10 months following the outbreak control team's report of November 2001?

**Des McNulty:** I yield to nobody in my affection for Scottish Water's capacity to respond arrogantly to any criticism. It has failed in a variety of ways to respond on action that it should take.

How do we resolve the matter? A programme of regular updates of water information would help. We live in the world of the internet. Testing information could be updated daily and reports about water standards could be published quarterly. Why cannot we have that? Such information is provided in other parts of the world, but not in Scotland. Those measures would be fairly straightforward, simple and cheap.

People have raised issues about the process that led to the planning application for the water treatment plant in Milngavie. I have asked Ross

Finnie many questions about that because, like many people in Milngavie, I am concerned about the stories that we are being told and the information that we are being denied about the site selection process.

Questions about that process come not only from me. I will quote selectively from a report by Arup Scotland, which provided consulting engineers to examine the application for East Dunbartonshire Council. Its report says:

"The option finally chosen is one of the least robust, particularly in terms of cryptosporidium removal."

I firmly believe that we need a water treatment plant in Milngavie as soon as possible, but for goodness' sake let us put it on the right site, ensure that it does what it is supposed to do and take the people with us. We should protect the interests of the people of Milngavie and the public health of the people of Clydebank, Glasgow and the area to the north of the city. That is what we need to do.

Scottish Water has not listened. Talking to people about how to improve water quality is not rocket science. It could have been done much better; it has not been done well. I would like the minister to get hold of the situation, knock heads together—particularly in Scottish Water—and get a system that works up and running now.

15:34

**Bill Aitken (Glasgow) (Con):** The debate is important as it concerns an invaluable natural resource and the health of the people of Scotland. There is no doubt that confidence in the Scottish water industry took a severe knock in the summer months. The minister seems to be living rather dangerously these days; it is inappropriate that he and his officials should condemn people in Glasgow and Clydebank to do likewise.

Contaminated water has enormous implications for public health. If the negative effects of produce from animals that have consumed contaminated water are also incorporated, the situation becomes even more serious. Against that background, we require to review what has happened and to try to learn some lessons. I suggest that the way forward is not that outlined in the complacent and vaguely self-congratulatory motion that the minister has placed before the Parliament.

The events of the past month have caused considerable furore and a debate that generated more heat than light. However, let us examine the issue and consider how to move forward. One of the lessons that we must learn concerns communication. In May 2000, 90 people in Glasgow were affected by a water-borne infection that was thought to have come from Loch Katrine. An inquiry was ordered. In November 2001, the

minister received the appropriate reports and was warned that, following the outbreak, there was an on-going risk from the bug. At that stage, despite being advised by officials that the public should be told, he remained silent. I understand that in hindsight anyone can have 20:20 vision and that the minister did not want to be alarmist. However, in retrospect it seems that he took an unreasonable risk with the health of the people of the Glasgow area.

Most concern relates to the events of late July and early August 2002, when it became apparent that there was a serious difficulty and cryptosporidium was detected in the Mugdock reservoir. The problem was communicated in a woefully inadequate way. I welcome the fact that the minister has in no way attempted to shy clear of the unpalatable facts. However, perhaps we should consider how serious the problem was or could have been in some cases.

I received a complaint from one lady whose partner suffers from leukaemia and for whom the consequences of exposure to cryptosporidium could have been fatal. The lady who wrote to me is also immune suppressed and reckons that during the period concerned, which coincided with hot weather, she drank at least 10 pints of potentially contaminated water before being made aware of the risk.

A friend of mine who lives in Glasgow city centre was blissfully unaware of the difficulties, as was his girlfriend in the west end. Two large areas of the city had not been notified of the problem. We must learn always to be honest with the public. The system for warning people of difficulties must be much more comprehensive and professional.

I am not convinced that Scottish Water has learned its lesson. In a letter to Scottish Water, my colleague Annabel Goldie stated:

"It has been intimated to me that the recent outbreak was attributable not to general seepage and contamination of water between Loch Katrine and Milngavie but specifically to a flash flood in the Mugdock area which washed through fields over two protective walls and into a choked gully thereby backing up and flowing direct into the Milngavie Reservoir.

Apparently cryptosporidium is much more likely to occur in the spring and if the above account is accurate a much greater risk lies ahead."

Annabel Goldie wrote the letter on 19 August. On 26 August, she received a standard reply from Scottish Water that manifestly failed to address the issues that she had raised. To my mind, that shows a lack of professionalism and indicates that Scottish Water must examine the matter much more closely. There are real lessons to be learned from the outbreak.

15:38

**Nora Radcliffe (Gordon) (LD):** It would not be complacent for me to apply some common sense to the debate. We should remember that we are dealing with a water and sewerage infrastructure that was built by the Victorians and has suffered from decades of underinvestment. That investment deficit is beginning to be tackled with significant sums of money, but there are practical and physical limits to how much can be done and how quickly.

Scottish Water supplies water and the Scottish Environment Protection Agency monitors water quality. Public health departments use the monitoring information to decide when there is a public health hazard and appropriate actions are triggered. By and large, the system worked during the recent episode in Glasgow, although there was a major failure of notification. That demonstrates the difficulties of dealing efficiently with a long-standing and complex system of pipework and the exact mapping information that relates to it. Those difficulties are not surprising, given that the system has been handed over from regional water authorities first to three area water authorities and then to Scottish Water. Lessons must and will be learned from the episode.

**Bruce Crawford:** Will the member give way?

**Nora Radcliffe:** I must continue, as I am short of time.

In the debate about Scottish water supplies and public health, I would like to highlight the issue of private water supplies. Private water supplies do not come under the aegis of Scottish Water, but their safety and the health implications for the people who depend on them must not be overlooked. Aberdeenshire has 43 per cent of Scotland's private water supplies and a disproportionately high incidence of E coli infection, which is potentially more serious than cryptosporidiosis. With so much work needed to bring the existing public water supply up to the standard that we all want, resources to bring many of those users of private water supplies on to the public water supply are not available and will not be available for many years, if ever.

**Bruce Crawford:** Given what the member has just said, does she accept that there needs to be a re-examination of whether overall levels of investment are high enough to secure the improvements that we require in all Scotland's water, including private water supplies?

**Nora Radcliffe:** Levels of investment are quite rightly kept under continuous review.

I urge the Executive to do something to help users of private water supplies. There is technology to improve the safety of drinking water

from private wells or springs, such as an ultraviolet filter, which costs about £2,000 to fit. However, we have to remember that almost by definition many people with private water supplies live in remote and rural areas and many of them are on low incomes. I want the Executive to do something to help that group of water users by finding a mechanism that will enable grants to be made available for the fitting of ultraviolet filters to private water supplies to eliminate the danger of E coli, cryptosporidium and nitric contamination.

15:41

**Pauline McNeill (Glasgow Kelvin) (Lab):** I welcome the fact that the first debate after the recess is about the health of our water supply network. In the past, there has been a lack of concern about the quality of our drinking water, our drainage network and other related issues, such as the state of our beaches, which is also a public health issue. I acknowledge that, over the past few years, investment has been reviewed continually and the Executive has striven to meet improved standards. Many of those standards are set not by us but quite rightly by the European Union and it cannot be easy to adhere to all the many directives that relate to water.

I am particularly pleased that water remains in public hands and that ministers have acknowledged the need to reorganise the water industry to ensure that it stays in the public sector, although we know that we need massive investment in the infrastructure.

In the few minutes that I have to speak, I will emphasise what I believe are the lessons that need to be learned from the events of last month. As the constituency MSP for Glasgow Kelvin, I know that all my constituents were affected directly by the decision to put the area on cryptosporidium alert. It was a strange time for many people in Glasgow, who were used to the benefits of drinking water directly from the tap but were suddenly told that their water had to be boiled. The fact that that happened during the hottest days of the summer meant that it had a particular impact. Many people in the west end of Glasgow joked about drinking bottled water anyway, but the situation had a profound effect on everyone. The elderly and people with vulnerable immune systems, such as HIV and leukaemia sufferers, were particularly at risk. The precautionary measures that Scottish Water took were therefore absolutely right.

Pointing the finger of blame serves little purpose. It is of paramount importance that we ensure that we have learned the lessons and that we take action to rectify the problems.

The key issue for my constituents is how the information was communicated to the people who

were affected. I know that that point has not been lost, because others members have made it. Scottish Water said that the people of Partick were affected by the potential outbreak, but it was not specific about the areas around Partick, which is not necessarily a defined area. People in Yorkhill and Kelvingrove Park were affected, but they did not know that, because there did not seem to be detailed information from Scottish Water about the various communities that make up the west end of Glasgow. I want an assurance that that lesson has been learned, not just for my constituency, but for other members' constituencies.

**Bill Aitken:** I advise the member that, as a resident of Yorkhill, I got a notice, which I read on my return from holiday after I had drunk about two pints of water.

**Pauline McNeill:** Given that Mr Aitken is a constituent, I have to represent his interests.

Many MSPs will have found that the information that Scottish Water gave about their communities needed to be much more detailed, so that the message could have been communicated to all those who should have received it.

Over and above last month's incident, I have many other issues with Scottish Water. As an MSP for a land-locked constituency, little did I think that I would be dealing with flooding, but I had to in Byres Road—I am sure that members did not know about that—due to a burst water main that is more than 100 years old. I say that to make a point about the other sort of investment that Scottish Water needs. There is a need to modernise our drainage system. We must ensure that water is removed quickly from problem areas. For me, that demonstrates the need for an investment package to improve not only water standards but infrastructure.

I have listened to the criticisms that have been made by members from all parts of the chamber, but I was astonished by that made by John Scott, who suggested that the procurator fiscal should be asked to consider whether an offence has taken place. Constructive criticism is fair, but it is ludicrous to suggest that either Scottish Water or ministers acted criminally or wilfully.

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

**Pauline McNeill:** I do not think that I can.

**The Deputy Presiding Officer:** I ask Pauline McNeill to conclude her speech.

**Pauline McNeill:** I am sorry that John Scott will not be able to respond to my final point. He raised the issue of credibility, but the people of Scotland campaigned to keep water in public hands. Given the record of his party, I will not take any lessons about credibility from the Conservative party. Let us have constructive criticism.

15:46

**Michael Russell (South of Scotland) (SNP):** I pay tribute to my front-bench colleagues, particularly Bruce Crawford and Fiona McLeod, for their tireless work on the issue during the summer when they were involved with a particular incident and its consequences. I hope that the minister will listen as I address the serious, long-term issue of lead in Scotland's water.

Lead is a pernicious and cumulative poison. It is found in Scottish water for two reasons: through the use of lead solder and through the use of lead pipe or fittings. Even in the 21<sup>st</sup> century, people in Scotland are still being poisoned by lead in their water supply. Last year, a young girl in Larkhall was hospitalised as a result of lead poisoning. The fact that lead is a poison that has a cumulative effect over the long term makes lead poisoning difficult to diagnose. Many potential diagnoses are tried before one discovers, through extensive testing, that one is literally being killed by the water that one drinks.

Many people in the chamber will think that the problem is long past or is of small consequence and concerns only a handful of properties. However, the report by the drinking water quality regulator that was provided to us today tells the truth: at least 400,000 properties—possibly more—are affected. As the minister knows, the regulations that regulate the amount of lead in the water supply lead towards a cumulative reduction in the amount of lead in the supply. However, that could mean that the situation will worsen—in terms of numbers—over the next 10 years.

When I was alerted to the Larkhall case—largely through the actions of the SNP's north Clydesdale branch, which has been working hard on the issue—I wrote to every local authority in Scotland to seek information about the situation in their areas. Some authorities were opaque, some refused to give detailed answers, but some, to which I pay tribute and which come from across the political spectrum, indicated that they had severe problems.

I will quote briefly from one or two of the answers that I received. East Ayrshire Council estimates that it has problems with approximately 12,500 houses—that is an awful lot of houses. Given the money that the council can make available to do anything about those problems, it estimates that its lead replacement works will be completed by 2072. East Ayrshire is an exception, as most local authorities have solved the problems that existed in their housing stock.

However, there are still huge problems in private housing stock. Changes to regulations in 1998 meant that grants to replace lead are now means tested and the changes that are to be made to that

grant scheme over the coming year will make it even more difficult for people to get resources. Argyll and Bute has 2,906 affected houses, almost all of which are private. The grant that the council can give means it will be 290 years before it can eliminate lead in private housing.

There is a grave problem of persistent poisoning and it is a problem of which most people are unaware. Although water authorities replace lead piping on the supply into the house free of charge, piping within the house is the responsibility of the householder. The problem is not visible. People might have replaced a vast amount of the piping that they can see, but they might not have replaced all tanks or pipes that have lead solder, which they cannot see.

There is a problem with resources in each local authority. There is a problem with drinking water quality. It is a public health problem about which we have known for more than half a century. We now know that some of the explorers of the north-west passage were killed by lead solder in the food that they took. We must eliminate lead in Scotland. We know that it is damaging people and making them ill. There must be a campaign and resources must be provided. It is the minister's job to provide them. I ask him to respond to that demand today.

15:50

**Tommy Sheridan (Glasgow) (SSP):** I will address the minister's response. I remind him of what he said in reply to my question about the importance of the treatment plant at Mugdock. He said that obtaining the plant was "extraordinarily important"—he said that it was of paramount importance for public health.

The document "Initial situation report on public health issues with respect to water supply across Scotland" lists the high-risk water treatment works for cryptosporidium and includes Milngavie, which serves just under 700,000 citizens in Glasgow.

I am disappointed with what the minister has said so far. It is not often that I agree with Des McNulty, but I am compelled to agree with him today. Des McNulty was calling on the minister to intervene—at least, I hope that he was. The report's preamble tells us that the principle behind the ad hoc group of ministers on health and public water supply is that the issue should be driven by concerns about public health. We have a high-risk situation facing the citizens of Glasgow and we have a Scottish water authority that apparently chooses the cheapest and, according to many expert advisers, the worst of the 17 options for a water treatment plant. In those circumstances, I seek direct intervention from the minister.

It is being downright complacent simply to say, "We are waiting for an appeal." That appeal concerns the option that has been selected by Scottish Water, which is apparently the worst option. It will be six to 12 months before a public inquiry is held. Therefore, there will be a delay in excess of 12 months before a high-risk situation is addressed.

I appeal to the minister to set up a short-term committee of inquiry—a committee with a maximum duration of six weeks—to consider the options and to produce and implement a plan. When it comes to an issue of local democracy versus the public health of 700,000 residents of Glasgow, the public health of those residents comes first.

The minister's response to the concerns of the citizens of Glasgow is not good enough. Public confidence in our water supply is at rock bottom. The problem is that the minister is not doing enough to address that. I appeal to the minister to tell us that he will intervene directly, with the backing of the Executive, instead of adopting a Pontius Pilate approach and leaving the issue to the local authority. The public health issue is so important that it is necessary for the minister to go above the heads of the local authority.

**The Deputy Presiding Officer:** If Mary Scanlon and Bill Butler keep their speeches to three minutes, I will squeeze in a few other members.

15:54

**Mary Scanlon (Highlands and Islands) (Con):** As my speech comes late in the debate and many issues have already been raised, I shall be able to do so.

I will raise two issues. First, I want an assurance that the water that flows out of our taps is safe to drink and that there are adequate safeguards to protect public health. I would like such an assurance about the water in both the private and public sectors. Secondly, I ask the minister whether the provision of water and sewage treatment plants is sufficiently taken into account when planning applications are dealt with.

As I looked through some of my son's textbooks last night, I noted that in 1842 the secretary of the poor law commission recommended clean drinking water and the efficient removal of waste water as a means for promoting better health among the masses. One hundred and sixty years later, we are still looking for the same thing. Given that few of us are experts on water filtration systems, we look to the minister to ensure that the Executive works with the universities, public health bodies and Scottish Water to ensure that all the knowledge is applied.

Among all the mathematical equations, I notice that various systems can be used to remove 99.9 per cent of cryptosporidium. I also note that, in the report "Drinking Water Quality in Scotland 2000", the Executive promised to eliminate cryptosporidium by 2005. To pick up on Des McNulty's point, we need a progress report on that promise.

Will the minister also give us an assurance about chlorine? How is it known whether enough chlorine is used to purify the water? Is the minister absolutely sure about the levels of chlorine, which is potentially carcinogenic?

Given the problems that we have experienced in Strathspey this summer, will the minister also assure us that private water supplies are inspected? Paragraph 6.3 of the report "Drinking Water Quality in Scotland 2000" states:

"Local authorities should have procedures in place for ensuring that they are meeting the requirements of the 1992 Regulations."

Are those procedures now in place? Are they monitored in order to ensure that private water supplies are fit for public health?

Finally, I want to ask about a planning development in Aviemore. The development is for 500 houses, but there are already concerns about odours from the existing water treatment plant. Constituents have asked me whether such airborne odours are monitored and whether they are safe for public health. I know that that is not quite the issue that we are considering today, but people need to be reassured. Should not the planning permission for large developments take into account water and sewerage needs and the impact on the existing infrastructure? That should be done not as an afterthought, but as a priority before planning permission is given.

**The Deputy Presiding Officer:** Thank you. After Bill Butler, we will have time for two-minute snippets from Dorothy-Grace Elder and Richard Lochhead.

15:58

**Bill Butler (Glasgow Anniesland) (Lab):** Obviously, this is a serious debate on a serious subject. Despite the fact that the Executive's motion is on the bland side and could do with a little more critical analysis of the role of Scottish Water, I am minded to support it as it stands. It is obvious that there has been progress, but I will say a word or two about the pressing need to develop the most rigorous regime possible to protect and enhance the quality of drinking water so that public confidence is restored. There is no doubt about the fact that public confidence has taken a knock.

The recent outbreak of cryptosporidium in Glasgow was alarming. Although members will know that cryptosporidium is not usually life threatening, it is potentially life threatening to the young, the elderly and those with immune-system difficulties. It is therefore vital that, when the water system is found to be contaminated, the information should be disseminated as swiftly as possible. I am glad that Mr Finnie was frank in accepting that there were serious shortcomings about the dissemination of the necessary information from Scottish Water. He also accepted that a great deal of improvement was needed.

I agree with the minister that a significant and potentially harmful interval was allowed to elapse before the necessary public health information warning was relayed to all those who were affected. We had only to listen to Des McNulty's speech to know that that was the case.

The minister will know that, as the member whose whole constituency of Glasgow Anniesland was affected, I lodged a series of written questions on the cryptosporidium parasite on Monday 5 August. I presume that the answers to my questions, when I receive them, will mirror the minister's frankness today.

The second point that I want to make in the short time allotted concerns the recent decision by East Dunbartonshire Council to reject a planning application from Scottish Water for a new £100 million treatment works at Milngavie. That decision was—how can I put it?—disappointing to say the very least. I accept that it was a matter for the council, but public health should have more importance attached to it than should a potentially negative effect on the amenity value of reservoirs. Public health is paramount. For as long as there continues to be no such development, the threat to the health of the people of Glasgow and the surrounding areas will remain. That is completely unacceptable. When the minister sums up, I would like to hear some comments on that.

I look forward to Scottish Water taking the decision to appeal. The appeal matters on public health grounds. I hope that the minister will be able to give some indication of ways in which the matter can rapidly be resolved. The people demand that and they are right to do so.

16:01

**Dorothy-Grace Elder (Glasgow) (Ind):** It must be bizarre to someone from overseas to witness this debate and to think that Scotland—a country that many would consider to be over-endowed with water—cannot deliver safe water to Glasgow more than a century after the Victorians achieved a pure water system.

What has happened is almost incredible. We

were told that sheep were far too close to the lochside—but who owns some of those sheep, but Scottish Water? There is a device for removing sheep; it is called a sheepdog. No one needs to bother to contact Ross Finnie or the Scottish Parliament on that issue. However, the minister has still to spell out why the public was not warned first about the threat to their health. Why were doctors told first that they might expect more patients? Logic dictates that if you first tell the potential patients, they will not become patients. Will the minister assure us that, if anything goes wrong in future, the public will be told first? We need some honesty.

Pauline McNeill referred to drains and a burst water main in the west end of Glasgow. That incident was awful, but at least it was pure water. In the east end, after the flooding of 30 July, there was foul water that was filled with sewage. Perhaps Scottish Water has too many responsibilities; it is also in control of sewerage, which is a bad move. It cannot cope, and has been warned over a long period that the drains in the east end of Glasgow could not cope with normal heavy rainfall.

What happened on 30 July should not be written off as a so-called act of God; rather, it was an act of stupidity on the part of Scottish Water not to have already repaired those drains. The quango cannot pass the buck. It must accept responsibility for not repairing and reorganising its drainage system, which is still the Victorian system patched up. I appeal to the minister to consider removing the responsibility for drainage from Scottish Water. Control of the sewerage system should either be separated out or restored to local authorities which, overall, did a better job.

16:04

**Richard Lochhead (North-East Scotland) (SNP):** When we recall the discussions that have been taking place in Johannesburg, we should all remember that we are lucky in that most people in Scotland have access to drinking water. However, massive improvements are required because we would not otherwise have one report containing eight recommendations before us today, and another helpful report from the regulator.

I remind the chamber that the first and biggest outbreak this year of cryptosporidium was in the Aberdeen area, where there were 143 victims. Usually we would expect 60 to 65 cases in Grampian a year, but the recent outbreak left 143 victims in its wake. Most people will not know that, because no ministerial task forces were set up and the media did not cover the story because it was not in Edinburgh or Glasgow. However, it was a serious outbreak that caused a great deal of concern. The outbreak was identified at the end of



January, but not until early March was the potential source at Invercarnie treatment works, near Banchory outside Aberdeen, identified.

Grampian NHS Trust and the water authorities held a news conference on 11 March. It would be constructive for the minister to consider that case and turn his mind away from Edinburgh and Glasgow for a few moments to find out why the delay occurred. We are still waiting for the outcome of the case control study that was set up. I spoke to the Scottish centre for infection and environmental health this morning and discovered that we still, months after the outbreak, do not know the exact source.

That raises questions about rural supplies of water. Invercarnie, many other treatment works and the infrastructure in rural Scotland have lacked investment down the decades. The report that we received today was quite shocking. As MSP for North-East Scotland I was shocked to learn that 233,000 people in the Aberdeen area live in three of the seven high-risk areas for cryptosporidium. There are also 59 moderate risk areas—I do not know where they are, but I suspect that they are rural. Indeed, half of Aberdeen is in a high-risk area. I was previously unaware of all that information and I am sure that the people of Grampian were unaware of it, too.

I ask the minister to turn his attention to rural investment. I was speaking to someone who works in the operations side of the water industry in the north-east, who told me that his budget is a fraction of what it was in the 1980s. We know that the water authorities have been shedding staff.

Finally, it would be helpful if the north and north-east of Scotland were given a voice on the new board of Scottish Water, given that one of the members of the board lives in London. There is no one on the board from the north-east of Scotland, where the high-risk areas are.

**The Deputy Presiding Officer:** We move to wind-up speeches. I ask members to keep their remarks tight. It would be helpful if members could use less than their allocated time.

16:07

**Robert Brown (Glasgow) (LD):** This has been a rather better debate than I thought it would be when I heard the depressingly overblown speeches of Bruce Crawford and John Scott.

Water holds a special place in the consciousness of people in Scotland, which is odd, because as Dorothy-Grace Elder said, we have so much of it. People showed that water holds a special place when they voted in the Strathclyde referendum—suggested by Liberal Democrat colleague Christopher Mason a year or

two back—on keeping water in public ownership and control. People in Scotland want water in public ownership and control and they want good wholesome water.

However, let us get real about the current position—that is particularly important in relation to the Conservatives. Our problems arise not because of some action of the Scottish Parliament, the Scottish Executive, Scottish Water or even the Minister for Environment and Rural Development, but because of years of underinvestment by successive Governments in water and sewerage infrastructure. Indeed, there has been underinvestment in public assets in general. As Bristow Muldoon said, we could do with an absence of hyperbole, particularly from members of the Conservative party.

As long ago as 1992, the Scottish Office estimated that £5 billion of capital over 15 years was needed to comply with European directives. The Scottish Executive has committed £2 billion over the next four years to move a long way along the line to address that. It cannot happen overnight; it takes time for investment to take effect.

However, I go along with the representations that were made by several members about the need to make quick decisions about the Mugdock reservoir problem. That should not be a matter of overriding local opinion; local opinion involves several complex issues. As Des McNulty said, it is necessary to get the right decision in the right place at the right time. A key point about the Glasgow problem is that the monitoring arrangements that were necessary on an interim basis while investment was put in place worked—apart from the lamentable inability of Scottish Water to know where on earth its water goes to. Des McNulty and others made the point about regular information updates and so on. That must be taken on board.

I also want to mention the issue that Dorothy-Grace Elder touched on earlier, which is the experience of many people in the east end of Glasgow who suffered real and substantial damage. They were subject not to theoretical risk, which occurred as a result of the cryptosporidium issue, but to the flooding that occurred a couple of weeks earlier, which drowned their ground floors with flood water contaminated with sewage. To be frank, that is not acceptable in this day and age. It illustrates again the problems that we have with Scottish infrastructure on both these headings. The solution that Dorothy-Grace Elder proposed is not necessarily the right one, but I agree about the need to draw together the various interests of the council, Scottish Water and other people who are involved in the matter, with the aim of getting clear, quick and responsible decision making.

Dorothy-Grace Elder was right about that.

I want in passing to make a plea that the Executive consider the question of some sort of flood compensation scheme. The Executive should also consider how to encourage more people to take out insurance provision to avoid the extreme problems that were encountered during the recent floods. The issue that arose in the east end of Glasgow is not an isolated occurrence. The extremes of climate that we get increasingly in the modern world will come back again and again to haunt us in the years to come. We must look at the issue as a matter of priority and predominance.

Many good points have been made in the debate and I hope that the minister and his ministerial colleagues will take them on board. We do not want a repetition of the sort of problems that we had over the summer. That said, we have to put those problems into perspective and to deal with them by solving the underlying problems of lack of investment in water and sewerage, which have bedevilled us so much in recent years.

16:11

**Ben Wallace (North-East Scotland) (Con):** I agree with the previous speaker, who was certainly overblown on one thing only—that the debate on the state of Scotland's water was interesting. I remind Robert Brown that he should, when he talks about underinvestment, remember that the ad hoc group recognised that the investment made since 1990—including the investment made during seven years of Conservative Government—radically improved water quality. He should have been more courteous and at least acknowledged that fact, but then again, I doubted that he would.

Responsibility is at the heart of the debate. No member disapproves of the attempts that Scottish Water is making to better the quality of the water that it delivers. I do not question the Executive's aim of trying to ensure that we are in alignment with the European Union's directives and to try to better the delivery of water to people's homes. I repeat that the debate is about responsibility and, in particular, the minister's responsibility to take on board and to admit his failures. That is especially true in light of a report that dates back to November 2001. The minister must tell Parliament why he has singularly failed to implement many of the report's recommendations.

Des McNulty went on and on about Scottish Water. I agree with many of the points that he made, but it is interesting to note that he did not once connect what he said with the fact that the de facto head of Scottish Water is Ross Finnie, a minister who sits on the Cabinet of the Labour-Liberal Democrat Executive, and with whom the

buck stops. I will be looking to see whether Ross Finnie says in his summing up, "Yes. I was wrong. I made mistakes, but I take full responsibility for them." Ross Finnie takes the money for being a minister, so he must take what a minister gets if he wants to take on that responsibility. We must not let that fact slip from the minds of all the people who suffered over the summer.

It is Mr Finnie's duty, and that of the Executive, to protect public safety. Although I acknowledge that he has non-governmental organisations at arms length to do that, with duty comes responsibility. Some members suggested that the Scottish Conservatives would privatise the water industry. I say to Bristow Muldoon that the English consumer in England, with a privatised water industry, is better protected and has better consumer rights than has the Scottish consumer.

**Bristow Muldoon:** On the basis of that observation, can Mr Wallace confirm whether the Tories want to privatise Scottish Water? Will that form part of the Tory manifesto next year?

**Ben Wallace:** Mr Muldoon is right on cue. I will get to that point.

The consumer has the right to sue a private organisation or to move their investment. A shareholder has the right to put pressure on for the removal of the board. Which shareholder is going to stand up for people in the west of Scotland? Which shareholder is going to ensure that the management of Scottish Water is removed? In England, a public body regulates the private sector. In Scotland, a public body regulates a public industry. Guess who is involved? If one looks at the ad hoc group report, one will see that all five members of the group are ministers. They are regulating themselves and their self-interest is there to be seen. As a result, we will see the usual trait of the Scottish Executive, which is to say, "It was not my responsibility. It was the responsibility of an official or of someone else." That has gone on all the way back to the Scottish Qualifications Authority.

I do not think that we should privatise the water industry in Scotland at the moment. However, supporters of the EU—I am one of them—should look out. The EU wants to push the privatisation and deregulation of water and energy supplies, as it did with postal services. We can sit here until we are blue in the face and say that water will remain in the public sector, but that will not happen. It is no coincidence that the Executive has rearranged Scottish Water as an arm's-length company so that it now looks almost like a public limited company. The pressure is on and there is very little that anyone can do to stop that happening. Indeed, I wonder what Mr Muldoon will do in that case. Will he say that we should leave the EU? I remember that Labour opposed the privatisation of

the Post Office when Mr Blair went off to Brussels and agreed to the deregulation of postal services.

As a result, I doubt that the choice will be made in this Parliament. However, I know that when I lived in England and received water from an English water authority, I had lower bills, better consumer protection and better service. I knew whom to blame and they took responsibility. However, I fear that today we will see an Executive that will not take responsibility for its failure to act over the 10 months in question. As we see from the motion, the Executive has completely missed the point about why it let down people in the west of Scotland.

16:16

**Nicola Sturgeon (Glasgow) (SNP):** It must be said that the tale of the Glasgow cryptosporidium outbreak is one of ministerial incompetence and an almost negligent disregard for public health. Bruce Crawford and—I have to say—the *Daily Record* must take credit for doggedly scrutinising the minister's failings throughout the crisis and exposing them one by one. Without those actions, the public would never have known about them. As we now know, those failings do not just cover early August, but stretch back at least to November 2001.

However, I want to deal first with the events from 2 August to 8 August. As Fiona McLeod, Des McNulty, Pauline McNeill and other members rightly pointed out, the delay in getting accurate and reliable information to the general public was completely unacceptable. I will use a very human example to illustrate that point. A constituent contacted my office on 7 August. The lady in question is an insulin-dependent diabetic, and any minor stomach upset is likely to interfere with the control of her diabetes and to necessitate hospitalisation. On top of that, she had just been discharged from hospital after surgery and had two open wounds. It was Monday 5 August before she had any idea at all that there was a problem with the water supply and that it was not safe for her to drink the water or to bathe her open wounds in it. That is three days after the outbreak was confirmed and general practitioners were informed. Furthermore, she did not even live in Clydebank; she lived in the Glasgow area. Such a situation is totally unacceptable.

My experience underlines the inadequacy of information. Like Bill Aitken, I was one of the lucky ones; I was on holiday during the crisis. When I returned, I found through my front door a very helpful letter telling me that the boil water notice had been lifted, which was fantastic news. The only problem was that I had not received a letter telling me that the boil water notice had been implemented in the first place. There is no better

demonstration of the inadequacy of the information. Indeed, the handling of the whole situation was woefully inadequate.

What adds insult to that injury is that although the minister knew that an outbreak was likely, it appears that he did absolutely nothing about it. I understand that he wrote last week to Des McNulty to tell him that the outbreak was unfortunate, but not entirely unexpected—an understatement if ever there was one. The outbreak control team report from November 2001, which appears to have been gathering dust on the minister's desk for 10 months, told the minister that

"there is a risk of a future outbreak over the next five years until the treatment works at Milngavie is upgraded".

The OCT report made 18 recommendations that were designed to minimise such risk. Bruce Crawford ran through some of those key recommendations, one of which was that all livestock should be removed from Loch Katrine. I think that, earlier in the debate, I heard an off-the-record exchange between John Swinney and the minister in which the minister said that there were now no sheep at Loch Katrine. At this stage, I am happy to take an intervention from the minister to allow him to put that very important piece of information on the record.

**Ross Finnie:** Yes. The issue that Nicola Sturgeon rightly raises was about the existence of 17,000 sheep that West of Scotland Water had on the land it owns. Although West of Scotland Water indicated that it was removing those sheep, it is a matter of regret that until fairly recently there were 3,500 to 4,000—or possibly 6,000—sheep still there. As I understand it, as of this morning there might still be one or two strays there—and even the sheepdog that was referred to earlier—but there are, in effect, no more sheep on that site.

**Nicola Sturgeon:** I can update the minister. A statement that was issued by Scottish Water this afternoon confirms that there are still approximately 3,000 sheep left on the north shore. I suggest that the minister stop giving misleading information to the Scottish public and that he get on top of his brief so that he can provide the information that people want. He is doing nothing to restore public confidence.

**John Scott:** I thank Nicola Sturgeon for taking my intervention. In light of the recommendations in last November's report, does she agree that the situation amounts to due diligence not being shown, and that it might be reasonable for the procurator fiscal to consider the behaviour of Scottish Water?

**Nicola Sturgeon:** Diligence, due or otherwise, is not a word I would use in connection with the episode. However, in light of the information that I

have just shared with the Parliament, we still have a minister who is not sufficiently aware of the salient facts to be advising the Scottish public. That is a seriously worrying state of affairs.

Bruce Crawford ran through some of the other key recommendations that were ignored by the minister back in November 2001. Although the minister knew about that report, and a Scottish Executive representative attended the meetings, he did nothing about it. If that is not incompetence and wilful disregard for public safety, I do not know what is.

Let us look to the future. Throughout the crisis, the SNP made constructive proposals about how we can move forward. I will repeat two of them. First, the Transport and the Environment Committee should inquire into the adequacy of Scottish Water's investment plans. Given the wealth of information we have heard during the debate, that is essential.

Secondly, earlier today Ross Finnie seemed to be at pains to give the message that everything is now fine. It is not fine. We need legislation to ensure that, as in England, water suppliers can be prosecuted if levels of cryptosporidium in the water supply exceed a specified level. That is the least that people in Scotland have a right to expect.

I finish with a word about the controversy surrounding the treatment plant at Mugdock. I make my comments not only as a Glasgow MSP but as someone who lives in Glasgow. It is not acceptable that the Loch Katrine water supply is the only unfiltered supply anywhere in Scotland. I do not have time to go into the details of that controversy, but whatever it takes must be done to sort out that unacceptable state of affairs.

It has been a sorry saga. The minister has proved once already this week that he knows how to say sorry. I suggest that he lose no further time in saying sorry to the people of Glasgow. I support Bruce Crawford's amendment.

16:23

**The Deputy Minister for Health and Community Care (Mr Frank McAveety):** In time for reflection this afternoon, Monsignor Michael Conway quoted Sartre who said that

"Hell is other people".

After Nicola Sturgeon's speech, perhaps hell is another politician. I want to identify some key issues in trying to respond to some of her more extreme allegations about action that was taken by my colleague Ross Finnie, and by the Executive in general.

I thank Richard Lochhead for identifying the parallel between the debate and the concerns that have been raised at the Johannesburg summit to the effect that there is, in other parts of the globe,

no access to clean drinking water—a fact that results in some 10,000 deaths a day in Africa. Thankfully, because of the farsightedness of our Victorian forefathers and foremothers in Scotland, there is a recognition that, although we have a water supply that was designed for the previous century and which was ignored in the last part of the last century, problems have now been addressed through the combination of the Executive and a commitment to investment.

Critical issues have been raised this afternoon. The fundamental issue is how we communicate the message when we identify likely problems in the water supply. A number of members focused on the water supply that was affected in Glasgow and Edinburgh, and which was affected throughout Scotland, as Richard Lochhead pointed out.

We acknowledge that we must identify ways in which to communicate more effectively in future. The ad hoc group's report identified a number of recommendations that I believe will address many of the concerns that have been raised by members this afternoon. As Ross Finnie said, we have asked Scottish Water to explain why it missed out a number of individuals, particularly in the Clydebank area, when it was notifying the public about the water supply.

Unlike other members who may have been on holiday that weekend, I visited the Balmore premises of Scottish Water on the Saturday evening on which I first heard about the problem. I identified to those whom I met there the importance of trying to ensure that they addressed properly the complex problem of communicating with the public in Glasgow over that Saturday night and Sunday morning. Regrettably, they did not do that to the satisfaction of anyone concerned; we want to ensure that that does not happen again. Members can rest assured that we want no repeat of that weakness by Scottish Water. I acknowledge that Des McNulty and other members have been concerned in the past about Scottish Water's predecessor in that area—West of Scotland Water—and its failure to respond to concerns that were raised in previous incidents.

Depending on the information that is received about the quality of the water supply, health professionals are asked to assess the situation and make judgment calls. That is right and proper. It is not for Ross Finnie, for me as Deputy Minister for Health and Community Care, or for any other minister to determine that. The ad hoc committee report has identified ways in which we want to deal in future with those communication issues.

A number of questions have been raised about the quality of the water supply. Those questions were touched on in the most alarming contributions to today's debate, primarily by the

main Opposition spokesperson, Bruce Crawford. For the benefit of Parliament, I should explain that the overall number of THM failures in Scotland has been reduced because of increased monitoring of the water supply. Indeed, Bruce Crawford emphasised what my colleague, Ross Finnie, clearly said; we could compromise the quality of our water supply by not disinfecting the water, which would be in direct contravention of the WHO's clear recommendations.

We were asked why the ad hoc committee report asks for further deliberation on the Bouchier recommendations. We have done so largely because the Bouchier report is now four years old. If we had not done that, I am sure that the criticism from Nicola Sturgeon would be that we had not acted on a report from four years ago.

I would now like to address the key point. Information changes as scientific evidence is gathered. It is quite right and proper for my colleague, Malcolm Chisholm, to say that we want an update from Bouchier and that, taking into account scientific advances, we want to assess how accurate we can be in making recommendations about the water supply.

**Bruce Crawford:** During his speech, the minister has emphasised time and again the importance of communication. I accept that, but I would like to know on whose desk the outbreak control team report has remained since it was sent to the Executive in November 2001. Where has been the communication on that report? On whose desk has it lain and what happened to it when it arrived there?

**Mr McAveety:** I am absolutely delighted that Bruce Crawford has given me that overture to comment on the role of the outbreak control team's recommendations. The overall majority of those recommendations have been acted upon.

Over the past two and a half years, West of Scotland Water and Scottish Water have removed 17,000 sheep from the Loch Katrine catchment area. That is a considerable achievement. By 16 September, all but the strays and stragglers will have been sold, and no sheep will be on the shore head or the loch. Fencing proposals are also being developed in the catchment management plan that was produced by West of Scotland Water and Scottish Water to deal with access to the Loch Katrine water supply.

**Nicola Sturgeon:** Will the minister take an intervention?

**Mr McAveety:** I want to stress two more points before I take a further, perhaps heightened, contribution from Nicola Sturgeon.

On advice to consumers, we have identified recommendations 11 to 13 of the report. Bruce

Crawford and Nicola Sturgeon have tried to present the claim that no action has really been taken on the recommendations, so I want to stress exactly what has been done, in case Bruce Crawford has not enlightened the Parliament as to what has been done.

West of Scotland Water and Scottish Water have now addressed with their consumers the issue of a risk assessment of the area and they regularly discuss with the drinking water quality regulator and his team communication with major customers. In the light of the fact that Scottish Water was moving on the recommendation for the removal of sheep and on introducing more accurate and up-to-date monitoring arrangements, Greater Glasgow NHS Board thought that it would be inappropriate, and that it would cause public alarm, to address further public notification of the risks associated with cryptosporidium. The ad hoc committee's report has identified a number of measures to try to pull things together much more coherently. That shows that the Executive considers what happened in early August to be serious and that it wants to move forward.

On time scales, although Bruce Crawford claims—as I can hear from my left—that we should remove the livestock from Loch Katrine more quickly, I am sure that he would rush to me to complain about the impact of that on the market.

I want to deal with many other issues that have been raised. Ross Finnie said that it is important that we refer to what Bouchier claimed in 1998, which was that low concentrations of cryptosporidium in the water do not inevitably present an unacceptable health risk; however, we want to ensure that that information is up to date, which is why the ad hoc committee has moved the issue forward.

Members raised other important issues, including whether the investment measures are appropriate. The Parliament has in the past two years twice scrutinised the role of the water industry, first through the Transport and the Environment Committee's inquiry, then during the passage of the Water Industry (Scotland) Bill. Members have raised concerns about whether investment will address concerns that have been raised. We are trying to close the gap between here and elsewhere in the UK. I disagree with what the Conservatives said about the large-scale investment that is required for Scotland's water standards. Most serious analysts—including the Civil Engineering Contractors Association—estimate that the contribution that must be made over the next few years to address that will take almost 50 per cent of all contracts. It is recognised that we are moving as quickly as we can in respect of investment patterns.

On standards, which the SNP Opposition raised, Scottish drinking water, in all the monitoring that has been undertaken, has not even reached half of the standard that was produced for the English regulation. That is not a health standard—it is an industry standard. It is recognised that the monitoring that has been undertaken has shown up issues that our measures can address and deal with.

Many other issues have been raised that are important—for example, lead in water supplies, which was identified by the water quality regulator. Such issues are long term. Mike Russell identified the scale of the challenge that needs to be addressed and I hope that the Parliament can address the challenge through a variety of measures. Parliament's consideration of private sector housing next year may address some areas. In addition to that, investment is coming on-stream through the Housing (Scotland) Act 2001—there will be investment opportunities. I hope that the time scale that Mike Russell mentioned will be addressed. Substantial issues need to be monitored and progressed in the next few years.

There are substantial issues relating to private water supplies, particularly for members from the north of Scotland. The Presiding Officer is signalling to me and time precludes me from addressing much of the detail of that matter, but I would be happy to respond in writing on the issue.

The final and most important issue relates to what we should do next. Members have mentioned what we should do next in relation to the decision that was made by East Dunbartonshire Council. I agree that we should do something, but it would be remiss of ministers to make judgments about issues that are primarily the preserve of local government—which is right and proper. An assessment was made of Scottish Water's application and we are encouraging that organisation to make progress on how it responds to the council's decision.

**Tommy Sheridan:** Will the member take an intervention?

**Mr McAveety:** I would like to, because Mr Sheridan's name is included on a list that I have before me.

**The Presiding Officer (Sir David Steel):** No.

**Mr McAveety:** I have a motion, which was lodged on 4 October 2001 and signed by Fiona McLeod, Tommy Sheridan, Nicola Sturgeon, Michael Russell and others. It says that

“the Parliament is concerned at the plan by West of Scotland Water Authority to build Scotland's largest ever treatment works at the Milngavie Reservoir”

and that that would

“deprive the citizens of Milngavie and Glasgow of a much

loved and used public amenity in an area of outstanding natural beauty”.

No mention is made of the interests of citizens in the city of Glasgow, which were much commented upon by Mr Sheridan in his eloquent speech to the Parliament. Let us measure folk by what they do one month compared to what they did in the previous year or the year before that. I do not mind Ross Finnie, Malcolm Chisholm and Frank McAveety being judged on what we try to do in relation to the responsibilities that we have, but let us be consistent about what we say. It is okay for members to sign a motion in October 2001 and to change their opinion in the chamber this afternoon. That is fine. Perhaps members have learned from that and that is a good thing.

We want to move forward and try to ensure that the water supply in Scotland is worthy of this century. I believe that the Executive has taken measures to address the issue. Ross Finnie has identified ways in which, through his role as the Minister for Environment and Rural Development, he will deal with the issue. As the Deputy Minister for Health and Community Care, I am determined—with my colleagues in the health team—to ensure that public health is not compromised. I therefore recommend that members agree to the motion that has been lodged by Ross Finnie and the health team.

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

I have a point of order. Is not it the case, under the ministerial code, that a minister should, when he accidentally misleads the Parliament, take the earliest opportunity to correct himself? That situation may have arisen with regard to the removal of sheep from the shores of Loch Katrine, which has been discussed in the debate.

**The Presiding Officer:** I think that the member seeks to protract the debate. The ministerial code is not a matter for me; it is a matter for the First Minister.

## World Summit on Sustainable Development

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

Talking of the First Minister, I call on him to make a statement on his visit to Johannesburg.

16:36

**The First Minister (Mr Jack McConnell):** In June 2001, President Thabo Mbeki spoke in this Parliament. He said:

"I should like to believe that the Scottish Parliament respects the history of South Africa and wants to sustain the tradition and that those who represent the Scottish people will raise their voice and say, 'We cannot have an extraordinary situation of enormous wealth in one place and extraordinary poverty in another.'"

It therefore gives me great pleasure to report to Parliament today after representing Scotland and the United Kingdom at the world summit on sustainable development in South Africa. I had a clear set of objectives in mind when I decided to attend the summit, objectives that had a real relevance to our devolved powers and to Scots.

First, I wanted to embed our devolved Government's renewed emphasis on sustainable development. We have made progress in recent months. We have made sustainable development an integral part of this year's spending review, have massively increased our ambitions for the generation of electricity from renewable resources and have stated our intention to increase significantly the proportion of waste being recycled. That is important progress, but we must keep up the momentum. Scotland's engagement in the world summit helps us to do that.

Our second priority was to use the summit to further engage with South Africa on schools. Thirdly, we wanted to promote business links with South Africa, particularly on energy issues.

I am pleased to report to Parliament that, contrary to the predictions of complete failure, important international agreements were reached. I am particularly encouraged by the agreement on water and sanitation to halve the number of those without access to clean water and sanitation by 2015. Two million children die each year in developing countries from water-borne diseases. Delivering that target will be a huge undertaking, but one that is likely to make a significant contribution to reducing that appalling and avoidable death toll.

Progress was also made on promoting sustainable patterns of production and consumption, which is perhaps the most important element of global sustainable development policy. In Scotland, we will firm up our commitment in that

area when we announce our spending decisions on recycling. I was also encouraged by developments on adjusting the status of international environment treaties to give them equal status with World Trade Organization rules.

The biggest disappointment for me was the lack of clear targets on the promotion of sustainable energy. However, we will not let that discourage us from pressing ahead with our own ambitious target, announced by Ross Finnie only a few weeks ago, of 40 per cent of Scottish electricity generation coming from renewable resources by 2020.

When I attended the summit sessions, I heard the address of the President of Tuvalu, which is a small island state in the southern Pacific. It is perhaps the most exposed state in the world to the threat of global warming and the associated sea level rise. They are already feeling the effects. The President told us that, a few months ago, 10m waves swept across the main island in calm conditions and at low tide.

That brought home to me how important it is to drive forward with our renewables policy. We must do that not only because of the benefits for the people of Scotland and our economy, but because of our duty to take part in the collective effort to reduce greenhouse gas emissions and to help people who are much more immediately exposed than we are to the threat of global warming.

To maximise the benefits to Scotland of attending the summit, I took the opportunity to pursue a number of educational initiatives. I met again the South African Minister of Education, Kader Asmal, to follow through on our commitment to a pilot teacher interchange project. We agreed the basis for the initiative, the details of which will soon be announced by Cathy Jamieson. I also had the opportunity to address a United Nations Educational, Scientific and Cultural Organization conference on educating for a sustainable future, at which I set out our vision for Scottish education in that area. Those contacts are extremely valuable. They build on our strong links with South Africa through the interchange on our examination systems and other issues. Those links will continue and be strengthened as a result of our discussions.

The absolute highlight of my visit to South Africa was a visit to Banareng Primary School in Atteridgeville township in Pretoria. I met an outstanding and inspirational head teacher, Pauline Sethole, who has almost single-handedly turned around pupils' attendance and health by creating an edible curriculum, as she calls it. In this extremely poor area, the hot meal that the school provides is grown by the children in the school garden and is often the only meal that they get. The school is a real example of an eco-

school. I hope that the e-mail link-up with the Royal School of Dunkeld will be only the start of Scottish support for Banareng and other schools and that it will be a further boost to Scotland's important role in the development of eco-schools worldwide.

We made real progress with my proposal for Scottish Power, the Department for International Development and the Government of the Eastern Cape to explore the potential of a green energy project in the Eastern Cape. The aim would be to assist with access to new electricity supplies, to show local people the potential of renewable energy and to develop their operation and maintenance skills. As the United Kingdom's biggest developer of renewable energy, Scottish Power is well equipped to export its skill and expertise in developing and operating wind farms to the Eastern Cape.

I am grateful to the chief executive of Scottish Power, Ian Russell, for his personal commitment to the project. I had a positive meeting with Enoch Godongwana, the Minister for Provincial Treasury, Economic Affairs, Environment and Tourism in the Eastern Cape, who was enthusiastic about the project's prospects.

In Sasolburg yesterday, I saw at first hand an example of the existing links between Scotland and South Africa. I toured the Sasol plant, in which the products from the collaboration between the company and the University of St Andrews will be applied. I know that Sasol is hugely impressed by the talent and skills that are available in Scotland. I also made a point of meeting and listening to the local community in Sasol. Business and industry have historically been part of the environmental problem, and it is vital that we involve them in becoming part of the solution. In the long run, healthier communities benefit business too.

One of the things that has most impressed me about the past few days is the way in which the main Scottish players have a common agenda. I would like to place on record the excellent contribution of the Scottish civic delegation in sharing Scottish ideas and in learning from others. Our young earth champion, Stephanie Wiseman from Shetland, has learned a great deal from her experience and she has represented Scotland's schoolchildren extremely well.

The UK delegation worked together effectively. They kept us involved in the discussions and were open to our ideas. I pay credit to the British High Commissioner in South Africa and her staff. In particular, my thanks go to Brigadier Mike Raworth and Staff Sergeant Tony Myers, who guided the Scottish team smoothly through our busy three-day programme. That involved participating in the UK delegation and the summit; three meetings with South African ministers; three visits, which

were educational, environmental and economic; the development of three links, which were educational environmental and economic; and three speeches at major events. That was a worthwhile investment of time and it was extremely well organised.

The outcome of the summit will not generate the excitement of the Rio de Janeiro summit of 10 years ago, but no one should underestimate the challenge of reaching agreement among many nations with differing and sometimes conflicting aspirations. When I spoke as a guest speaker at the closing session of the youth earth summit in Soweto on Sunday, the passion of young people for a sustainable future was clear and unambiguous.

I hope that members will join me in affirming that we in Scotland will not shirk our responsibility. Within our devolved powers, we will take action to assist the UK in meeting its obligations. However, we must not see the targets and ambitions of this summit as maximum standards. I am determined that, here in Scotland, we will see them as the minimum contribution that we can make to achieving sustainable development at home and abroad. We can, we must and we will do more.

**The Presiding Officer:** I am going to have to turn a blind eye to the clock to allow members to speak on this statement.

**Mr John Swinney (North Tayside) (SNP):** Despite the disappointments of the summit, I am glad that the First Minister has been promoting an educational link in South Africa with the Royal School of Dunkeld, which is in my constituency. I know that it will be contributed to well by the pupils at that school.

I compliment the First Minister on the generally positive statements that he has made on the protection of the environment and on renewable energy. I have two questions for him on turning those statements into practical action.

First, should it be assumed, from the First Minister's support for ambitious targets for renewable energy, that the Scottish Executive is hostile to the construction of further nuclear power stations in Scotland?

Secondly, given the First Minister's obvious concern for the environment, will he confirm that the Scottish Executive will refuse the current applications for field trials for genetically modified crops?

**The First Minister:** We will base both those decisions on the scientific evidence that we collect, not just through the appropriate trials for GM crops, but through the evidence that we need about the future use of nuclear waste. I hope that, in asking interesting questions, Mr Swinney is not



seeking to move away from the considerable and important issues that were identified and agreed on at the summit, issues which the Parliament has some responsibility to tackle.

I was extremely disappointed yesterday—and I do not make this point lightly—to see in the *Daily Mail* Scotland's supposed national party criticising Scotland's attendance at the summit. If we are to grow as a nation with a devolved Parliament, we must stand up in the international arena as well as at home. I assure members that the parties in the partnership Government are determined to do that.

**David McLetchie (Lothians) (Con):** I have two questions for the First Minister. First, much of the progress that was referred to in the opening section of the First Minister's statement is simply a list of aspirations, ambitions, intentions and targets. It is apparent that the target of providing 40 per cent of energy from renewable sources by 2020 is not intended to include a contribution from nuclear power, to which Mr Swinney alluded. How can the Executive set a realistic target of 40 per cent—which the First Minister says is an ambition or intention of the Executive—before we have completed the nuclear energy review that will determine overall energy production in the UK?

Secondly, according to another target, it is the Scottish Executive's intention that, by 2006, 25 per cent of waste will be recycled. How does the Scottish Executive intend to compel local authorities, which provide collection and disposal services, to achieve that target? Will the Scottish Executive seek to override planning decisions that are made by local authorities that are adjudged to be hostile to renewable waste disposal projects? Will the Scottish Executive consider the national planning guidelines in relation to such projects and the way in which they are dealt with by local authorities? Does the First Minister believe that changes to the planning system are necessary if we are to achieve the ambitious targets that he is talking about?

Finally, I congratulate the First Minister on making a prompt report to the Parliament on his visit to the earth summit. It sets an important precedent that he has come back and accounted to a democratically elected Parliament for what he did in representing our country at that summit. Does he share my disappointment that there is little in the report of the summit on the importance of democratic institutions, free elections and good governance to achieving sustainable development and the alleviation of poverty?

**The First Minister:** I make it clear that the Executive decides its approach to the planning applications that it must determine on the basis of the evidence that it is presented with in each situation. We will continue to deal with such

matters in that way.

The new renewables target for Scotland of 40 per cent was set following extensive discussions with the industry, among others, to ensure that the target is achievable and realistic, so I am certain that it is. We started from the premise that we want the maximum amount of renewable energy generation in Scotland. That is why, regardless of decisions about other forms of energy, achieving the 40 per cent target for renewable energy generation is important for Scotland. If we could go higher, I would be delighted, but 40 per cent will be an excellent target for us to move towards in the next 18 years.

As Mr McLetchie knows, we collected local waste strategies from all Scotland's local authorities early in the year. The local authorities have bought into the national waste strategy that we have been compiling. That will be a realistic but ambitious examination of our need to recycle much more of our waste. Again, we will discuss that with the industries that are involved and with local authorities, which must do much of the work. I want local authorities across Scotland to achieve best practice in recycling policy and not simply to achieve the average.

Mr McLetchie's first point was on aspirations. There were many aspirations in the overall summit but, at the weekend, there was also much despair about the potential for not reaching an agreement. That despair was cast aside by those who worked hard on Sunday and Monday to reach final agreements, and that is to be welcomed, even if the agreements do not please everybody. In connection with the summit, our Prime Minister made important statements. When he announced new aid and confirmed existing aid for Africa on Sunday and Monday, he made it clear that he will pursue, with Thabo Mbeki in South Africa and with others, the importance of democratic reform throughout Africa. That is an important engagement by the British Prime Minister that has my full support.

**Nora Radcliffe (Gordon) (LD):** Will the First Minister's personal attendance in Johannesburg and his interaction with other delegates facilitate Scotland's participation in sustainable production and consumption initiatives? Will he cite any areas in which that might happen?

**The First Minister:** In my statement, I mentioned one or two such initiatives. It was important that the First Ministers of all three devolved Administrations—even if our badges described us as First Ministers of the United Kingdom, which was a bit of a slip by the conference organisers—formed part of the UK delegation to the summit. We all have environmental responsibilities and other related responsibilities, and it was right and proper that we

were involved in the decision making.

When in Johannesburg, it was important to take the opportunity not only to be at the conference and to engage with the UK delegation, but to follow through other initiatives. The schools initiatives, the development of links with the Eastern Cape and the ability to use Scottish technology, expertise and experience to good effect in South Africa, to learn from people there and to build the links that will educate our schoolchildren and schoolchildren there were important. The work that we—not just me, but other members of the delegation from Scotland and others—did in the past three days will make a serious contribution to sustainable initiatives in Scotland in the years to come.

**Elaine Thomson (Aberdeen North) (Lab):** I welcome the First Minister's statement on sustainable development and Scotland's contribution to that through the recently announced increased targets for the use of renewable energy. Does the First Minister agree that, to achieve those targets, the oil and gas industry, for example, should be encouraged to invest in developing new renewable energy industries that would provide Scotland with new industries and open up huge export opportunities for Scotland in countries that require access to renewable energy technologies?

**The First Minister:** I am very keen that all the companies that operate in the energy sector in Scotland should become involved in the development of renewables and in the safer and more sustainable production of other forms of energy. That is particularly important in the electricity generating sector, but it is also important across the board. Significant improvements have been made in recent years. Companies such as BP and Shell have engaged well with initiatives worldwide. Scottish companies and multinationals that operate in Scotland provide examples of good practice that we can use elsewhere to show what can be achieved.

Some companies that operate in Scotland and elsewhere have a bad record on the environment. Some do a minimum of partnership working with local communities. However, other companies set a good example. I want us in Scotland to shout from the rooftops about the good practice that exists here.

**Alex Neil (Central Scotland) (SNP):** In his statement the First Minister concentrated on the environmental side of the earth summit. The other major issue that was addressed at the summit was world poverty, which should concern all of us. World poverty is not a reserved matter, but a matter for all of humanity.

I have three questions for the First Minister. First, will he consider the proposal by Glasgow

Chamber of Commerce to establish the equivalent of a Scottish know-how fund, so that we can assist more directly those poor people of the world whom we can help?

Secondly, does he agree that it was disgraceful that the head of Government in the United States boycotted the earth summit, given that the US is responsible for 25 per cent of the world's pollution?

Thirdly, does he not think that the worst thing that could happen in relation to world poverty would be a US attack on Iraq?

**The First Minister:** Alex Neil referred to the establishment of a know-how fund. There are countless other possibilities. No matter what difficulties exist in Scotland and what challenges we face in our economy and society, we have a responsibility—especially in parts of the world in which historically we have played a mixed role in regard to development—to exchange know-how, experience and skills. I hope that we will continue to do so. Some of the initiatives that I have outlined today will contribute to that process. I welcome any other initiatives, from whatever quarter those come.

Before I went to the summit, I said clearly that I was disappointed that George Bush would not attend. However, I did not think that the absence of any world leader should stop the summit making progress. I am delighted that at the summit the other heads of states—and the representatives of the American Government who attended—got on with the business and ensured that targets were set, new initiatives were taken and an agreement was made that can take us forward. It would be wrong to assume that a summit must be perfect to be successful. This earth summit has taken us forward, and I hope that the next one will be even better.

**Bristow Muldoon (Livingston) (Lab):** I welcome the commitment that the First Minister has given on behalf of the Scottish Executive to achieving environmental justice internationally as well as domestically. It is clear that individuals, communities and Governments all have a role to play in pursuing that agenda.

The First Minister has indicated that businesses also have a role to play, particularly in relation to renewable energy. How does the First Minister intend to engage with the business community in Scotland to ensure that business is always part of the solution, rather than part of the problem?

**The First Minister:** We need to use the examples of best practice—not just in the energy sector, but elsewhere—to which I referred earlier. We are sponsoring research by Friends of the Earth Scotland into good neighbourhood agreements that may improve relationships

between companies and local communities. In the months to come we hope to make progress in that area.

One lesson that is as applicable to Scotland as it is to other countries is that community participation is central to sustainable development and environmental improvements. That point was made to me very strongly in South Africa. On Sunday, I was particularly impressed to meet a community leader in Soweto who has turned a wasteland that was a haven for crime, vandalism, drug taking and all kinds of other activities into an conservation area that is used for the voluntary support of 200 young people. He is keeping them off the streets, away from a life of crime, and involving them in a community regeneration project. Initiatives of that sort, which help young people to take responsibility for their community, augur well for the future both at home and abroad.

**Mr George Reid (Mid Scotland and Fife) (SNP):** Does the First Minister agree that a key element of sustainable development is the work of community groups, particularly women's groups, on projects for clean water, sanitation, public education and income generation? Will he therefore endorse and support any proposals by the development agencies in Scotland and Scottish churches and schools for a sustained programme of assistance to the people of the Eastern Cape, which in turn might be an important element in development education in Scottish schools?

**The First Minister:** Without committing myself to any proposals, I would welcome and be prepared to consider them. One of the things that I learned about when I was in South Africa was the potential that there appears to be in many rural villages for increasing dramatically their productive capacity and therefore their economic viability by ensuring that women do not spend hours every day carrying water to and from sources and milling crops.

There are interesting small-scale examples of technologies being used in the production of local goods. That releases women in the villages so that they can get involved in the education system and it increases substantially—sometimes by three or four times—the amount of butter, for example, that comes out of the village and is sold elsewhere in the region.

A lot of interesting projects are being carried out there, and although it is not one of our devolved responsibilities, I encourage Scots to become involved actively in those projects on a voluntary basis. They are making a difference and the aid agencies and voluntary organisations that are pursuing the projects throughout Africa and elsewhere are doing a fantastic job.

**Rhona Brankin (Midlothian) (Lab):** I am sure that I reflect the views of the majority of members in the Parliament when I congratulate the First Minister on his attendance in Johannesburg. Delivering on sustainability depends on interdepartmental working, but also, very importantly, on leadership from the top, which we have seen.

I want to ask about eco-schools specifically. I was interested in the First Minister's report on visiting schools that were involved in such projects near Johannesburg. Would it be possible to get in writing a report on the development of eco-schools projects in Scotland? I am sure that other members would be interested to hear about that and about how we as MSPs can make a contribution to such projects.

**The First Minister:** One of the reasons that I attended Banareng Primary School was that, at the same time, Cathy Jamieson was launching the eco-school in Dunkeld and announcing our acceptance of an invitation that we had received to take part in the international eco-schools initiative because of the work that has been done in many Scottish primary and secondary schools.

Stephanie Wiseman from Shetland, the young earth champion who is 12 years old, was in Johannesburg with me over the past three days. Her school was one of the early eco-schools in Scotland and, interestingly, it has arrangements for growing vegetables in its garden that are similar in principle to those in Banareng Primary School, although the weather and ground conditions are very different there. I have to say that her dancing was better than was mine.

It was clear to me this week that teaching young children, particularly in primary schools, about how they can ensure that their community becomes more sustainable, how they can make a difference in their community and worldwide and how they can learn skills that they can continue to use throughout their lives is possible not just in Scotland and South Africa but everywhere. I am sure that Cathy Jamieson would be delighted to submit a report to the Scottish Parliament information centre that would outline some of the initiatives that are taking place throughout Scotland today.

## Parliamentary Bureau Motion

17:04

**The Presiding Officer (Sir David Steel):** I apologise to the four members whom I did not call, but we are now well past the time for decision time and we have to deal first with Parliamentary Bureau motion S1M-3345, on the designation of lead committees.

*Motion moved,*

That the Parliament agrees the following designation of Lead Committee—

the Justice 2 Committee to consider the Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment No.3) 2002 (SSI 2002/328).—[*Euan Robson.*]

**The Presiding Officer:** No one has asked to speak against the motion, so I will put the question on it at decision time.

## Point of Order

17:04

**The Minister for Environment and Rural Development (Ross Finnie):** On a point of order, Presiding Officer. It has been drawn to my attention that I may have inadvertently given erroneous information to the chamber in the concluding stages of this afternoon's debate.

Nicola Sturgeon asked me directly whether any sheep were remaining on the Loch Katrine site. Given that the matter concerns me and that I had inquired into it, I responded in good faith that the sheep had been removed. She responded that she had received information from Scottish Water that there remained 3,500 sheep. As, obviously, I was concerned about that, I had the situation checked out. I understand that the correct position is that the final arrangements for the removal of those sheep are concluded but, regrettably, I should have added the information—which I should have had—that the sheep will not be sold until 16 September. I apologise to the chamber for not having the full information.

**The Presiding Officer (Sir David Steel):** That deals with Alex Johnstone's earlier point. The minister did the right thing.

## Decision Time

17:05

**The Presiding Officer (Sir David Steel):** I have four questions to put to the chamber as a result of today's business.

The first question is, that amendment S1M-3338.1, in the name of Bruce Crawford, which seeks to amend motion S1M-3338, in the name of Ross Finnie, on Scottish water supplies and public health, be agreed to. Are we agreed?

**Members:** No.

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

### FOR

Adam, Brian (North-East Scotland) (SNP)  
 Campbell, Colin (West of Scotland) (SNP)  
 Canavan, Dennis (Falkirk West)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Ewing, Dr Winnie (Highlands and Islands) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Fabiani, Linda (Central Scotland) (SNP)  
 Gibson, Mr Kenneth (Glasgow) (SNP)  
 Grahame, Christine (South of Scotland) (SNP)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Lochhead, Richard (North-East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McLeod, Fiona (West of Scotland) (SNP)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Quinan, Mr Lloyd (West of Scotland) (SNP)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Sheridan, Tommy (Glasgow) (SSP)  
 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)

### AGAINST

Aitken, Bill (Glasgow) (Con)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Davidson, Mr David (North-East Scotland) (Con)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Fergusson, Alex (South of Scotland) (Con)  
 Finnie, Ross (West of Scotland) (LD)

Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)  
 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, 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)  
 McCabe, Mr Tom (Hamilton South) (Lab)  
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)  
 McLetchie, David (Lothians) (Con)  
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 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)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North-East Fife) (LD)  
 Smith, Mrs Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Wallace, Ben (North-East Scotland) (Con)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)  
 Young, John (West of Scotland) (Con)

**The Presiding Officer:** The result of the division is: For 35, Against 78, Abstentions 0.

*Amendment disagreed to.*

**The Presiding Officer:** The second question is, that amendment S1M-3338.2, in the name of John Scott, be agreed to. Are we agreed?

**Members:** No.

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

#### FOR

Adam, Brian (North-East Scotland) (SNP)  
 Aitken, Bill (Glasgow) (Con)  
 Campbell, Colin (West of Scotland) (SNP)  
 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)  
 Ewing, Dr Winnie (Highlands and Islands) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (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)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Harding, Mr Keith (Mid Scotland and Fife) (Con)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Johnstone, Alex (North-East Scotland) (Con)  
 Lochhead, Richard (North-East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)  
 McLeod, Fiona (West of Scotland) (SNP)  
 McLetchie, David (Lothians) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Paterson, Mr Gil (Central Scotland) (SNP)  
 Reid, Mr George (Mid Scotland and Fife) (SNP)  
 Robison, Shona (North-East Scotland) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 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

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (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)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)

Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)  
 Gillon, Karen (Clydesdale) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, 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)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Quinan, Mr Lloyd (West of Scotland) (SNP)  
 Radcliffe, Nora (Gordon) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, Tavish (Shetland) (LD)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North-East Fife) (LD)  
 Smith, Mrs Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

**The Presiding Officer:** The result of the division is: For 50, Against 66, Abstentions 0.

*Amendment disagreed to.*

**The Presiding Officer:** The third question is, that motion S1M-3338, in the name of Ross Finnie, on Scottish water supplies and public health, be agreed to. Are we agreed?

**Members:** No.

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

**FOR**

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 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)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)  
 Gillon, Karen (Clydesdale) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (Edinburgh Pentlands) (Lab)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, 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)  
 Morrison, Mr Alasdair (Western Isles) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Radcliffe, Nora (Gordon) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)  
 Scott, Tavish (Shetland) (LD)  
 Simpson, Dr Richard (Ochil) (Lab)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North-East Fife) (LD)  
 Smith, Mrs Margaret (Edinburgh West) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Thomson, Elaine (Aberdeen North) (Lab)  
 Wallace, Mr Jim (Orkney) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

**AGAINST**

Adam, Brian (North-East Scotland) (SNP)  
 Aitken, Bill (Glasgow) (Con)

Campbell, Colin (West of Scotland) (SNP)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Davidson, Mr David (North-East Scotland) (Con)  
 Douglas-Hamilton, Lord James (Lothians) (Con)  
 Ewing, Dr Winnie (Highlands and Islands) (SNP)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (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)  
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)  
 Harding, Mr Keith (Mid Scotland and Fife) (Con)  
 Hyslop, Fiona (Lothians) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Johnstone, Alex (North-East Scotland) (Con)  
 Lochhead, Richard (North-East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 MacDonald, Ms Margo (Lothians) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 McGregor, Mr Jamie (Highlands and Islands) (Con)  
 McGugan, Irene (North-East Scotland) (SNP)  
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)  
 McLeod, Fiona (West of Scotland) (SNP)  
 McLetchie, David (Lothians) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)  
 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)  
 Robison, Shona (North-East Scotland) (SNP)  
 Russell, Michael (South of Scotland) (SNP)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Sheridan, Tommy (Glasgow) (SSP)  
 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)

**ABSTENTIONS**

Canavan, Dennis (Falkirk West)

**The Presiding Officer:** The result of the division is: For 64, Against 51, Abstentions 1.

*Motion agreed to.*

That the Parliament recognises the progress made over recent years in improving Scotland's drinking water quality; acknowledges that substantial investment in the water industry infrastructure and its operation is needed to increase further water quality standards and enhance the protection of public health, as identified in *Investment Priorities for Scotland's Water Authorities 2002-06*, and supports the continued implementation by the Scottish Executive, Scottish Water, regulators and NHS boards of the most rigorous regime possible in terms of monitoring, reporting and assessment of water quality.

**The Presiding Officer:** The final question is, that motion S1M-3345, in the name of Patricia Ferguson, on behalf of the Parliamentary Bureau,

on the designation of lead committees, be agreed to.

*Motion agreed to.*

That the Parliament agrees the following designation of Lead Committee—

the Justice 2 Committee to consider the Act of Sederunt (Fees of Solicitors in the Sheriff Court) (Amendment No.3) 2002 (SSI 2002/328).

## Emergency Services Staff

**The Presiding Officer (Sir David Steel):** The final item of business is a members' business debate on motion S1M-3327, in the name of Karen Gillon, on attacks on emergency services staff. As we are a bit behind time, I call Karen Gillon to open the debate immediately.

*Motion debated,*

That the Parliament condemns the mindless attacks against emergency services workers; recognises the vital role that fire-fighters, ambulance staff and police officers provide in supporting the local community and ensuring public safety, and considers that the Scottish Executive should take all necessary steps to ensure that the safety of all staff who work within the emergency services is safeguarded.

17:09

**Karen Gillon (Clydesdale) (Lab):** I thank members for their attendance and I thank those members of all parties—of whom there are 48 at present—for their support of motion S1M-3327. I welcome representatives of the emergency services to the chamber, including service personnel and members of their families.

I lodged motion S1M-3327 last week, following a mindless air rifle attack on a firefighter in Hamilton and a plea for the Parliament to act from a wife and a mother of two firefighters. If members had any doubt about the need for decisive action, they need look no further than today's *Edinburgh Evening News*, which shows that firefighters were ambushed again last night, in Edinburgh. As I came into the chamber, I was given a dossier by local firefighters detailing attacks that they have experienced.

What is most worrying about yesterday's attack in Edinburgh is that it appears that the gang of children started the fire deliberately to draw the crew out, so that they could assault the firefighters for their amusement.

During the fireworks show in Edinburgh last weekend, a group of about 30 youths attacked a firefighter and a paramedic, both of whom were assaulted and narrowly missed being hit by a rock that had been hurled at them as they walked to where a man lay stranded. They were acting as emergency services staff trying to save lives.

Such cases are not unique. Too often, we pick up newspapers or turn on the television to hear of mindless attacks on emergency services personnel. In Blackhill in Glasgow, 20 youths attacked a fire crew with knives, bricks, bottles and other objects and a firefighter was treated in hospital. In Parkhead, a gang of youths attacked a firefighter, who was injured. In Hamilton, a firefighter who was responding to an emergency



call to rescue a nine-year-old boy from a 20ft gully was shot with an air rifle and required treatment in hospital.

It would be easy to list more attacks and I am sure that many members have received similar reports of attacks in their constituencies. The purpose of motion S1M-3327 is to say with one voice that attacks on emergency services staff are unacceptable and must be stopped before they spread further, with the eventual result that emergency services staff will refuse to visit certain areas for reasons of their own safety.

Last week, I spoke to local firefighters about attacks. They told me about how the attacks affect them and how the situation has changed. Between 10 and 20 years ago, they expected to get verbal abuse or to have the odd stone thrown at them, when they went to put out a poorly located fire on bonfire night or when they went to turn off a water hydrant that local kids were playing under on a hot summer day. They tolerated such behaviour; it was unacceptable, but they put up with it.

Now they are frequently subjected to unacceptable behaviour involving bricks, bottles, knives and air guns. In the Highlands, the new game is to tape down the head of an aerosol can, to light it and to throw it at fire crews as they approach. Such attacks involving hit-and-run tactics are cowardly and are without foundation or provocation.

The crews who are subjected to such attacks are responding to emergency calls. They already have to cope with ever-increasing demands in relation to response times and they are hindered regularly by hoax or vicious calls. Now they come under attack more frequently. They are attacked simply for doing their jobs which, as we all acknowledge, they do exceptionally well. It is part of the job of firefighters to risk their lives, day in and day out, to save others. They enter burning buildings to take out victims. They understand that element of their job when they sign up to be firefighters and their families know it too. However, they do not sign up to the thugs' agenda, which means putting their lives at risk for the sake of another's cheap thrill or mindless kick at the system.

We are in a unique and privileged position that enables us to do all that we can to protect the people who play such a crucial role in our society. We must shatter the culture of acceptability that seems to surround the issue. We cannot continue to wash our hands by saying that the thugs are out of control and that there is nothing that we can do.

There have been 22 separate incidents in the Strathclyde fire brigade area in the past six months and there have been 20 incidents in the Lothians this year. That situation is clearly unacceptable. The figures show just how serious

the problem is becoming. The fire brigade and ambulance crews believe that violent incidents at work are under-reported and in both services a policy on violence at work has been adopted.

The statistics will never fully show the feeling of insecurity that crews must experience when they arrive at a scene. It is a testament to their professionalism that they are able to carry out their difficult work knowing that they could be attacked at any time for the sport and amusement of some moronic hooligan.

Strathclyde fire brigade already has a number of policies in place for the protection of crews. Risk assessment is done in line with the corporate safety policy. Any attacks are recorded and placed on a database, so that other brigade members can get the information. Perhaps that could be further improved by adding information to the brigade's website.

The most startling policy is contained in operational and technical note A12, which deals with minor disorders and civil disturbances. The note is a set of guidelines for crew on the appropriate action to be taken when they face situations. The guidelines include details on what kit should be worn and why firefighters should never work alone or leave appliances unattended. That is not always easy when firefighters are faced with a burning building containing casualties whom they have been trained to save. The note advises that look-outs should be posted on either side of the incident to inform the officer in charge of impending threats. Car doors should be locked while approaching or departing an incident. However, this is not the wild west. It should not be part of the role of firefighters to ride shotgun while attending to their duties. Firefighters are highly trained and highly skilled staff who are much better placed fighting fires than having to protect themselves from thugs.

Although my comments have focused on firefighters, many public sector workers face violence from the public simply for getting on with their jobs. We would not accept that in our line of work; we should not accept it for any other public servant. I firmly believe that the emergency services deserve action on their behalf by the Parliament. We need to look at the resources closely to ensure that the fire brigades are adequately funded to enable them to supply their staff with the appropriate safety equipment. We should also take action to install hidden closed-circuit television cameras where the emergency services believe that that would be in their interests.

We also need an effective programme of education to make the public aware of the consequences of such attacks. In particular, we need to make young people aware of what they

are doing. They need to understand that by taking out fire crews, or ambulance staff, or police cars, they may well place at risk the lives of innocent civilians and even those of members of their own family. We need to get to where those young people are. That might be in schools or in youth clubs, or we might even need to engage with the young people on the streets. The young people on the streets are perhaps the most difficult to reach, but we cannot use that as an excuse for doing little. We must get the message across.

It is also vital that the public who witness such attacks play their role by reporting these jobs to the police. Campaigning newspapers can play their part too in making these crimes unacceptable. At the end of the day, it is we and our constituents who could be waiting for the emergency vehicle to arrive. It will not arrive if it has been smashed up in a mindless act of violence.

Finally, it is most important that the courts ensure that they take strong and decisive action against this mindless thuggery. A clear message must be sent out that such behaviour will not be tolerated in our society. Today's message must be that the Parliament values all public servants and that we will not accept mindless thugs stopping them getting on with the vital jobs on which we all rely.

**The Deputy Presiding Officer (Mr George Reid):** There are 10 would-be speakers, so speeches should be kept tight.

17:18

**Shona Robison (North-East Scotland) (SNP):** I congratulate Karen Gillon on securing tonight's debate on her important motion. As Karen Gillon stated, we have an opportunity to send out the clear message that we will not tolerate attacks on our emergency services workers. Those workers go out at all times of the night to save people's lives, so it is intolerable that they should come under mindless violent attack during the course of carrying out their job.

Such attacks are becoming all too common. Figures released last year showed that there had been a dramatic rise in the number of assaults on ambulance personnel in Tayside. Throughout 1999, assaults on paramedic staff in Tayside totalled 16. However, in the first six months of 2000, the figure had risen to 22 and continued to rise.

That led to a debate on whether the Scottish Ambulance Service should copy the London Ambulance Service by providing crews with stab-proof and bullet-proof vests. Surely, things have not come to the stage where our emergency service staff must go out equipped with bullet-

proof vests. I hope that we do not have to see that day; sadly, it is having to be discussed.

Doctors in Dundee have to have a police escort to make out-of-hours calls because of fears for their safety. Last month, firefighters in Dundee faced a sustained attack by mindless young thugs—some as young as eight years old. That happened when the firefighters were attending a blaze in a scrap yard in the Hilltown area of the city. The blaze had been started deliberately to lure the fire service. If such attacks continue, it is only a matter of time before someone is seriously injured—as Karen Gillon says, that has already happened—or indeed killed. We must prevent that.

Our emergency services staff have a hazardous enough job without mindless thugs pelting them with stones and bottles. The lives of emergency services workers and members of the public are being put at risk. We need to hear today how the Scottish Executive will ensure the safety of those workers as they go about their crucial jobs.

Yes, education and resources are important, but we must also ensure that the law backs up emergency staff. Mindless thugs must be dealt with. They must face the full weight of the law. Indeed, their parents should perhaps face the full weight of the law. The current situation cannot continue.

17:21

**Bill Aitken (Glasgow) (Con):** I, too, congratulate Karen Gillon on bringing this matter to the chamber. We should thank her for doing so. Clearly, the matter is of the greatest concern.

People who are going about their jobs—especially when those jobs involve the saving of life and property—require to be protected. Of course, they should not have to be protected. They should be able to work without let or hindrance. However, as Karen Gillon has explained, we are seeing a sinister trend in which people who go to fight fires find themselves under attack. It would be bad enough if that happened spontaneously but, when a deliberate ambush is set up, it becomes a matter of even greater concern.

Unfortunately, this is yet another manifestation of the yob tendency in which unadulterated hooliganism, which has become so prevalent in the past year, goes unchecked. That cannot be allowed to continue. The trend manifests itself in other ways. For example, in high flats in Knightswood in Glasgow, workmen who were improving houses had to be withdrawn from the site because they were being pelted by missiles from the top storeys. Those workmen were trying to improve people's housing conditions but they

found themselves under attack. As we have heard, ambulance crews too have found themselves under attack. Is it not an appalling commentary on our society that it is sometimes necessary to place police officers on duty in hospital casualty reception areas? That is extremely worrying.

What are we going to do about it? Over the past year, the minister has heard a lot from me. My party has suggested some positive and direct plans. There is a degree of urgency. The Executive has to consider its policy on law and order and acknowledge that it is not working. The Executive will have to do something to protect people who are going about their jobs, trying to save lives but finding themselves under attack.

I suggest that those who are arrested and charged with offences of this type should not be charged with a summary complaint and should certainly not go to the children's hearings system. They should be charged on indictment so that they can face sentences from the sheriff courts of up to three years' imprisonment. That would send out a message that we will not tolerate this kind of conduct.

However, we have to look further into the matter. We have to find out what the parents of those who are involved in such actions are doing. Pictures have appeared in the papers that clearly identify the youngsters. What actions are their parents taking? What action is being taken to deter members of those families from behaving in this outrageous manner?

Karen Gillon is to be congratulated on raising this issue. It is highly topical and it is highly important. The Parliament and the Executive must respond and respond firmly—otherwise, this behaviour will continue. It is a matter of the gravest concern to everyone. Something must be done before a life is lost in the service of the community. It seems inevitable that a vehicle will come off the road or that someone will be struck by a brick or another missile. Effective action must be taken quickly.

17:24

**Angus MacKay (Edinburgh South) (Lab):** I thank Karen Gillon and congratulate her on securing the debate, particularly as several of the recent incidents have taken place in my constituency and involved my constituents.

In the recent past, I was lucky enough to have performed the role of Deputy Minister for Justice. In that context, I was able to work directly with representatives of the emergency services in a variety of ways. On the basis of that experience, I pay tribute to the hard work and dedication that those services perform day in, day out across Scotland. The evidence from decades of hard

work from that part of the public services is simple: those people save lives day in, day out.

As Karen Gillon mentioned, last Saturday my constituent Mr Crolla, a firefighter in Edinburgh, was attacked in the most cowardly manner while trying to help a member of the public who had got into difficulties. Mr Crolla and a paramedic colleague were attacked at the same time in Braid Hills. It can be argued—comments have been made by representatives of the emergency services and in some of the newspapers—that, as Braid Hills is an area of Edinburgh where increasingly large numbers of the public gather both at festival time to witness the fireworks and during the hogmanay celebrations, the site should be better managed in future. However, that does not detract in any way from the seriousness of the incident or the challenge that lies before us.

As Karen Gillon mentioned, in the past 48 hours in the Burdiehouse area of Edinburgh—again in my constituency—a fire was deliberately set in order to lure the emergency services into the area and attack them. The ingenuity, energy and enthusiasm shown by those who perpetrated the offence are clear. As I understand it, they removed bales of straw from nearby fields, took them into an underpass and set them alight in an area where that would cause maximum difficulty and where the efforts of the firefighters would be localised so that they would present readily accessible targets. Think what we could achieve if only that energy and ingenuity could be channelled into positive behaviour. However, that energy is not channelled into something positive—somehow those people are allowed to continue in such endeavours.

It is not just the emergency services that are suffering in that way. Recently, my colleague Sarah Boyack and I had a meeting with representatives of the bus drivers of Lothian Buses in Edinburgh, who have also been subject to a series of extremely cowardly attacks, including some that resulted in serious personal injury and even early retirement. Those bus drivers impressed on us in direct terms what such attacks are doing to their capacity to deliver a service across Edinburgh, in many cases to those who most depend on a secure bus service.

We can seek to take measures to mitigate such events. We could consider improving the safety film that goes behind glass in emergency vehicles in order to minimise the damage caused by smashed glass. We could consider mounting CCTV on emergency vehicles. All such ideas are laudable and should be considered. However, they tackle the symptoms of the problem rather than the cause. We must be clear about the cause, which is undoubtedly a youth disorder issue. Although I do not have any instant panaceas, we

must be unequivocal about recognising the challenge, which is one of youth disorder.

When I was Deputy Minister for Justice, I had a conversation with a senior police officer who said something that was very simple but for me was revelatory. We were talking about a particular issue and he said that I must remember, as many people forget, that policing can take place only by consent. If the public decide not to endorse the activities of the police, there is nothing that the police can do—they are outnumbered massively. That is a truth that extends to all the emergency services. They all operate by consent. Without that consent and with the behaviour that we have seen in Edinburgh recently, it becomes impossible to deliver emergency services.

We know that difficult negotiations on pay deals are taking place across the United Kingdom. I know some of the people who are involved in those negotiations—on both the trade union and employers sides—in Scotland. I do not want to comment on the detail of that. I know that there are people of good intentions on both sides who want to see a good service that is well delivered. However, we cannot expect those emergency services to recruit well, to deliver assistance when needed and to operate reliable emergency services if their staff face violent and reckless danger at work. If the violence continues, they will—rightly—seek to secure a pay premium to reflect that increased danger. Whatever other pay demands they make, I am sure that that will be part of the negotiations.

When men and women join the police, fire and ambulance services, they know that they face danger. Of course they join those services in order to earn a living to support their families and their communities, but they also do so in the spirit of public service. Every member should make it clear in their contributions today and hereafter that, if we do not take action as individuals and through our public institutions, we devalue their commitment and bravery.

17:30

**Mrs Margaret Smith (Edinburgh West) (LD):** First, like everyone else, I congratulate Karen Gillon on securing an important debate. The problem is serious: it affects every community in the country to a growing and worrying extent. It is important that we send a clear and unambiguous message from the Parliament today that such behaviour is utterly unacceptable. Colleagues have mentioned the article in tonight's *Edinburgh Evening News* of yet another callous and cowardly attack on firefighters in Edinburgh—the second attack in a matter of days.

Over the recess, I witnessed the great job that our firefighters do on the ground when I saw them

fight a fire at the Cramond campus in my constituency. Although it has not been proved as yet, that fire may prove to be another example of the growing problem of youth disorder.

We are talking not only about firefighters but about employees across many of our public sector services. We are talking about attacks on bus drivers, as Angus MacKay mentioned, nurses, firefighters, police officers, general practitioners, social workers and pharmacists. Those workers do their jobs in the face of violence, but they also do their jobs as representatives of each of those sectors to protect us, to provide a service to us or to ensure that lives are saved and enhanced. We owe it to them to ensure that we send out a clear message tonight and that we back up that message with action.

My first members' business debate was about violence against social workers. That was some time ago, but it continues to be true that welfare workers and nurses are four times as likely to be physically attacked as are other workers. We know from Royal College of Nursing figures that half of all nurses have been assaulted while on duty. I have spoken to nurses in sick kids hospitals who have been assaulted while trying to deal with sick children—how sick is that? Three quarters of social workers have experienced violence or abuse while doing their job and in Lothian and Borders, as we have heard, a growing number of attacks are taking place on fire service crews.

I welcome the draft guidance on violence and aggression in the national health service and the fact that the proposals allow health boards to withhold medical treatment not only from those who are violent but from those who threaten violence. We should not allow people to threaten violence or to verbally abuse staff—both should be equally unacceptable.

I ask the Executive to look again at a proposal that I have raised on many occasions, which is the possibility of introducing some sort of enhanced new offence of aggravated assault if the victim is an emergency services worker. I think that the police are given legislative protection through the Police (Scotland) Act 1967. I echo the point made by Bill Aitken and others that we should ensure that, if and when such incidents occur and people are caught and charged as a result, we should throw the book at them—we should give them the full benefit of everything that the justice system can fling at them. In cases where people have lost their lives or limbs, we should ensure that that factor is reflected in the sentences that people are given.

Behind that response lies the big problem of education. We have to tackle the reasons why kids are doing such things and why their parents are allowing them to go out and do them. What kind of

message are those kids being given at home about the role of the emergency services in our society and of the role of people who serve us all?

I urge the Executive to undertake a full audit across all the relevant services to ensure that we are doing all that we can. We can then redouble our efforts to protect the staff who protect us all. They deserve our support, whether that is given through better risk assessment and training or—in the case of social workers—through increased security measures. It may also be possible for security personnel to be present in accident and emergency departments or for CCTV, including the mobile CCTV units that Angus MacKay mentioned, to be used more widely. In addition, NHS community service personnel need to be able to have access to mobile phones to enhance their protection.

It is critical that we target the kids in the education and justice systems. We have no alternative but to use some of the resources that we want to be invested in front-line services to protect the delivery of services by front-line staff.

I thank Karen Gillon for giving us the opportunity to reiterate those points and to come together and speak with one voice in the chamber to ensure that the Executive addresses the problem across all the public sector services that have been highlighted this evening.

17:35

**Paul Martin (Glasgow Springburn) (Lab):** I, too, congratulate Karen Gillon on securing this members' business debate. She is right to say that the problem touches every community in Scotland. However, although the recent attacks in Blackhill in my constituency were well publicised, such attacks are under-reported. In areas such as Ruchazie, Springburn and Barmulloch throughout my constituency, there have been a countless number of attacks on emergency crews.

Margaret Smith made a number of comments that I want to echo. She pointed out that we are not just talking about emergency crews. As Bill Aitken said, housing staff are attacked daily as they try to find ways of improving local communities. We have to ensure that staff feel secure from attack and that we introduce legislation to deal with the matter. I support Margaret Smith's point that, given that an assault on a police officer is subject to the Police (Scotland) Act 1967, there is no reason why that legislation cannot be extended to cover anyone who provides a public service. The Scottish Parliament was created to consider Scottish solutions to such matters and the Criminal Justice (Scotland) Bill might provide us with the opportunity to find out whether we can introduce legislation to deal with the problem.

We should also examine whether the tenancy agreements that are in place in many communities such as Blackhill could be used to enforce action against those who perpetrate attacks. Anyone who wants to live in and be part of a community should contribute to that community. By their actions, some of the young people involved in the attacks are simply saying that they do not want to be part of a community. Introducing proposals to take action under the terms of tenancy agreements will send out a clear message that such attacks will not be tolerated. We must introduce measures to allow housing associations to take action in that respect.

Members have referred to the crucial issue of education. It is clear that attacks on emergency crews, council services staff and people who provide valuable public services do not impact positively on local communities. Shock tactics have often been used in educating young people and we must find innovative ways of informing and educating young people to ensure that they are aware of the consequences of their actions.

I hope that the minister will tell us about any possible proposals for legislation to deal with attacks on members of staff who deliver public services. I wonder whether he will also indicate his support for housing associations that might consider taking action against those who have clearly demonstrated that they do not want to be part of our community. We need to consider every course of action that we can take.

17:39

**Ms Margo MacDonald (Lothians) (SNP):** I want to follow other members and state my gratitude to Karen Gillon for putting this subject before Parliament. As legislators, we must realise that there is no quick fix to this problem. Paul Martin mentioned one or two legal remedies that might be sought, and I hope that the minister will comment on those suggestions.

The Parliament must create a framework of social, legal and other policies that might make it easier to change attitudes or behaviour. That is what we are trying to do. One or two other members have referred to the fact that this is not just a problem of firefighters, bus drivers or ambulance men; it is not even about a specific form of public disorder. It is a whole attitude towards or lack of social responsibility, and that cannot be changed overnight.

On the other hand, the Parliament provides the forum in which we discuss how we might tackle the matter. I add my remarks to those of Angus MacKay. He and I take the same approach to what is happening in Edinburgh. Both of us take a huge pride in the city we represent and we are horrified

that there are areas in the city where the fire service cannot go without a police escort. That is horrendous in social terms. It is also poor quality in operational terms when we know that the police do not have extra people lying around to accompany a fire truck. It is a waste of resources and money. I will keep my remarks short. We all share a sense of horror and a sense of urgency. We must start tackling the situation.

I regret to say that, in this instance, I disagree with something that the Executive has already decided, and that is to pack in public service broadcasting. I do not say that because I still have a family interest in that trade, but there is a role for the attitude-changing mechanism of television. If we know that children behave badly because of what influences them on television and in video games, then for goodness' sake, the good guys can start influencing them as well. If we think back 20 years to the anti-AIDS campaign that was run on television and in the mass media, we recognise that awareness can be raised quickly and we can do something to change attitudes. We will have to do that quickly.

I ask the minister to consider public service broadcasting. We cannot expect police and fire officers to visit every school in Scotland to start undoing the neglect of today's parents and grandparents in social education. I am part of the me generation and we are to blame in that we have not instilled in our children an understanding of the respect that is carried merely by being a public service worker. We have told them nonsense about having to earn respect. Nonsense! If someone is a firefighter or an ambulance man, they have already earned respect. Children have to learn the difference.

I did not mean to lecture too much, but it is off my chest now. We can hardly sit here and pontificate about how much we value public service workers, particularly firefighters, without saying—as Angus MacKay said—that we should consider how we prove that we value them through how we, as a society, reward them. I certainly believe that the Fire Brigades Union should be supported by the Parliament in calling for an independent inquiry into the worth of firefighters and their wage levels. We could do that as a Parliament. That is not going to upset anyone in London, is it?

As well as that, one or two of the suggestions that Margaret Smith made should be taken on board. They were practical remedies and I am happy to give them my support.

17:43

**Brian Fitzpatrick (Strathkelvin and Bearsden) (Lab):** Unanimity seems to be breaking out around

the chamber. That is important and it is particularly good that there is also unanimity in the commendations for Karen Gillon for securing the debate. As usual, her timing is impeccable. I make that as a serious point.

We are moving towards the anniversary of the mass murders on 11 September. If there was one good thing that came out of that—and I do not think that there were many good things—it was the reclaiming of the public sphere as a place for collective endeavour. We must reflect seriously on the reclaiming of the notion of public service and the reclaiming, in particular, of commendations for public service heroes.

Across the globe, we need to consider how we put substance around a lot of the rhetoric that was indulged in during the aftermath of those horrific events. That must be reflected in our treatment of our firefighters. What we are hearing—and I am sure that the deputy minister is hearing it loud and clear—is support for a campaign of zero tolerance of attack on public service and emergency workers.

There was a lot of sense in what my colleague Paul Martin said. I suspect that, saving the statutory provisions in relation to the police, any reasonable fiscals and sheriffs are already treating assaults or attacks on public sector or emergency workers as an aggravation. They certainly should be. If they are not doing so, they are failing.

I urge the minister to give serious consideration to whether we need to go further on that front and establish statutory charges in relation to the protection of emergency and public sector workers. We might consider using the vehicle of the Scottish Police Federation petition, presented by Mr Keil, on the use of saliva and blood as weapons of attack on public sector workers. A more wide-ranging consideration of such a provision would be a useful early exercise on the part of the Executive.

Karen Gillon mentioned a depressing dossier of attacks. We all know from our constituencies of individual instances that literally chill the blood and leave us feeling rather grubby about how we, as communities, do or do not react to what happens to people who are undertaking very difficult tasks. As Margo MacDonald said, we must seriously reflect on what our values are and how we instil in schoolchildren citizenship values and the notion that they have a sense of ownership of the public services. Paul Martin also pointed out that we must show tenants, owner-occupiers and others that there are responsibilities that come with living in communities, rather than people simply having the right to call on community services.

Like Margo MacDonald, I do not think that there are any easy solutions, and I certainly do not think that Karen Gillon suggested that when she lodged

her motion for debate. However, there is an urgency that must be addressed. We must put meat on the bones of our concerns about public sector workers. The Parliament exists to ensure that such concerns are articulated into policy that is delivered and acted upon.

17:47

**Robert Brown (Glasgow) (LD):** There are occasions when this Parliament speaks with one voice on major public issues. Tonight has been one of those occasions, started off by Karen Gillon's inspirational speech at the beginning.

There are few things more nauseating than attacks on public service workers, in whatever sphere, who are going to help other members of the public. It is right that the wider dimensions of the problem have been debated, and I would like to cite a couple of statistics. In 2000-01, firefighters attended 39,000 fires that had been deliberately started, and which resulted in 11 deaths and more than 400 casualties. In the same year, more than 4,000 motor vehicles were deliberately set alight, according to a report by Her Majesty's chief inspector of constabulary and Her Majesty's chief inspector of fire services for Scotland. The average bus in Glasgow has its windows smashed eight times a year, and more than 160 people were injured while travelling on First Bus buses in Strathclyde last year. Vandals also caused £1 million of damage to buses.

As Angus MacKay and other members have said, the problem goes wider than emergency vehicles. However, I would like to add my voice to the call for the attacks on emergency service workers to be regarded as an aggravated offence. As Brian Fitzpatrick said, that happens already with regard to the way in which the judiciary deals with the problem. Children under 16 would usually appear before a children's panel and might get off with a warning. I do not think that there should be any circumstances in which a significant attack on an emergency worker does not result in a report to the panel and in the matter being dealt with seriously.

Whatever else one might say about emphasising care and the needs of the individual—which is perfectly valid—that must be balanced by the greater public issue of how we can stop such attacks happening in the first place. I say that as one who has often spoken in Parliament in a much more liberal fashion, in distinct opposition to the line taken by Bill Aitken.

Margo MacDonald was right to mention attitude changing. I am thinking about drink-driving. In my youth, people came up to me, as a lawyer, and discussed how they could avoid being breathalysed and caught for drunken driving. That

situation has changed. It is no longer cool to be a drunken driver. Attitudes have changed.

We must draw together all appropriate mechanisms. There must be rapid on-the-spot responses to such incidents. People who do such things must be targeted. We must consider the system that has been used in England with the bus services and try to draw together all the agencies with their accumulated wisdom and ideas in local areas. The message from the Parliament is that action must be taken quickly and effectively and such behaviour must stop—there are no two ways about it.

17:51

**Linda Fabiani (Central Scotland) (SNP):** I apologise to Karen Gillon for not signing her motion. That is not because I do not fully agree with the motion; it is because I pressed the wrong button on my computer. It is probably just as well that I do not work in the emergency services.

I am sorry that Paul Martin has left. I did not want to intervene during his speech, but I cannot let some of his remarks pass. Criminal behaviour is criminal behaviour and it is up to the police to deal with it. It is not up to housing officers or voluntary members of management committees to deal with such behaviour and we should never change that.

In general, I agree with what members have said, but I add that we cannot over-emphasise the importance of our emergency services. Margo MacDonald is absolutely right. The issue concerns attitude change. There should be respect towards those who work in our emergency services and attitude change should be promoted through every layer of society. Respect must start from the top. It must start from the Government and those who are in power in countries that employ emergency services.

The worth of workers in emergency services must be reflected in working conditions. Such conditions include pay—Margo MacDonald and Angus MacKay have spoken about that—but they also include the health and safety of workers and the conditions under which they work. We should ensure that they have up-to-date equipment with which to work. Some firefighters have said that the uniforms and equipment that they use are not as state of the art and up to date as they should be. We should consider resources.

I want to discuss the ambulance service in the area that Karen Gillon and I represent. Through parliamentary questions that have been lodged, she will know about the state of the ambulance service in Lanarkshire. In East Kilbride, almost half of the shifts are not covered and single crews go out to emergency calls. What kind of working

conditions are those, given that there are attacks on emergency staff? Single ambulance men are sent out to deal with emergency calls. We must deal with that issue. For the Executive to say that that is the Scottish Ambulance Service's problem is not good enough.

We must respect our fire, ambulance and police emergency services. Society must be shown that they are respected through Governments' taking some responsibility. I hope that the minister will deal with that in winding-up.

17:53

**The Deputy Minister for Justice (Dr Richard Simpson):** I, too, congratulate Karen Gillon on securing the debate for the first meeting of the parliamentary year. It is appropriate and I feel privileged to be the minister who will answer.

The Executive is concerned about attacks on all emergency services workers and I join members in totally condemning such attacks. We want those who are involved to be apprehended by the police and dealt with firmly by the appropriate body, whether by children's hearings or courts. I take the point that reports should go to children's hearings on such matters. The youth justice action points should encompass that area—I will return to that issue later.

Members have mentioned the fact that the public have a key role. The public—not least parents—must recognise what is happening and help to address the problem. Where are parents when children are out creating mayhem? What is happening in that situation? Are the parents having the problems addressed that are being created by those young people? As members have said, it is often very young people who are creating the problems.

Angus MacKay was Deputy Minister for Justice and was succeeded by Iain Gray. Angus MacKay referred to the attack in Braid Hills, which was particularly unpleasant. Other members have referred to a variety of attacks in their constituencies. We are all aware of what is going on. It is unacceptable, wherever it takes place.

I will go to the east end of Glasgow to see the crew that were involved in the attack a few weeks ago. I will make it my business to publicise our condemnation and the Parliament's condemnation of the attacks.

The situation is certainly not getting better. The issue of attacks on firefighters was recognised by Lord James Douglas-Hamilton, who formed a working party to examine the issue of protection from assault for emergency workers in 1996. That has led to several changes, particularly in relation to the police but also in other services. Those

changes include the recording of attacks on police, the introduction of better clothing for police and the introduction of CS spray, which is now universal across all forces. Perhaps a result of those changes is illustrated by the fact that the number of attacks on police has gone down. The figure of 8,600 attacks in 2001 was a decrease from 10,000 the year before. There is a slight rise in the figure this year, but that is nevertheless a fairly significant drop. That drop may or may not be associated with CS spray.

Many steps have been taken as a result of the working party's report, but more needs to be done. Good practice on protection from assault, information about potential trouble spots and procedures for dealing with specific problems, such as contamination from hypodermic syringes and training techniques on means of dealing with aggression, are being introduced across many of the services to which members have referred.

One of the steps that was taken, to which members have referred, concerned strengthened glass. Paragraph 3.3 of a circular that was issued in 1997 stated that all new appliances should be fitted with the appropriate safety glass and that, where possible, there should be retrofitting of other vehicles, although it was recognised that that would be expensive. It also stated that the equipment in the firefighting unit should be properly locked and lockable. However, this is about people rather than machines. If machines are damaged that is one thing, but damaging people is totally unacceptable and must be addressed.

Margo MacDonald said that there is not a simple, one-off solution. We will not give up on public broadcasting, but we will consider it and focus it. We will assess its value and impact, and ensure that it is properly focused. We are bringing in youth schemes and evaluating schemes that already exist. We are using a proportion of our community fire safety budget to assist brigades to tackle related issues such as juvenile fire setting, which has been mentioned, the discouragement of hoax calls—which are unacceptable in all the public services—and to carry out other work with schools. I learned the other night, when I was out with my local police in Tullibody in my constituency, about the school watch scheme that operates round each school in our area because of arson attacks on schools. I am sure that other members could refer to that issue.

I am sorry that Paul Martin has left the chamber. He referred to anti-social behaviour generally and the links to neighbourhood schemes. My feeling is that we need to have a sense of the fact that the firefighting service and other emergency services are the community's services. They are owned by and belong to the community. If communities



understand that, we will be able to transmit to young people that their behaviour is unacceptable. Restorative justice approaches are one way in which young people can be shown the consequences of their sometimes apparently harmless disorder, such as throwing stones. They think that that is fun but it is not fun; there are victims. We must help them to address that. Let us be sanguine about the matter; there are children who are particularly difficult to get to.

The saddest aspect of the matter, to which many members have referred, is that it is not just the firefighters that are subject to attack. It is also the police, ambulance drivers, accident and emergency workers, social workers, bus drivers and railway drivers. All those groups are subject to attack. That is unacceptable.

My son works in an accident and emergency department. He has described to me in graphic detail attacks that have been made on him and on the nurses with whom he works. He is abused almost daily in accident and emergency. That did not occur to nearly the same extent when I practised in accident and emergency.

Last year, HM fire service inspectorate began the process of requiring brigades to submit details of the number and type of attacks. Until we know the extent of the problem, we cannot gauge how to respond and we cannot see whether, as members feel, the problem is developing or whether it has been with us for some time. I mentioned that the figures for attacks on police have fallen slightly. There were 176 attacks on ambulances in 2001 and 181 attacks in 2002. Those figures show a slight rise, but they are fairly stable. Ninety-six patients were removed from GPs' lists because of violence. We have heard about the figures for attacks on the Lothian and Borders fire brigade. We are collecting statistics for a purpose. When we get the statistics, we will decide how to address the issue in individual areas.

There are policies and procedures for health and safety, risk assessments and operational technical notes for civil disturbances and minor disorders—to which Karen Gillon referred—and briefings with the aim of providing crews with information on operational risks, which include the potential for violent attacks. There are also community safety initiatives to bring young people on board by way of fire cadets and other measures.

The debate has shown once again that the Parliament is serious in its intent. I will examine the work of Lord James Douglas-Hamilton's working party, check whether its recommendations have been fully implemented and consider whether further measures are necessary. In due course, I will report back to members on how we are making progress in dealing with this element of youth disorder. I commend members on the debate.

*Meeting closed at 18:02.*



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