

MEETING OF THE PARLIAMENT

Thursday 14 November 2002
(*Morning*)

Session 1

£5.00

© Parliamentary copyright. Scottish Parliamentary Corporate Body 2002.

Applications for reproduction should be made in writing to the Copyright Unit,
Her Majesty's Stationery Office, St Clements House, 2-16 Colegate, Norwich NR3 1BQ
Fax 01603 723000, which is administering the copyright on behalf of the Scottish Parliamentary Corporate
Body.

Produced and published in Scotland on behalf of the Scottish Parliamentary Corporate Body by The
Stationery Office Ltd.

Her Majesty's Stationery Office is independent of and separate from the company now
trading as The Stationery Office Ltd, which is responsible for printing and publishing
Scottish Parliamentary Corporate Body publications.

CONTENTS

Thursday 14 November 2002

Debates

Col.

CRIME	12319
<i>Motion moved—[Michael Matheson].</i>	
<i>Amendment moved—[The Lord Advocate].</i>	
<i>Amendment moved—[Lord James Douglas-Hamilton].</i>	
Michael Matheson (Central Scotland) (SNP)	12319
The Lord Advocate (Colin Boyd)	12323
Lord James Douglas-Hamilton (Lothians) (Con)	12326
Donald Gorrie (Central Scotland) (LD)	12328
Richard Lochhead (North-East Scotland) (SNP)	12330
Paul Martin (Glasgow Springburn) (Lab)	12332
Phil Gallie (South of Scotland) (Con)	12333
Mr Keith Raffan (Mid Scotland and Fife) (LD)	12335
Mr Kenneth Gibson (Glasgow) (SNP)	12337
Pauline McNeill (Glasgow Kelvin) (Lab)	12339
Mr Duncan Hamilton (Highlands and Islands) (SNP)	12341
Elaine Thomson (Aberdeen North) (Lab)	12343
George Lyon (Argyll and Bute) (LD)	12344
Bill Aitken (Glasgow) (Con)	12346
The Deputy Minister for Justice (Dr Richard Simpson)	12348
Christine Grahame (South of Scotland) (SNP)	12350
POINT OF ORDER	12354
POVERTY	12355
<i>Motion moved—[Mr Kenneth Gibson].</i>	
<i>Amendment moved—[Ms Margaret Curran].</i>	
<i>Amendment moved—[Mrs Lyndsay McIntosh].</i>	
Mr Kenneth Gibson (Glasgow) (SNP)	12355
The Minister for Social Justice (Ms Margaret Curran)	12359
Mrs Lyndsay McIntosh (Central Scotland) (Con)	12363
Robert Brown (Glasgow) (LD)	12365
Colin Campbell (West of Scotland) (SNP)	12368
Trish Godman (West Renfrewshire) (Lab)	12369
Mr David Davidson (North-East Scotland) (Con)	12371
Mr Lloyd Quinan (West of Scotland) (SNP)	12372
Ms Wendy Alexander (Paisley North) (Lab)	12374
Mr Keith Raffan (Mid Scotland and Fife) (LD)	12375
Ms Sandra White (Glasgow) (SNP)	12377
Mr Tom McCabe (Hamilton South) (Lab)	12379
Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD)	12380
Bill Aitken (Glasgow) (Con)	12382
The Deputy Minister for Social Justice (Hugh Henry)	12383
Linda Fabiani (Central Scotland) (SNP)	12385
BUSINESS MOTION	12388
<i>Motion moved—[Patricia Ferguson]—and agreed to.</i>	
The Minister for Parliamentary Business (Patricia Ferguson)	12388
Fiona Hyslop (Lothians) (SNP)	12389
PRIVATE SECURITY FIRMS (REGULATION)	12391
<i>Motion debated—[Johann Lamont].</i>	
Johann Lamont (Glasgow Pollok) (Lab)	12391
Mr Kenneth Gibson (Glasgow) (SNP)	12393
Lord James Douglas-Hamilton (Lothians) (Con)	12394
Paul Martin (Glasgow Springburn) (Lab)	12395
Donald Gorrie (Central Scotland) (LD)	12395
Mr Tom McCabe (Hamilton South) (Lab)	12396

Bill Aitken (Glasgow) (Con)	12397
Tommy Sheridan (Glasgow) (SSP)	12398
The Deputy Minister for Justice (Dr Richard Simpson)	12399
QUESTION TIME	12403
FIRST MINISTER'S QUESTION TIME	12419
NATIONAL CULTURAL STRATEGY	12427
<i>Motion moved—[Mike Watson].</i>	
<i>Amendment moved—[Michael Russell].</i>	
<i>Amendment moved—[Murdo Fraser].</i>	
The Minister for Tourism, Culture and Sport (Mike Watson)	12427
Michael Russell (South of Scotland) (SNP)	12432
Murdo Fraser (Mid Scotland and Fife) (Con)	12435
Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD)	12437
Mr Kenneth Macintosh (Eastwood) (Lab)	12440
Linda Fabiani (Central Scotland) (SNP)	12442
Mary Scanlon (Highlands and Islands) (Con)	12444
John Farquhar Munro (Ross, Skye and Inverness West) (LD)	12446
Rhona Brankin (Midlothian) (Lab)	12447
Colin Campbell (West of Scotland) (SNP)	12448
Karen Gillon (Clydesdale) (Lab)	12450
Donald Gorrie (Central Scotland) (LD)	12451
Alex Johnstone (North-East Scotland) (Con)	12453
Irene McGugan (North-East Scotland) (SNP)	12454
The Deputy Minister for Tourism, Culture and Sport (Dr Elaine Murray)	12456
PARLIAMENTARY BUREAU MOTIONS	12460
<i>Motions moved—[Euan Robson].</i>	
DECISION TIME	12461
FIREWORKS (LICENSING SCHEME)	12475
<i>Motion debated—[Shona Robison].</i>	
Shona Robison (North-East Scotland) (SNP)	12475
Mr Tom McCabe (Hamilton South) (Lab)	12477
Mr Gil Paterson (Central Scotland) (SNP)	12478
Robin Harper (Lothians) (Green)	12479
John Young (West of Scotland) (Con)	12480
Dr Sylvia Jackson (Stirling) (Lab)	12481
Dorothy-Grace Elder (Glasgow) (Ind)	12482
Donald Gorrie (Central Scotland) (LD)	12484
Ms Sandra White (Glasgow) (SNP)	12485
The Deputy Minister for Finance and Public Services (Peter Peacock)	12486

Oral Answers

Col.

QUESTION TIME

SCOTTISH EXECUTIVE	12403
A9 (Dual Carriageway Status)	12403
Credit Unions	12416
Drugs Courts.....	12406
Education (Five-to-14 Curriculum).....	12410
Education (Head Teachers).....	12409
Football Partnership	12415
Hospital-acquired Infections	12411
Local Authorities (Direct Payment Services)	12406
Local Authority Pension Funds.....	12409
Road Safety (Children)	12408
School Buildings (Public-private Partnership Schemes)	12417
Scottish Enterprise	12413
Secondary Education	12405
FIRST MINISTER'S QUESTION TIME	12419
Cabinet (Meetings)	12419
Fishing	12424
Public-private Partnerships.....	12423
Secretary of State for Scotland (Meetings)	12421

Scottish Parliament

Thursday 14 November 2002

(Morning)

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

Crime

The Deputy Presiding Officer (Mr George Reid): The first item of business this morning is a debate on motion S1M-3569, in the name of Roseanna Cunningham, on crime, and two amendments to that motion. I call Michael Matheson to speak to and move the motion.

09:30

Michael Matheson (Central Scotland) (SNP): Although the motion is in Roseanna Cunningham's name, she is unwell and unable to be with us this morning.

As we approach the end of the Scottish Parliament's first session, it is a good time to consider the Scottish Executive's record on our justice system. There is little doubt that Scotland's criminal justice system is creaking under the pressure that it is having to sustain. Why, after three-and-a-half years of this Government, do we have so many problems with our justice system? Even if the Lord Advocate were to tell us this morning that the Executive has identified all the problems and is committed to addressing them, I would have little confidence in the ability of this Government to address all the problems that exist in the system and to effect the change that is necessary to deliver the type of justice system that we require.

We have only to look at the Executive's handling of the issue of secure accommodation places for young people to see why I hold that view. First, the Executive admits that there is a requirement for 25 new places, then it says that the places will probably be filled almost immediately, but, two months after that announcement was made, we have no idea when or where those places will be provided. That is hardly what I would call strategic planning.

To create a change and deliver an effective and efficient criminal justice system, we must be prepared to tackle the overall management of our justice system.

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

Michael Matheson: I would like to make some progress first.

We appear to have a court system in which delays are endemic, which is symptomatic of a system that is struggling to cope. Trials can be adjourned over and over again for a host of reasons, some of which relate to a lack of resources in the system. The consequences of those problems are that witnesses are inconvenienced, victims are affected and, in some extreme cases, time bars are breached, resulting in prosecutions being lost entirely. In such cases, justice is not being served.

Recent figures from the High Court show a rise of 300 per cent in the number of cases that do not go to trial. Part of the problem is the need for more up-front resources and better management, but a major part of the problem is the increasing level of crime. Crime and offences have risen under this Government, with a 24 per cent increase in non-sexual crimes of violence over the past five years. Meanwhile, during the same five-year period, the number of police has risen by a mere 1.2 per cent. Serious staffing issues in the police need to be addressed at the moment.

Phil Gallie (South of Scotland) (Con): Mr Matheson recognises that the number of police has risen marginally in recent times, but does he agree that, in the first period of this Government's term in office, the number of police fell dramatically from the level that was inherited?

Michael Matheson: It is well recognised that, during the first two years of this Government, police numbers declined from the inherited levels. Only in the past year—in the lead-up to the election—has the Executive recognised the need to address that problem. Last year, however, only 21 per cent of police officers completed their 30-year service before taking retirement, compared with 40 per cent five years ago. Over the past five years, there has been a 21 per cent rise in ill-health retirements. As Her Majesty's chief inspector of constabulary put it in his annual report, that leaves us with

"an increasingly inexperienced front line requiring increased training and supervision".

Over the period in which crime has increased and police numbers have decreased, fewer prosecutions have taken place. Despite more than 4,000 more offences having been recorded in 2000 than in 1997, the number of proceedings taking place has fallen. A combination of inadequate police numbers, fewer prosecutions and court delays serves to undermine confidence in our justice system.

In the Executive, we have a Government that has failed to grasp the need for a more co-ordinated approach in the management of our

justice system. As alternatives to custody have been a topical issue, I will take them as an example. There are bail schemes in Edinburgh and in Glasgow, but nowhere else. Supervised attendance orders are easily available in some sheriffdoms, but not in others. Supervised attendance orders were intended to keep fine defaulters out of prison, but there are massive variations in their use. In East Ayrshire, 253 people are on supervised attendance orders, whereas in Midlothian, there are only five.

The disjointed nature of our justice system only undermines its effectiveness. Drugs can be found at the root of many of the problems of youth crime and youth disorder. However, the services that we have to deal with drugs and drug offences are patchy throughout the country.

Pauline McNeill: Before Michael Matheson makes another series of attacks on the Government, perhaps it is time that the Scottish National Party told us the precise measures that it would take to join up the system.

Michael Matheson: Pauline McNeill should be patient. At the previous election, we proposed the establishment of drugs courts in Scotland. What happened? Hey presto, three years down the line, the Government stole the idea, having rubbished it three years earlier. That is an example of the SNP policy ideas that have effected change. The initial signs are that our drugs courts are proving to be effective.

My colleague Richard Lochhead will address drugs in more detail, because he has been doing work on the issue. However, let us consider the example of drug addicts and their experiences in the Grampian Primary Care NHS Trust. A drug addict in the Grampian area who is looking for help will have to wait longer than 18 months for an appointment to be assessed. If we cannot deal promptly with the needs of even those addicts who are looking for assistance to address their habit, how can we tackle the problem of drugs issues clogging up our courts and the human tragedy of those with a drug dependence ending up in our prisons? That is the type of issue that undermines our system.

Mr Keith Raffan (Mid Scotland and Fife) (LD): I agree with what Michael Matheson has said. Drugs courts and drug treatment and testing orders cannot be rolled out until we have more residential and non-residential programmes in place. However, when will the Opposition address—indeed, when will the Executive address—the major alcohol problem, which is five times the scale of the drugs problem and causes infinitely more violence, including domestic violence?

Michael Matheson: I agree that we need to address the alcohol problems in our society. Christine Grahame was probably the first member to raise that issue and the need to tackle the problem, which shows the SNP's commitment to tackling it.

On the number of pilot projects that we have in our justice system, everybody agrees that we need to ensure that any new scheme is effective and can deliver the necessary change. We also need ministers who are prepared to decide whether to end a pilot project or to roll it out throughout the country. I will give an example. Two pilot bail information and accommodation schemes were introduced in 1991. A report into their workings, which was produced in 1994, found them to be effective but expensive in reducing unnecessary remands. A further evaluation was undertaken in 1999 and the findings were broadly similar. Rather than a decision on rolling up or rolling out the schemes, we have two projects that are still working in isolation. We have had two evaluations, but the reports are just gathering dust on the Executive's shelves.

Let me turn to what we believe is needed to address the problem. There is clearly a need to ensure that more resources are put up front to invest in the system and ensure that it works to deliver the justice system that our people need and deserve. As well as delivering more effective management of the system, we need to ensure that the police are effectively resourced, so that a real increase in the number of police can be achieved, rather than the smoke-and-mirrors exercise that is being used by the Executive. Only through increasing police numbers can we improve deterrence and detection, and ease the fear of crime that paralyses many of our communities. Rather than tinkering at the edges of providing secure accommodation for young people, we should be providing enough places to ensure that the system is sufficiently flexible, as the Association of Directors of Social Work has been calling for.

We need to end the proliferation of reviews, strategy groups and so-called pilots that have been instigated under the present Government. In order to find a more effective way of tackling the problems in our justice system, we require an overarching review of our whole justice system to identify precisely where the problems are and to ensure that resources are applied to the right areas to tackle the problems. The Government's failings in the justice system are marked. An overarching review will let us ensure that we take our justice system into the 21st century and that justice is provided in an even-handed fashion to people throughout the country, irrespective of where they live.

I move,

That the Parliament acknowledges that all sectors of the criminal justice system must be managed effectively to ensure the even delivery of services across Scotland and calls on the Scottish Executive to conduct a fundamental review of the criminal justice system to establish how best to ensure that justice in Scotland is delivered in a fair, effective and appropriate manner.

09:41

The Lord Advocate (Colin Boyd): It is a privilege to have this opportunity to address the motion from the Scottish National Party, and I recognise the importance of the debate. However, we have heard a tale of doom, gloom and darkness from Michael Matheson. I am not entirely sure whether that is due to the weather, the time of the morning or a natural disposition on Michael Matheson's part, but to make a speech without recognising the work that is being done by thousands of people in the criminal justice system, day in, day out, to modernise and reform the system and to make it fair and effective, is unfair on them.

I note the calls for a fundamental review of the entire system. By my reckoning, six major reviews have either been undertaken and completed or are proceeding. I notice that Michael Matheson did not mention one of those reviews in his speech, which seems to me to show a severe case of amnesia.

Christine Grahame (South of Scotland) (SNP): Is not it the case that the Justice 1 Committee, particularly when considering the budget, was extremely supportive of the Procurator Fiscal Service, especially front-line procurators fiscal, who we know are under strength and underfunded? It would not be appropriate to say that we are attacking them. In fact, we have been very supportive of funding for the system.

The Deputy Minister for Justice (Dr Richard Simpson): We are talking about the SNP, not the Justice 1 Committee.

Christine Grahame: The same applies to members of the SNP on the—

The Deputy Presiding Officer: Order.

The Lord Advocate: I acknowledge that the Justice 1 Committee, and indeed the Justice 2 Committee, which is undertaking a review of the Crown Office and Procurator Fiscal Service, have been very supportive, to my mind. That is not a party-political point; it includes all SNP members.

Mr John Swinney (North Tayside) (SNP): Does the Lord Advocate think, in the spirit of not making party-political remarks, that his introductory remarks were appropriate for a Lord Advocate to make in the Parliament, bearing in

mind his particular role as a law officer? Secondly, does not he recognise Michael Matheson's legitimate criticism that the problem with the Government's approach is not the fact that it undertakes reviews, but that it undertakes many reviews that have little in common with one another?

The Lord Advocate: On the second point, I recognise the need for the reviews that are being undertaken to mesh together.

On the first issue, I did not consider that I was straying into party-political points. I was responding to Michael Matheson's points about the criminal justice system, for which I—and others—have responsibility.

We have work to carry out. There is a high-level review of the modernisation of the Crown Office and Procurator Fiscal Service, which involves a detailed consideration of the way in which we prepare and prosecute High Court cases and a review of the advocate deputes' role. As I said, we look forward to receiving the report on the Crown Office and Procurator Fiscal Service from the Justice 2 Committee. On a wider front, Lord Bonyon has completed his report on the operation of the High Court and Sheriff Principal McInnes and his committee are carrying out a review of summary justice. Andrew Normand, the Crown Agent, is examining the integration of targets. A lot of reviews are under way.

While we carry out that work, we want to continue our existing work. I want to take this opportunity to raise a matter that has arisen overnight. I am sure that all members condemn last night's hoax calls, which were a result of the fire dispute. Whatever members' views on that dispute, hoax calls put lives in danger. [MEMBERS: "Hear, hear."] I want to make it clear that all such cases will be dealt with with the utmost seriousness and priority. Today I will issue instructions to the police and to procurators fiscal on how such calls should be dealt with and the priority that they should be given.

I return to the Crown Office and Procurator Fiscal Service, because it is important that the Parliament realises how much that service has changed and achieved in the past year alone. The publication of the Pryce-Dyer report in February set the direction for a range of managerial, structural and cultural changes, which will deliver a more focused, modern service for the 21st century. We are on target to implement the report's recommendations.

The restructuring of the Procurator Fiscal Service throughout the country into areas that correspond—outwith Strathclyde—to police authority areas will produce dividends, including better co-ordination with the police. We recognise

the need to achieve greater consistency in practice throughout Scotland.

Scott Barrie (Dunfermline West) (Lab): On the relationship between the Procurator Fiscal Service and the police, how will the new structure help to ensure that we have a better and quicker throughput of cases?

The Lord Advocate: The police and the Procurator Fiscal Service already work much more closely and procurators fiscal are being brought in at an earlier stage in the investigative process. Recently, there was a good example of that in Dumfries and Galloway, where the police and the Procurator Fiscal Service operated together on a major drugs case.

In ensuring that the criminal justice system works, we must have in place the right legislative procedures and the right legislation. We recognise the need to ensure that the judiciary and the public have confidence and that there are adequate deterrents against the abuse of bail. The courts should have full information on bail supervision orders when they take a decision on bail. Therefore, we have decided to take a wider look at the reasons for the current pattern of bail and remand and at how bail operates in practice.

We are conscious of the recent public and parliamentary concern that, when a convicted person seeks bail pending appeal, the Crown has no formal right to be heard by the court. As the First Minister said to Parliament, we are committed to ensuring that courts have before them all the information that they need when they take such vital decisions. We have discussed the matter with the judiciary and concluded that the best way forward is to give the Crown a right to be heard at initial bail hearings and a subsequent right of appeal against grant of bail. We intend to discuss that further with the convener of the Justice 2 Committee with a view to securing consensus on a package of amendments that could be included in the Criminal Justice (Scotland) Bill.

I realise that I have overrun my time. In conclusion, I want to make the point that everyone in the Executive, both in the Crown Office and Procurator Fiscal Service and the justice department, is committed to ensuring that we have a system that works cohesively and coherently. We want to ensure that we have a system that, at the end of the day, produces an effective, fair and efficient criminal justice system that serves the people of Scotland.

I move amendment S1M-3569.2, to leave out from "and calls on" to end and insert:

" , welcomes the commitment of the Scottish Executive to systematic reappraisal of the way in which justice is delivered, building on the system's strengths but also

addressing the need for improvement; supports the major programme of modernisation, investment and review being undertaken by the Crown Office and Procurator Fiscal Service; awaits with interest the outcome of the major reviews of the criminal justice system currently being conducted by Lord Bonomy and Sheriff Principal McInnes and the work on integration of the system's objectives being undertaken by the Crown Agent, Andrew Normand, and agrees that these reviews should inform proposals for the further improvement and modernisation of the criminal justice system to ensure that justice in Scotland is delivered in a fair, effective and appropriate manner.

09:50

Lord James Douglas-Hamilton (Lothians) (Con): I am grateful to the Lord Advocate for listening so carefully to the Conservative campaign on behalf of the public that convicted murderers should not be released on bail pending appeal without the prosecution having the statutory right to put arguments before the judge about the protection of the public, police concerns and the public interest. I am also grateful that he is dealing with the issue of the Crown having the right of appeal against a bail disposal of a person who is convicted of murder or other extremely serious crime.

The Conservatives were armed with our own amendments to the Criminal Justice (Scotland) Bill that we were to lodge today. It is refreshing that the Lord Advocate has seen fit to reply to our campaign. The massive expertise of his department will ensure that the clearest and best drafting should be readily available. As a result of the Lord Advocate's major announcement on bail this morning, the families of victims of convicted murderers will be able to sleep more soundly in their beds, as will the general public. I also support strongly the Lord Advocate's call that hoax calls to the fire service, which can imperil lives, be dealt with with the maximum severity.

Yesterday, in the Queen's speech, a number of new law-and-order measures were announced for England and Wales. They include new sentences to protect the public from dangerous offenders, help reduce offending and deal with young offenders. The proposals include new sanctions to allow courts to enforce the payment of fines more efficiently; modernising laws on sexual offences; developing international co-operation on tackling crime; and tackling the anti-social behaviour that damages communities.

Some of those issues have a definite relevance for Scotland. It would be helpful for the Deputy Minister for Justice to state, when he winds up the debate, which Sewel motions may be introduced in due course in that respect. Although we will wish to study the detail of those motions, I can give the minister a reassurance that any measures that are designed to give greater protection to the public and to make the voice of victims louder than

that of the criminals will be given a fair wind by those of us on the Conservative benches.

The reality is that crime is rising. Between 1997 and 2001, the total number of recorded crimes soared. Drug-related crimes increased by 23 per cent and non-sexual crimes of violence rocketed by 24 per cent. Littered streets, graffiti, fly-tipping and abandoned cars are all symptoms of lawlessness and of crime being on the increase. It is no coincidence that fire raising and vandalism are up by 17 per cent on 1999 figures.

Against that background, the Conservatives believe that far more police are needed and that they should be visible within communities. It is no use for the Executive to pile extra responsibilities on to the police when their numbers are insufficient to provide a highly visible, high-profile presence throughout Scotland in neighbourhoods that are affected by crime and disorder.

On 3 October, in a reply to a question that I asked in the chamber, the First Minister confirmed that there was a need for more police. Cathy Jamieson, when asked, supported the First Minister's statement. The Conservatives would like to see that policy developed with a considerable increase in numbers, which would put the police in a better position to detect and deter crime and to work with parents, schools and voluntary groups to the benefit of our communities.

Christine Grahame *rose—*

Lord James Douglas-Hamilton: I will give way in a moment.

We need a court system that will back up the police and that is able to deal with criminal cases speedily and efficiently. We have argued that we must have more fiscals operating at the sharp end. It is no use for police officers to arrest criminals if those cases never get to trial owing to a lack of prosecution staff.

Christine Grahame: Does Lord James Douglas-Hamilton support the Scottish National Party's pledge to put 1,000 more police on the streets of Scotland?

Lord James Douglas-Hamilton: I will not respond to that precise figure, but the number should increase by whatever amount is necessary to allow the police to do the job properly. As no one from the Association of Chief Police Officers in Scotland, the Association of Scottish Police Superintendents or the Scottish Police Federation will give me an exact figure, I do not see why I should second-guess them. However, I would like to see a substantial increase.

We have also called for an overhaul of youth justice. Children's hearings lack deterrent clout and there is a need for more increases in secure accommodation and more disposals and powers

for children's panels. In September 2001, we advocated the use of weekend and evening detention, compulsory grounding and the expansion of community service and supervised attendance orders. We opposed the Executive's plan to raise the age of criminal responsibility and to refer 16 and 17-year-old lawbreakers to children's panels. Far from helping young offenders back on to the straight and narrow path, delaying effective punishment sends out the wrong message and is likely to lead to higher crime rates in future. Surely it would be far better to continue to send 16 and 17-year-olds to adult courts and persistent and serious young offenders under the age of 16 to youth courts, and allow children's panels to focus their energies on dealing with at-risk children.

We take a hard line against crime in favour of the rule of law and law and order. Crime disproportionately affects poorer and more vulnerable people. We want to create a society that is free from crime and free from the fear of crime.

I move amendment S1M-3569.1, to leave out from "and calls on" to end and insert:

"regrets that the Scottish Executive has presided over rising crime and rising fear of crime; regrets that the Executive is only committed to 'maintaining the capacity of the police' and not increasing the number of police officers on our streets; regrets that the Executive has chosen to focus on politically correct issues such as smacking, and calls on the Executive to address the real issues of concern to the Scottish public by increasing the number of police officers and procurators fiscal, overhauling the youth justice system and dealing adequately with the drugs problem that blights our communities."

The Deputy Presiding Officer: I call Keith Raffan.

Mr Raffan: I think that there has been a mistake. Donald Gorrie will open the debate for the Liberal Democrats.

The Deputy Presiding Officer: In that case, I call Donald Gorrie.

09:56

Donald Gorrie (Central Scotland) (LD): I am sorry if there was an error, Presiding Officer.

I have the privilege of speaking officially on behalf of the Liberal Democrats in strong support of the Executive amendment moved by Colin Boyd. There is obviously a war of reviews: the Scottish National Party calls for a review, and then the Lord Advocate lists a large number of reviews. There are two questions behind that: when is a review not a review; and what good does a review do?

I start by recognising the personal commitment of the Lord Advocate, the Solicitor General for

Scotland and the two justice ministers to improving the system. All have achieved a considerable amount. There has been improvement in the services provided by the police, the court system and the Crown Office and Procurator Fiscal Service. We should recognise that, and I hope that the other reviews that were mentioned will produce more improvements. I recognise the good work that has been done, but as there is no point in standing up and congratulating everyone all the time, I will take a wider view of justice.

This and previous Governments have failed by failing to tackle crime before it happens. We want to prevent, not to cure, which is a simple message in medicine. We must see our society as unfit and sick and deal with it in the same way as we would deal with unfit and sick individuals. We try to prevent people from getting sick by keeping them fit and healthy, and we must tackle the unfitness of our society in the same way.

I am sure that the Lord Advocate has discussions with the judiciary, during which he could usefully press them on short sentences and the revolving-door principle. People go to prison officially for six months but they are in prison for only three months, which leaves no time to improve them and sort them out. When they come out of prison, they just go back in again, which is a complete waste of everyone's time and does not help society at all. I know that politicians are not meant to interfere in sentencing, but I am sure that the Lord Advocate can influence the judiciary so that they see the futility of that exercise; Parliament could back him up. There is also the question of how we treat remand prisoners, many of whom would not need to go to jail if we had more resources to deal with them in the community. Those two changes would greatly reduce the number of people whom we send to prison; the existing figure is a great blight on our society.

Other members have already mentioned drugs and alcohol, which are two great causes of crime. I recognise that the Executive has made efforts in that direction, but a lot more could be done.

I share Michael Matheson's view that there are a lot of pilot projects around. From my knowledge of nautical activities, a pilot is meant to be followed by the fleet. In this case, the pilot is halfway across the Atlantic but the fleet is still in the harbour. We have to extend successful pilot schemes more quickly, more vigorously and more widely. For example, as far as alternatives to custody are concerned, the Freagarrach scheme for younger people and the Airborne Initiative, which helps slightly older people, have proven records of reducing reoffending. However, they struggle to find funding to keep going; indeed, they have no money to extend their activities to other parts of

the country. There are many other examples of pilot projects that should be extended more rapidly.

I return to my point about a healthy society. The causes of crime affect people from very early in life, and in that respect we grossly underfund many activities. For example, all the national youth organisations effectively receive less funding than they did quite a few years ago under our wicked friends, the Tories. That situation is just not acceptable. Such organisations provide local activities that help to keep children within society rather than allow them to rebel against society.

Indeed, many organisations try to help families. For example, I recently visited Couple Counselling Scotland, which is one of a number of organisations that help people in marriages and partnerships not to break up. However, those organisations are also desperately underfunded. After all, every time we stop a divorce, we save a lot of trouble later in life—many children from troubled homes end up getting in trouble with the law. I realise that such activity is not within the Lord Advocate's personal remit; however, I hope that he will use his authority to press different Government departments to tackle problems in the way that I have highlighted.

We also need more resources to back up the children's panels, alternatives to custody and courts in general. It does not really matter where a person is sentenced if there is no proper support for the sentence within the community. The situation is notoriously bad in many cases.

I hope the Lord Advocate will take my points on board. I am very happy to support his excellent amendment.

10:03

Richard Lochhead (North-East Scotland) (SNP): First, I welcome the Lord Advocate's condemnation of last night's hoax calls to the fire service. Every decent person in Scotland will also roundly condemn those actions.

I make no apologies for highlighting the situation in Grampian and Aberdeen in my speech. After all, the city of Aberdeen has the second highest crime rate in Scotland; for example, housebreaking is 144 per cent above the national average. At the moment in Grampian, we have a prison that is more than a third overcrowded and sheriff courts that have the longest waiting times in the country as far as bringing criminal trials to court is concerned. Indeed, in response to the weight of work in those courts, there will be four extra sittings this month and next month.

Of course, the problem of drugs misuse is behind the recent rise in crime in Grampian. The

police reckon that more than 80 per cent of crime in Grampian is drugs related. There has been a dramatic rise in drugs misuse in the area in recent years, especially problems with heroin and, more recently, a very severe problem with crack cocaine.

However, one of the reasons why Grampian has such high crime rates is that the area has a chronic lack of drug rehabilitation services. I want to turn the minister's attention to an article in the local press.

Mr Raffan: Will the member give way?

Richard Lochhead: No, I want to finish this point.

The article read:

"An Aberdeen drug addict who stole from his mother's home to fund his habit asked a sheriff to send him to prison for better treatment ... His defence agent claimed"

that the addict

"was eager to go to prison to kick his drug problem, as he felt there was little help for him outside jail."

Two weeks ago, I met privately with six drug addicts in the city. I sat around the table with them and heard how they spend their days on Union Street asking for money because they do not want to commit crimes to feed their drug habits. One couple told me that it costs between £90 and £120 a day to feed their habit. The other people did not tell me how they got the money to feed their habit, but if we put two and two together, we will get four. They begged me as their MSP to take up their cases. They said that in April 2001 their general practitioners referred them to the local substance misuse service, which is run by local the primary care trust. They were told they would have to wait a long time but, 18 months later, they have still not heard back. Since April 2001, they have had to fund their habits on a daily basis.

If I was a drug addict and left the chamber today to commit a crime in Aberdeen—if, for example, I broke into a house and the police turned up on my doorstep tomorrow and found stolen goods in my house—I would appear in court the following day to plead guilty and the sheriff would ask for background reports. Three or four weeks later, or even two or three months later, I would appear back in court in Aberdeen and would be given a drug treatment and testing order. That same day, I would be assigned three workers to help me with my drug addiction and I would get immediate treatment.

Many thousands of addicts do not commit crime, but must fund their habits. Indeed, many people who commit crime to fund their habits, but who have not been caught, are told to come back in 18 months because the authorities—which are supposed to be funded by the Government

ministers who are sitting in the chamber today—cannot help. I ask the ministers: What sort of message are we sending to drug addicts throughout Scotland who are in such situations? The matter is urgent and the minister must intervene. Grampian has one of the lowest levels of funding in Scotland for coping with drug misuse. However, communities, individuals and families in Grampian—which has among the highest crime rates in the country—are paying through the misery of losing someone to drug addiction or through having their houses broken into time and again. I know people in Aberdeen who will not leave their houses because they have been broken into three or four times in the past two years. That is an unacceptable situation.

I invite the minister to go to Aberdeen and sit down with drug addicts—I can set up a private meeting for him. I ask him to sit around the table with them and hear their stories first hand. It is not only drug treatment services that are the problem, but police funding. In Aberdeen, we have the lowest numbers of police officers in the country.

I ask the minister to address those serious problems, to get in touch with reality and to do something about the situation.

10:09

Paul Martin (Glasgow Springburn) (Lab): I subscribe to the views of many members in the chamber concerning the hoax calls that have been made to the fire service. I hope that the Lord Advocate and the police use every possible intelligence source to detect and follow through on those serious crimes.

I agree in some ways with what Donald Gorrie said about the evaluations and pilot schemes that we hear about regularly in evidence to the Justice 1 Committee and the Justice 2 Committee. We must move away from the constant flow of glossy documents that we receive and consider instead the action that we can take to tackle many of the issues to which members have referred today. I once said to a constituent that if I set up a car boot sale in the Blochairn area to sell the glossy evaluation documents that I receive, I would be a wealthy individual. We must deal with the problem because it concerns the delivery of action in our local communities.

Michael Matheson seeks credit for the drugs courts. I do not care who introduced the idea of the drugs courts; all I care about is that they work in communities such as Glasgow and throughout Scotland. I have often said in Parliament that we must grow up and that we must share and deliver ideas, rather than care where they came from.

It is mentioned regularly by and in respect of the police authorities that crime is being reduced, but

Lord James Douglas-Hamilton said that we must at the same time tackle the underlying crime trends; for example on graffiti, abandoned vehicles and anti-social behaviour. We cannot be complacent in dealing with those types of crime and the effective way to tackle those problems is through sharing information. Organisations must work together to tackle crime. I was impressed when I visited the Dalmellington area of East Ayrshire at the invitation of Provost Boyd. The police and health authorities and the local authority there are based in one facility. That ensures not only that they talk about partnership, but that they live in partnership by being co-located in one multifacility. That is an effective way of ensuring that they work together to tackle crime. We often talk about partnership, but we do not necessarily deliver it in our communities. We must ensure that we deliver partnership.

I want to talk about the gimmick that 1,000 police officers will deliver on tackling crime. I believe that we must make best use of those police officers to ensure that they do not spend day upon day in our courts. The time that police officers spend in the High Court dealing with a large volume of cases is one of the issues that the Lord Advocate must deal with today. He must consider more effective ways of dealing with reports so that our police officers do not spend so much time in court when they could be in our communities.

I welcome the Lord Advocate's commitment to continue to examine ways in which to reform the criminal justice system. However, it is time to move away from glossy documents; we must ensure that they are action documents and that we deliver in our local communities.

10:12

Phil Gallie (South of Scotland) (Con): I will begin by addressing the motion and picking up on management issues. The SNP's Michael Matheson addressed many of the concerns that we have about management and its effects; the Lord Advocate's amendment covers that by suggesting that everything is in hand, albeit through reviews. Enough has been said about reviews for the moment. Reviews will perhaps ultimately bring solutions, but in the short-term there are actions that the Conservatives feel could be taken to improve the situation without waiting for further review.

I commend Paul Martin's comments on the number of glossies that MSPs, voluntary organisations and the Executive get. The amount of money that is spent on glossies through this Parliament is immense and could be put to better use, perhaps within the Crown Office and Procurator Fiscal Service.

In the past, the Justice 1 Committee and the Justice 2 Committee have pointed to deficiencies in the Crown Office and Procurator Fiscal Service. I have to tell Colin Boyd and Elish Angiolini that, since they have come in, it seems to me that attempts are being made to address some of those issues. I congratulate them on that and wish them well, particularly in trying to bring the Procurator Fiscal Service up to scratch. It has long been needed, and if they can achieve that they will have achieved much.

I take the opportunity to add to Lord James Douglas-Hamilton's comments on what the Lord Advocate said today about bail. That is the kind of news that we want to hear. We heard Donald Gorrie saying that ministers in this Parliament had achieved much on justice issues; however, one of the great disservices that they have done Scotland was to introduce the bill that became the Bail, Judicial Appointments etc (Scotland) Act 2000. I like to think that the Lord Advocate could go a bit further in dealing with bail issues.

The Lord Advocate's amendment and the SNP motion both mention justice being

"delivered in a fair, effective and appropriate manner."

How can that happen when members of the judiciary do not come under pressure from politicians to meet politicians' requirements with respect to sentencing? I would like the minister who will respond to the debate to explain exactly what is meant by "fair" and "appropriate" dealings in the courts.

Christine Grahame: Does not Phil Gallie think that there would be extreme dangers if politicians began to determine sentences and did not keep the judiciary at arm's length? The independence of the judiciary is essential to the delivery of justice.

Phil Gallie: Yes, there are dangers. I note from the Queen's speech that there seems to be a drive by the Government south of the border for consistency in sentencing, but I do not know how we can achieve that without direct political involvement, which I do not want.

I would like to pick up on one aspect of the Queen's speech on which I would love the Scottish Executive to act. I am sorry, but I have forgotten the phrase. I am thinking of the situation in which somebody has gone through the court process and been discharged, but there is additional evidence to demonstrate—

Bill Aitken (Glasgow) (Con): Double jeopardy.

Phil Gallie: I thank my colleague. I welcome the fact that, south of the border, the Government intends to consider double jeopardy. I ask the Lord Advocate, is there an opportunity in Scotland for us to consider double jeopardy? I am thinking of the Chhokar and Cawley trials. Those trials

created much concern in Scotland and an element of double jeopardy would have helped to solve them.

Brian Fitzpatrick (Strathkelvin and Bearsden) (Lab): Will the member take an intervention?

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

I noticed a recent case in which a person was charged and found guilty of paedophilia. The Parliament seems to think that child abuse is a serious crime, but the sheriff who sent that person to jail did not. He said that the biggest sentence he could give—given that the accused's appearance was under summary procedure—was six months, which was automatically halved to three months. If we take remand into account, that probably means that the person will spend even less time in prison. I suggest that the Executive should pick up the Tory idea of making sentences mean what they say. If that were done, we would meet an objective of the Parliament and reduce the nonsense of people being sent to prison on sentences that are far too short.

10:17

Mr Keith Raffan (Mid Scotland and Fife) (LD): In the short time that is available to me, I will focus on drug and alcohol problems and their relation to the criminal justice system. It is in everybody's interests, especially victims' interests, that we break the cycle of reoffending. Ultimately, that is what prison and alternatives to custody should be about.

Sixteen years ago, when I was an MP at Westminster, I took through the Controlled Drugs (Penalties) Act 1986 as a private member, but my interest and focus have now moved away from enforcement. I am not saying that enforcement is not necessary, but that my interest has moved towards treatment and rehabilitation.

The statistics in Scotland are frightening. The latest figure from Professor Neil McKegney is that there are 55,000 addicts. I have argued with the minister about the issue, but at least 35,000 of those people are injecting heroin addicts. To finance their habit, they steal well over £500 million a year and nearly £200 million of that is stolen in Glasgow alone.

I am a great supporter of drug treatment and testing orders and drugs courts. I do not care who introduced them—in fact, the idea was debated back in the 1980s; I am sorry that the SNP was absent from the debate then. The SNP has tried to make a party-political point about them today, but what matters is effective policy to deal—*[Interruption.]* I know that we are reaching the run-

up to an election, but SNP members should not peak too early, if they are going to peak at all.

Let us concentrate on devising effective policy in dealing with the problem, rather than try to make party-political points. I have been involved in the matter for 20 years and am sick to death of hearing the SNP playing party politics with such serious issues. I hope that I have the support of the other parties in the chamber in that respect, if not that of the SNP.

Ultimately, we must focus on rolling out the pilot programmes in DDTOs and drugs courts. The Deputy Minister for Justice knows that that is the problem; he is in touch and does not need to have meetings arranged for him by Mr Lochhead. I was present with the minister at drugs raids in Clackmannanshire just a few weeks ago. I pay tribute to him for being thoroughly in touch with the problem, not just as a politician, an MSP and a minister, but in his previous incarnation as a doctor—as a psychiatrist and general practitioner. If we are to roll out those programmes and make them effective, that will require more residential beds and more day programmes, as the minister knows.

I also ask the minister to consider halfway houses. If we are to invest in treatment—whether residential or non-residential—we need a mechanism by which we can ensure that that investment is worth while. Halfway houses, which ease problematic drug users back into mainstream life, are absolutely crucial in making that investment worth while.

The scale of alcohol abuse is that it is five times the size of the drug problem in Scotland. Of course, the press focuses on drugs and Michael Matheson was right to emphasise the repercussions of the drug problem—theft, shoplifting, burglary and so on—but alcohol abuse leads primarily to violence and domestic violence. I do not in the four minutes that are available to me have time to go into the issue of cross-addiction, but many people who have alcohol problems also have drug problems, and vice versa. We need to focus far more on alcohol problems.

Earlier this year, the Executive published its plan for action on alcohol problems. It launched the plan somewhat bizarrely in a pub—let us not go into that—but it is yet to be debated in the chamber. Anyone who has attended drug action teams, which are mostly now called drug and alcohol action teams, will know that treatment of alcoholics is the poor relation of treatment of problematic drug users. Anyone who has attended a DAT's discussion on the allocation of resources will know that.

The Executive must focus on the alcohol problem, which is far greater in scale than the drugs problem and is also the cause of far more violence and domestic violence. If we could effectively address the alcohol problem, that would help greatly in reducing the tremendous overload on the criminal justice system.

10:21

Mr Kenneth Gibson (Glasgow) (SNP): We have heard yet another Liberal make cheap political points by accusing others of making cheap political points.

The reason for today's debate is the cruel neglect of the criminal justice system and the police by new Labour in its first three years in office. We have already heard the figures: serious assault is up 20 per cent and there has been a 50 per cent increase in the handling of weapons over the past three years alone.

We have also heard Paul Martin say that it does not matter where good policies come from, which is why I am surprised that he did not support the establishment of drugs courts back in 1999. Would his constituents in Springburn agree with him that there should be no increase in police numbers and that the matter is all about efficiency?

Paul Martin: Will Kenny Gibson clarify where in the *Official Report*, or in any public statement, I said that I did not support drugs courts.

Mr Gibson: I did not say that Paul Martin did not support drugs courts, but that he did not call for them in 1999. Now that drugs courts are Labour policy, Paul Martin thinks that they are a great idea, but he did not call for them when they were SNP policy.

I am also interested in how Lord James Douglas-Hamilton's views have moved. During a previous debate on crime, Lord James talked about redeployment of police officers rather than additional police officers—if Lord James will check the record, he will find that I am right about that. I am pleased to see that he now believes that we should have additional officers. However, he also needs to think about how many officers we want to deploy.

Today, I want to focus on two issues. The first is postcode policing. It is totally unacceptable that some parts of our country have policing that is inferior compared with that of other parts. That is a reflection not on the police but on the way in which they are deployed. People in one part of Scotland should not be more in fear of crime, or be more likely to be the victims of crime, than people in another part of Scotland.

My colleague Richard Lochhead mentioned that Aberdeen had the second-highest crime figures;

the highest crime figures are, of course, in Glasgow. Let me provide some statistics: for offensive weapons, the incidence in Glasgow is almost three times the Scottish average; serious assault in Glasgow is almost three times the Scottish average; the number of assaults involving knives is four times the Scottish average; almost a quarter of Scotland's racially aggravated problems happened in Glasgow; and one third of Scotland's homicides took place in Glasgow.

It is clear that some areas have particular policing problems. Overall crime—including crimes such as vandalism and housebreaking—is 70 per cent higher in Glasgow than the Scottish average. No other place in Strathclyde is more than 16 per cent above the average, although that is a bad enough figure in itself.

Until we recruit, train and deploy the extra 1,000 officers, it is important that chief constables use their resources to ensure that police are redeployed to areas that have specific crime problems.

Dr Sylvia Jackson (Stirling) (Lab): Kenneth Gibson mentioned that the way in which the police are deployed is the problem, but he has not said what he means by that. He went on to provide some numbers about crime being different in different areas. Will the member please clarify what he means by deploying police differently? I assume that he means that they should be deployed in different parts of Scotland. What is wrong with the deployment of police in Glasgow—

Mr Gibson: I have only about 45 seconds left. I acknowledge Sylvia Jackson's point. However, if crime is a significant issue in a certain area, the resources that are available must be devoted specifically to tackling that problem. That would mean that a pensioner in an area where crime is three or four times higher than it is in another neighbourhood would not have to suffer that level of crime or of the fear of crime; the risk of crime would be the same everywhere. We want to reduce the level of crime, but we do not want huge anomalies in certain areas of the country.

In my final few seconds, I shall touch on delays, which show that the available resources are limited. The number of delays that have resulted in cases not being proceeded with has increased from 4,214 in 1998-99 to 8,409 in 2001-02. That is a 100 per cent increase in only three years. It is clear that the system cannot cope. In Glasgow, the number has more than doubled. In 1998-99 in Glasgow, 1,384 cases were not proceeded with because of the time bar and because of delays by the procurator fiscal, the police and other reporting agencies, such as HM Customs and Excise. In 2001-02, that number had risen to 2,872 cases.

The Executive is failing Scotland. It is failing to put resources into tackling crime and it is failing to reform the criminal justice system. We need more resources and more officers. We must examine what is happening in the criminal justice system so that the people of Scotland will feel safe from crime.

10:26

Pauline McNeill (Glasgow Kelvin) (Lab): The SNP wants a more joined-up system—so do we all. The Parliament's justice committees have repeatedly made that point to ministers over the past two years. However, to deny that the Executive has taken measures to improve the quality of justice in its attempts to join up the system, and to deny that it has made major changes to the criminal justice system is to deny the truth. Given what Mr Gibson said, is the SNP arguing that there should be a new crime in Scots law—the theft of SNP ideas? I think not. I am prepared stand corrected, but I think that it was the Americans who invented drugs courts.

The artificial debate that we often have over whether crime figures have risen or fallen is something that we need to address. The reality in Strathclyde is that the level of crime is down. The incidence of serious crime might be rising, but so are detection rates. Mr Gibson should get his facts right before he starts talking about crime in that area. Only the other day, the chief constable for Strathclyde, Willie Rae, explained to me that, leaving aside the problem of offensive weapons, there has not been an increase in the level of serious crime in the past 10 years. It is people's perception of crime that needs to be tackled, as I am sure we all agree.

Mr Gibson: Will the member take an intervention on that point?

Pauline McNeill: I am sorry, but I do not have enough time.

Mr Gibson: I took two interventions from Labour colleagues.

Pauline McNeill: I will take a very brief intervention.

Mr Gibson: Serious crime is obviously the most significant issue. Is Pauline McNeill aware that Glasgow's homicide rate is more than double that of London or Paris? Does not she think that that is a serious issue that should be addressed?

Pauline McNeill: Mr Gibson is not acknowledging the fact that the figures show that there has not over the past 10 years been a massive increase in serious crime. He can interpret the figures any way he wants, but my

point is that we must tackle people's perception of crime and their fear of crime. I am sure that we all agree on that.

I shall say a few words about the impending changes to the criminal justice system, which I think are important. No one can deny that the way in which victims are to be treated in the future will be better, or that the measures that the Executive is taking are good, but I have some issues with the Executive about the way in which it is tackling crime and I am prepared to disagree with it. However, I do not deny that the Executive is putting in place measures that will make victims central to the criminal justice system.

Section 15 of the Criminal Justice (Scotland) Bill has not been focused on in the debate. That section will give victims the right to have information about the release of offenders who have offended against them. That is a crucial aspect of the bill. The liaison office that will be set up for the victims and the prospect that there will be some type of victim impact statement will be important factors in the joining up of our criminal justice system.

As the Lord Advocate said, the Justice 2 Committee is to report on the Crown Office and Procurator Fiscal Service soon, probably in December. We need strong procurators fiscal who recognise that they are not simply lawyers, but that they have special powers and that the decisions that they make daily affect people's lives and the quality of justice. I welcome the plans for the reorganisation of the Procurator Fiscal Service in Glasgow, which will make the service more interactive with agencies and the public. That is the way forward. For too long, the PFS has been a hidden service that has not been visible to most people.

I would like the Lord Advocate—or Richard Simpson, if he intends to address points from the debate when he winds up—to tell us what is happening with the pay comparability study. I also think that the issue of the time bar is of real concern. Statistics suggest that police reports are the biggest cause of the time bar being used. That matter must be addressed; there is obviously a problem that needs to be dealt with.

On secure accommodation, the Justice 1 Committee and the Justice 2 Committee have called repeatedly for an increase in the number of available places. The committees also think that the justice department, rather than local authorities, should co-ordinate secure accommodation because if there is a shortfall in secure accommodation, local authorities do not necessarily have to meet the demand whereas the justice department does. Therefore, there should be a move towards the justice department co-ordinating secure accommodation. It is crucial that

the type of accommodation be addressed. Secure accommodation is not appropriate in all circumstances. For example, it is more appropriate to have places of safety for children. Therefore, the issue is not just the amount of secure accommodation, but the type of accommodation.

I wanted to say something about alternatives to custody, but I am running out of time. I will welcome the Justice 1 Committee's impending report on alternatives to custody. We should also welcome what the Executive is doing in that area. At some stage I would like to examine further the question of tagging orders, which we might do during discussion of the Criminal Justice (Scotland) Bill.

10:31

Mr Duncan Hamilton (Highlands and Islands) (SNP): Before I speak in support of the SNP motion, I intimate that I do not seek to dress up the current system as a disaster area, so I hope that my comments and criticisms are taken in that spirit. I do not think that we can say that the Executive has not attempted to join up the criminal justice system. Pauline McNeill is partly right to say that the effort that the Pryce-Dyer report represents points the way forward for many of the substantial issues. What is important, however, is the implementation of that report and I have concerns arising from that. First, we have not recognised the depth of some of the justice problems and are not implementing changes quickly enough through the management review and restructuring of the Crown Office and Procurator Fiscal Service, which I think are widely supported.

However, I refer members to a visit the Justice 2 Committee made during its inquiry. We asked people who work in the justice service for their views on the restructuring and the management culture. One person replied, "Actually, to be honest, all I want is a desk." That is the bottom line—the issue is still about the nuts and bolts of the service. That individual did not even have a desk at which he was guaranteed space in which to work. Is it surprising that there are problems in such a working environment?

Equally, there is a problem with the position of senior fiscals. Concern has been expressed that when fiscals move through the service and become senior fiscals, they move into management and out of direct involvement with prosecution. That strikes me as odd, not only because it assumes that good prosecutors are good managers—there is no evidence that that is true—but because the system takes out of the service and away from the front line the people with the experience and expertise that makes them best qualified to do the job of prosecution.

That does not strike me as being a particularly commonsense approach to prosecution.

Secondly, I want to spend a couple of minutes on an area on which the Lord Advocate spent some time talking to the Justice 2 Committee. I make no apology for raising again the vexed question of victim statements. Everybody in the debate has recognised the need for the greater involvement of victims in the justice process and I think that we all welcome the fact, as Pauline McNeill said, that victims will have greater access to information.

I still have profound concerns, however, about the current format of victim statements. Yes, we want to re balance the rights of the victim and the rights of the accused or, indeed, those of the guilty. However, there is a profound concern about being unable to cross-examine a victim about their statement in order to test it. The issue is not just about the basic fairness that is built into the system, but the fact that the victim statement could make matters worse for the victim.

Evidence to the Justice 2 Committee suggested that if the expectation is raised that the victim will, through the victim statement, have a material effect on the sentence, and if the victim statement subsequently does not have such an effect, that could make the situation worse for the victim in many cases. Therefore, if we are all concerned about victims' rights, I suggest that we reconsider that issue.

Evidence to the Justice 2 Committee said that there are two aspects to victim statements; the first is punitive and the second is therapeutic. The first aspect is about whether the statement will or will not materially impact on the sentence. There is still confusion about whether that is the case. The explanatory notes to the bill said that victim statements would have an impact on sentencing. In evidence, ministers said that the judge would take cognisance of all of the facts, but that the victim statement would not have an impact on sentencing. That matter needs to be clarified.

One of the main arguments for having victim statements is that they would be therapeutic. However, that is absolutely not proven. There is no evidence that in the majority of cases victim statements would be of therapeutic value.

I want to make a plea on behalf of the police, who are often ignored in debates of this kind. The firefighters' strike, in particular, has made us aware of the role that public servants play. The police in Scotland need to know that they are valued as public servants, but that has not been the case in the past. It is important that more police are put on the streets and that more resources are made available to them, but those are not the only issues. We must let the police

know that we value the work that they do. At the end of the day, when we pick up the phone and dial 999, we expect the police to be there for us. There is a reciprocal responsibility on members of the Parliament to be there for the service.

10:36

Elaine Thomson (Aberdeen North) (Lab): The SNP motion and the Tory amendment show how out of touch those parties are with what is happening on the ground in Scotland. Over the past three years, there have been real and significant improvements in different parts of the criminal justice system. The Lord Advocate outlined many of those improvements and I will mention a few that are beginning to make a real difference in Aberdeen.

I do not disagree with Richard Lochhead that Aberdeen has a serious drugs problem and that that causes high levels of crime. However, I do not accept the other points that he made. When one speaks to people working in the area, it is clear that there is beginning to be a sustained input of resources in Aberdeen to support effective policing, drugs education and further development of community rehabilitation services.

Richard Lochhead: Will the member give way?

Elaine Thomson: No.

An increasing range of services is being made available. That is clear, whether one speaks to the chair of the local DAT, to Grampian police or to Aberdeen Drugs Action, a voluntary group that does good, valuable work in the city. I am aware that, like his predecessor, the Deputy Minister for Justice is clear about the problems in Aberdeen. I am pleased that Richard Simpson came to Aberdeen to launch the £10 million better off programme. I hope that soon Aberdeen will receive an extra £0.5 million, which will provide further rehabilitation services for 300 addicts in Aberdeen initially.

We need to develop services as quickly as possible. Increasingly, the barrier to doing so is not a lack of resources but a lack of people. Because of the lack of trained drugs workers, we were slow to get DTTOs up and running in Aberdeen. We must recognise how effective DTTOs in Aberdeen are. They are beginning to offer drug abusers who are involved in crime ways of addressing their behaviour and moving out of drugs use.

I would like DTTOs to be complemented by a drugs court in Aberdeen. I know that the two drugs courts elsewhere are having a positive impact. A drugs court would be a useful addition to our strategy for addressing the drugs problem in Aberdeen.

Richard Lochhead: Will the member give way?

Elaine Thomson: No. I have very little time and want to speak about a number of issues.

The other service that I want to mention is the Procurator Fiscal Service. Recently, I met John Watt, the new procurator fiscal in Aberdeen. He is happy with the increased resources that have been made available and the focus on modernising the service. When the current Solicitor General was the fiscal in Aberdeen, there was a problem of low pay for fiscals compared with other local opportunities. That problem has been solved. More generally, the Procurator Fiscal Service has been restructured and more information technology has been introduced to streamline services and produce better justice.

No one would dispute the suggestion that there is still a great deal to do. As usual, Mr Lochhead tells us that we are all doomed. However, we should recognise that there have been real successes. Grampian police were not receiving as much money as they ought, but that problem is being solved—they will receive an increased share of resources over the next three years. The force is undertaking the biggest recruitment drive for many years and I am sure that the extra money will allow it to recruit even more officers. Grampian police are to be commended for introducing initiatives such as intelligence-led and problem-solving policing and better call handling, all of which make a real impact on crime in the city.

Lord James Douglas-Hamilton called for more highly visible policing. I suggest that he come to see what is happening in areas of Aberdeen, such as Middlefield, where the police are rolling out initiatives that involve high-intensity and high-visibility policing. The police there are working with other agencies such as the Prince's Trust and Barnardo's Scotland to reduce crime and to offer real opportunities for young people to get out of crime.

The Deputy Presiding Officer: We come to wind-up speeches. Members should try to keep them to time, please. George Lyon has four minutes.

10:41

George Lyon (Argyll and Bute) (LD): The debate has been reasonable and a large number of points have been covered. I begin by highlighting a point that has not been touched on, however, which is the problem of hard-core young criminals—the so-called untouchables. Overall youth crime figures have been running at approximately the same level for the past 10 years. However, when one looks into the statistics, one quickly discovers that the number of those who have been dealt with for more than 10

offences has grown by more than 40 per cent. We need to deal with that crucial area of youth crime.

A number of cases from my constituency have been raised with me in which one young person is a one-man crime wave. His parents cannot control him, the schools cannot control him and the police and social work services cannot deal with him. Hence the tag "the untouchables". We have to address that issue. The Executive has carried out a lot of work in improving the criminal justice system, but we need to come up with answers to the problem. I am not suggesting for one minute that there are easy answers, but the problem is not intractable. However, the issue is raised time after time in my constituency surgeries and my dealings with local police.

Christine Grahame: George Lyon has raised an important point, because there are one-man and two-man crime waves all over Scotland. Is not the solution to have more secure accommodation? That is what I hear from the Borders and East Lothian. There are insufficient places. The police can point to people on the street who are committing crime waves and should be in secure accommodation, but who come back time and again. The issue is rehabilitation.

George Lyon: I do not think that locking up young offenders is the answer, because they will come back out into society and the reoffending behaviour will continue. We have to come up with solutions that tackle the fundamental problem with such children, to try to prevent them from reoffending. That is the key issue. Secure places might have a role to play, but they are not a solution in themselves.

In Michael Matheson's opening remarks, we had to wait 10 minutes before we heard what the SNP's answers were to the problems that he raised. He suggested having more resources up front, but he did not say how much more was needed. He suggested that there should be more police, but he did not say how many more. Christine Grahame clarified that by saying that there should be 1,000 more, but she did not say where the money would come from. Michael Matheson also suggested that there should be a sufficient number of secure places, but again he did not say how many or how much they might cost. He went on to say that we should end the tinkering and the reviews, but the SNP's solution to the problem of the number of reviews is to have another one. Instead of having six reviews, it wants one great big, overarching review to replace them—that is its answer to the problem.

Colin Boyd was right to outline the major reviews that are taking place. More important, he pointed out that the Pryce-Dyer review is now being implemented. Over the next two to three years, we hope that the investment in management time and

money and the changes that have been made to the system will deliver a criminal justice system and a Crown Office and Procurator Fiscal Service that can deliver and back up the police's good work.

Lord James Douglas-Hamilton agreed with the Lord Advocate's remarks about hoax calls. On behalf of the Liberal Democrats, I echo that view. I heard on the radio this morning that some 70 per cent of the 340 calls that have been made since the strike began have been hoaxes. That is disgraceful. I do not understand who could think that that is a sensible thing to do at this time, when people's lives are at stake.

Donald Gorrie raised several concerns, including a concern about pilot projects. Although one might well criticise the Executive for the number of on-going pilot projects, there is a fundamental need to evaluate policy, to make sure that it works and to fine tune it before rolling it out across Scotland. Donald Gorrie's key point was that, once pilot projects have been evaluated, they must be rolled out across Scotland and the necessary resources must be put in place to ensure that they are turned into action.

As Colin Boyd said, police numbers are at an all-time high. The First Minister has pledged to maintain that track record. As the Lord Advocate also said, Tory Governments regarded the Crown Office and Procurator Fiscal Service as a cinderella service for a long time. The first Labour Administration continued that neglect until the coalition took over. Record investment is reversing that position. In 1996-97, the spend on the Crown Office was £47 million; it is now £87 million. More than 100 new legal staff have been taken on and the number of backroom staff has also increased. I suggest that that track record of action is bringing the criminal justice system into a modern state that is fit for the 21st century.

10:46

Bill Aitken (Glasgow) (Con): Like other members, I associate myself with the remarks that have been made on the bogus 999 calls. It is depressing that such a moronic tendency should prevail in some parts of Scotland. I hope that the Lord Advocate's direction to fiscals will be that those cases should be prosecuted relentlessly and fast-tracked, because of the possible length of the dispute.

Several interesting speeches have been made. The debate is about the Executive's attitude to justice policy. That attitude was encapsulated in two joint meetings of the Justice 1 Committee and the Justice 2 Committee at which we discussed the budget. It was apparent from those discussions that justice is the poor relation.

There is a lack of cohesion between the justice ministers and law officers. The blame for that lies firmly with the justice ministers. In fairness, law officers are aware of the problems. They know that serious crime is increasing and that it is increasing in complexity. They understand the problems of court delays and of the importation into Scots law of requirements arising from the European convention on human rights. Justice ministers have manifestly failed to obtain the necessary budgetary support. In the never-ending litany of Executive priorities, justice is not only the poor relation; it is the cinderella department.

Dr Winnie Ewing (Highlands and Islands) (SNP): The lack of availability of forensic witnesses often hampers the prosecution's ability to bring a criminal to book when a crime of abusing a child or an adult has been reported.

Bill Aitken: As ever, Dr Ewing makes a telling point. Other important points must be made. Fiscals' pay is under review. What will happen if the review results in a substantial increase? What effect will that have on the budget? It is true that a number of other reviews are on the go. That is a good thing. We wait for the result of Sheriff Principal McInnes's deliberations with considerable interest. The Justice 2 Committee will report in December.

I am becoming increasingly anxious about the progress of Lord Bonython's long-awaited report on the operation of the High Court. The delay is inhibiting proper consideration of the Criminal Justice (Scotland) Bill. We need the report to be produced as quickly as possible.

Although things are happening, all efforts will come to nothing unless the justice ministers realise that many of their policies will increase crime, rather than reduce it. Their ludicrous proposal to extend the jurisdiction of the children's hearings system to 16 and 17-year-olds is a typical example. That sends out totally the wrong message.

We all recognise the immense drug problems that face every section of our society and we all hope that the drugs court pilots will succeed. However, that will not happen unless those courts are respected by all the agencies involved and particularly by their clients. I do not think that that respect will be forthcoming unless the clients are required to stay off drugs and submit to testing when necessary. Otherwise, what sort of message will be sent out to people who have many previous convictions and custodial sentences? If the procedure is not tightened up, people will come to regard the drugs courts simply as a get-out-of-jail-free card.

The Executive has opportunities to make improvements as the Criminal Justice (Scotland)

Bill makes its way through the parliamentary system. Next week, we will discuss deducting fines from benefits and civil diligence. Will the Deputy Minister for Justice follow his colleagues down south and agree that such measures represent the way forward? Will he go ahead with the increased powers of sentencing and disposal that we are recommending for the children's hearings system? Will he support our proposal for a realistic non-custodial alternative rather than the present racket of unfulfilled community service orders? Public cynicism about the Executive's justice programme is at its height. The Executive must move to allay that cynicism at the earliest opportunity.

10:51

The Deputy Minister for Justice (Dr Richard Simpson): This has been an interesting debate. In fact, I think that members have raised about 20 issues today, some of which could be the subject of individual debates in the chamber. However, I am disappointed that the Opposition parties have not accorded the Lord Advocate and the justice department any significant praise, although Bill Aitken went some way in that direction.

Massive steps are being taken. The review of the Crown Office and the subsequent reforms represent the biggest set of changes that the prosecution system has experienced for some time. The pay negotiations are continuing and are at a sensitive stage. The Bonython review should report in a few weeks, followed by the McInnes review. The Nicholson committee is doing important work on licensing legislation. The new judicial appointments system has been introduced. Those are just some of the initiatives that the justice department is dealing with in a highly effective way.

All that work is being done against a background of a worldwide increase in violent crime, which is a challenge to our society. Many speakers, including Donald Gorrie, Richard Lochhead, Michael Matheson, Keith Raffan and several Labour members, have alluded to the drug problem, which comes on top of the existing alcohol problem. Alcohol has always been a problem in relation to crime and that needs to be addressed. The review of the licensing legislation is part of that, with a possibility of tests in relation to purchasing alcohol and the introduction of non-compulsory youth identity cards. There is a range of initiatives that try to deal with the alcohol problem more effectively.

The drugs issue is fundamental to the major changes that have been occurring in our society. In that regard, Elaine Thomson has invited me to Aberdeen and I have agreed to go. Richard Lochhead does not appear to acknowledge that

we have nearly doubled Grampian NHS Board's expenditure from £0.75 million to £1.3 million and that we have introduced £2 million of new money for rehabilitation. That money was not fully spent in the first year by the local authorities, but it is in the system nevertheless. We have also put other moneys into the system through social inclusion partnerships and many other initiatives. Furthermore, because Grampian has a specific problem in relation to psychostimulants, we will run the pilot scheme on psychostimulant treatment there.

Richard Lochhead: Does the minister think that it is appropriate that people in Grampian have to commit crime in order to get drug treatment?

Dr Simpson: Nobody should have to commit crime in order to get drug treatment. I openly acknowledge that there are problems in some areas in that there are waiting lists for standard treatments that are based on a traditional medical model and that someone who injects heroin will get treatment more quickly than someone who only smokes heroin. However, the justice department is driving through DTTOs and drugs courts, which will enable treatment to be obtained more quickly. We are trying to integrate treatment programmes to ensure that they are effective. However, I do not deny that we have a long way to go. We must improve matters.

In the brief time that I have, it is difficult to deal with all the issues. However, on police, the SNP's simple approach of calling for 1,000 more officers sounds wonderful and gets a headline—the press respond to it beautifully in an almost Pavlovian way—but the important point is what those police actually do. My colleagues, such as Paul Martin, addressed those issues. They acknowledged the fact that police officers do inappropriate tasks and that we need to improve the court system so that the police are less involved in it. They also acknowledged that we need to improve police efficiency and effectiveness.

I do not have time to address all the other issues that have been raised, but the debate has been interesting. The other fundamental point that was raised—I think that only Duncan Hamilton and Pauline McNeill referred to it—is the total change that we are trying to bring about by redressing the balance between the victim and the offender. That is fundamental to the way in which we progress the justice system. I hope that the Parliament will support the Executive amendment and recognise—

Lord James Douglas-Hamilton: Will the minister give way?

Dr Simpson: I do not have time, I am afraid. I am already over time.

Lord James Douglas-Hamilton: What about Sewel motions?

Dr Simpson: We are considering Sewel motions. We will publish a list in due course. We are examining the Queen's speech.

The choice before the Parliament is stark. It is between following what the Executive is doing—a number of reviews, with incremental improvement and steady progress—or waiting for the big review that the SNP suggests. How long will that take? Would it be four or five years to have a royal commission? Let us continue with the Executive's effective programme. That is the way forward.

The Deputy Presiding Officer (Mr Murray Tosh): I call Christine Grahame to close the debate for the SNP. You have up to eight minutes. If you can shave anything off that, that would be helpful.

10:56

Christine Grahame (South of Scotland) (SNP): I would not want to offend you, Presiding Officer, so I will do my best.

I associate the SNP with the remarks that have been made about the absolutely outrageous hoax calls. Last night's hoax calls follow a spate of outrageous attacks against firefighters at fire scenes. Such attacks are increasing. I note what the Lord Advocate says about prosecuting hoax callers rigorously. He has the full support of the SNP on that, because firemen—and women—risk their lives every day. The public are doubtless ashamed that a minority takes part in hoax calls.

Richard Simpson rightly says that there is a plethora of issues. I will try to touch on them as they came up. As the Lord Advocate knows well, across the Parliament's parties and committees, we—the Scottish National Party is represented—have fully supported those areas of the prosecution service that require support. We have acknowledged the severe stress that procurators fiscal are under, even to the extent that, as has been remarked, one has to look for a desk. I am not surprised: the procurator fiscals have been the Cinderellas of the Crown Office and Procurator Fiscal Service.

Another concern is the fact that senior procurators fiscal are moved into management. The difficulties in management have perhaps led to the disastrous failures in the prosecutions in the Cawley and Chhokar cases. We realise that resources are needed. However, we also realise that the prosecution service needs reform.

On secure accommodation, I have heard remarks in the chamber about 25 new places. I am content to take an intervention from Richard Simpson if he will tell us whether those 25 places have already been allocated, which is my

understanding. Perhaps he will write to me later on that.

I endorse what Pauline McNeill said about the justice committees' thoughtful analysis of the criminal justice budget. We would like the resources for secure accommodation to be mainly in the justice budget line and streamed down into the children and education line. Those areas overlap; there is a clash. The ADSW requires that the resources be budgeted in that manner. We lack secure accommodation places.

That partly answers George Lyon's point about offenders being back on the streets. Putting offenders into secure accommodation is not the entire answer, but it is part of it. It is frustrating for the police to see on the streets one young offender who is a crime wave in his own right. By way of explanation, I should add that, when we refer to secure accommodation, we are referring to a whole range of facilities. We do not just mean bars for keeping in baddies; we mean secure accommodation for the protection of young people who run away from home and separate secure accommodation for young women and young men and for disabled people. That area has been neglected and the Parliament and its committees have shone a light on that neglect. The SNP is committed to 100 more secure places across the range, to ensure that there is no longer a lack of accommodation for all the young people out there who need our help and, in some cases, from whom the public need protection.

The SNP is committed to 1,000 more front-line police officers. The police are put into jobs that they do not require to do. I visited one police station where a police officer was spending two days putting labels on evidence about fraudulent dealing in compact discs. That was a waste of police time. We need police out, on foot, on our streets. That is not simply for detection, but as a preventive measure. As Pauline McNeill correctly said, it would make people feel secure in their communities and make our streets feel safer. The young vandals and hoodlums who come along and bang at cars, breaking their wing mirrors, will not do that if there is a policeman on patrol. The elderly person who will not leave their house because they think that they are under threat from a group of youths—even if they are not in fact under threat—will have the freedom to go out if they see police on patrol, which will make them feel secure. Putting more police on the streets is essential as a preventive measure.

Far too many prisoners are on remand. I lodged written questions—S1W-29260 and S1W-29259—on bail schemes and had it confirmed that such schemes are only now being set up. The answer that I received was:

"Bail supervision schemes are currently being set up by local authority criminal justice social work services".—*[Official Report, Written Answers, 4 November 2002; p 2108.]*

I asked that question as recently as September 2002, three years plus into the Parliament. We know that 10 per cent of criminal justice social worker posts are unfilled. The pressures on the criminal justice social work system are enormous. That relates to issues that Donald Gorrie and others went into, including diversions from prosecution, alternatives to custody and keeping people out of prisons.

We know that being in prison is a waste of time in most cases. We know that more than 70 per cent of prisoners reoffend within two years and that 82 per cent of them are in prison for less than six months. That is a cock-eyed way in which to run the criminal justice system.

We have to put money into diversions from prosecution and alternatives to custody. I recognise Donald Gorrie's long-standing campaign on alternatives to custody. My party has been campaigning on it, too, although I do not want to make a party-political point about that—of course, Keith Raffan would not know a party-political point if he tripped and fell over it.

The Justice 1 Committee has had to undertake—under its own steam and in its own precious time—an investigation into alternatives to custody, because, as committee members know from the evidence that they have collected, there is no audit or directory of alternatives to custody or diversions from prosecution.

Good things are going on all over the place, however, including the Cluaran project in Falkirk, where young people are being diverted away from prosecution. There is also the breaking the cycle youth crime initiative in East Lothian. However, those initiatives are patchy and nobody has added up what is being done in those areas—if that work was done, sheriffs would know what was available to them.

It is interesting that the following debate is on poverty. That is a relevant issue, as so much that happens to young people depends on where they live and on their start in life. Some young people can see a life of crime from when they are toddlers. Their chances of not getting into that life are sometimes remote.

Proposals for drugs courts came from the SNP, of course. We have no problems about where ideas come from, but I ask Paul Martin to recognise please where the idea for drugs courts, which he opposed, came from. Keith Raffan raised the possibility of our examining the extent to which alcohol is involved. That is a pet project of mine. We should consider how people with alcohol problems can be diverted from prison. We know

that the coalition invests little in that and that the extent of alcohol problems is far and away greater than the extent of problems associated with drugs. Furthermore, alcohol is often seen as the gateway to drugs. I know that Keith Raffan agrees with me on that matter.

The situation with Sewel motions is a disgrace. We have had 38 Sewel motions so far. There was supposed to be a trickle of them, but it is turning into a flood. The fight against Sewel motions will continue in the chamber. What is the point of having a devolved Parliament if devolved issues are clawed back to Westminster?

Point of Order

11:05

Trish Godman (West Renfrewshire) (Lab): On a point of order, Presiding Officer. It has come to my attention that I was recorded as not voting for the Debt Arrangement and Attachment (Scotland) Bill yesterday. I sat on the working group that considered the bill closely for 18 months and I supported the bill yesterday. I would be obliged if someone would consider the matter.

The Deputy Presiding Officer (Mr Murray Tosh): I am sure that the technical staff will examine the matter, but obviously, the vote is now on the record.

Poverty

The Deputy Presiding Officer (Mr Murray Tosh): The next item of business is a debate on motion S1M-3570, in the name of Kenneth Gibson, on poverty. The debate was already tight and we are now six minutes late in starting it. I advise members that I will be strict on timings and that I might not be able to call all members who wish to speak. I call Kenneth Gibson to speak to and move his motion.

11:06

Mr Kenneth Gibson (Glasgow) (SNP): One complaint that is voiced about the Executive relates to the absence of independent analysis of what it delivers. The Executive is often judge and jury on its own performance. Today, I will focus on independent analysis, which is provided in the report "Poverty in Scotland 2002: People, places and policies", which was published by the Child Poverty Action Group in Scotland, the Scottish poverty information unit and others. The main finding of the report is that around one third of Scottish children still live in poverty. The report also concluded that the Scottish Executive is limited in addressing employment policy and social security matters, which are the main areas of social policy and are reserved to Westminster.

As we know, in an independent Scotland, the Scottish Parliament would have full control over tax and benefits, which would allow Scotland to collect and target resources for the benefit of the population and would open the way to real social justice for all Scots. Does any member doubt that Westminster's hold on important reserved matters such as employment policy and social security holds back Scotland's potential? If Scotland had control over such powers, would invalidity benefit and benefit for single parents have been cut or—as a Liberal Democrat member of Parliament recently discovered—would secret plans to cut benefits for 650,000 working single parents throughout the United Kingdom have been introduced? I doubt it.

Unfortunately, devolution has led to little real change in social policy, which is influenced overwhelmingly by UK control. At the very least, attention must be refocused on the nature of policy co-ordination and Scotland's interaction with Westminster during policy development. The research from the devolution and constitutional change unit concluded that civil servants find it hard to discuss reserved matters. The report stated:

"Policy seems to be very reliant on Westminster".

The Scottish Parliament has no direct control over the most obvious anti-poverty measures, despite the valiant efforts of the Scottish

Executive. Yesterday, while taking evidence on the Homelessness etc (Scotland) Bill at the Social Justice Committee, I asked representatives of the Big Issue in Scotland, Shelter Scotland and the Scottish Council for Single Homeless whether restoration of benefits for 16 and 17-year-olds would make a difference to the prevention of homelessness. The answer was a resounding yes, but the Executive has no powers to act. Does any member believe that the Executive would not restore those benefits, if it had the power to do so? Unfortunately, London says no.

What is the true picture of poverty in Scotland? Around a quarter of Scots, including 30 per cent of children, live in low-income households that are below the 60 per cent median income threshold. That is higher than the UK average and, in 2001, the figure increased by 1 per cent from the previous year, as thousands more families slid into poverty. In November 2001, the total number of people on income support was 668,000, which includes claimants, their partners and dependants. The percentage of the Scottish population who received income support was 13.1 per cent, which is above the UK average of 11.7 per cent. That figure is higher than in 1997, when new Labour came to power.

Thirty-four per cent of Scottish households now claim income-related benefits, in contrast to just more than one quarter in the UK. A higher proportion of households in Scotland receive housing and council tax benefit than in the UK. As has been stated, we would disregard those benefits in calculating working families tax credits, as advocated by One Plus and others.

It is significant that, in the UK, the number of people who are economically inactive is five times greater than the number of unemployed people. Economic inactivity is often described as hidden unemployment. It is high among groups that are vulnerable in the labour market such as older people, lone parents, people with disabilities and those who live in disadvantaged areas including the post-industrial communities of west central Scotland.

Lone parents are disproportionately represented among those who face poverty. They are twice as likely as couples with children to be poor. More than a quarter of all pensioners live in households where the income is half the average income. A great percentage of households with disabled people are in the lower income bands; more than two thirds of such households have incomes of less than £10,000.

Fourteen per cent of Scottish 16 to 19-year-olds are not in employment, training or education. The proportion has remained virtually constant since 1992. Roughly a quarter of the new deal entrants in Scotland have no qualifications.

New Labour has published a consultation document on new ways of measuring child poverty. Indeed, that is typical of new Labour: if it fails to meet a target, it re-defines it. Last Thursday, in answer to a question from my colleague Linda Fabiani, the First Minister spoke of "absolute poverty". He was attempting to change the Executive's definitions—no doubt embarrassed at having the highest relative poverty in western Europe.

Jackie Baillie (Dumbarton) (Lab): The member will recognise that the definition of absolute poverty has been used in the social justice annual report since the beginning. The member will also recognise that the level of absolute poverty for children has fallen sharply from 34 per cent to 21 per cent, which is 13 per cent lower. Does he welcome that—yes or no?

Mr Gibson: That is because the Executive changed the definition of absolute poverty.

Jackie Baillie: Will the member take an intervention?

Mr Gibson: No. Across the European Union, the definition that is recognised is that of relative poverty. I am getting a feeling of *déjà vu*—this reminds me of the argument on waiting times. Let us deal with the issue rather than seek redefinitions.

Any redefinition of poverty that produces dramatic changes in the figures would erode public trust. The redrawing of the statistical definition of poverty reminds the SNP of the Tories' continual remeasuring of unemployment when they were in power. The Social Market Foundation has commented:

"Any attempt to adopt this measure would result in allegations that the Government is 'manipulating' the figures".

The Social Market Foundation is not the Executive; it is an independent group, which has also set out:

"Any good measure of poverty must satisfy the requirements of being simple, intuitive, consistent, useful, robust, objective, appropriately relative and comparable."

In the Scottish Executive's annual report "Social Justice ...a Scotland where everyone matters", it sets out:

"Above all we wish to make child poverty a thing of the past within a generation."

That is not desperately ambitious when the statement is compared with the situation in other countries, but it is a start. However, child poverty levels in Scotland remain virtually unchanged. The Child Poverty Action Group states:

"The role of the Scottish Executive and Parliament is limited in addressing employment matters, especially income measures such as the national minimum wage and Working Families Tax Credit since these are reserved issues to Westminster."

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Will the member take an intervention?

Mr Gibson: I am sorry. I am afraid that I have fallen a bit behind. If I have time, I will let the member in.

The Westminster Government has failed to tackle the minimum wage for those aged 16 and 17 years. The Scottish Low Pay Unit has consistently argued against a separate minimum wage for young workers. It has said:

"There has never been any justification for paying workers doing the same job different rates simply on the grounds of age."

Does the minister not agree?

Low wages and the problems of the working poor remain the major features of poverty throughout Scotland today. The introduction of the national minimum wage is a step in the right direction, but much remains to be done. I highlight in particular: scrapping the youth development rate; linking future increases to movement in average earnings; improving the enforcement of the minimum wage; and setting up an independent operating mechanism.

For many people with disabilities, work is unobtainable. Claiming benefits such as disability living allowance and attendance allowance is an enduring challenge for them and their representatives. The working families tax credit increases the number of people who are entitled to benefit, but they are often drawn into marginal rates of taxation and the poverty trap.

The 2000-01 family resources survey found that more than one third of children below the poverty line did not receive income support or working families tax credit. Across the United Kingdom, another report from the Institute for Fiscal Studies found:

"Some 1.5 million children in poverty are in families that do not receive the benefits that are the Government's principal instrument for tackling child poverty. This puts almost two in every five poor children out of reach of increases in means-tested benefits making child poverty targets significantly harder to reach."

The new Labour Government has been slow to make inroads in addressing another key policy aim, which is ending pensioner poverty. The introduction of a minimum income guarantee and the new pension credit scheme that is planned for 2003 will increase pensioner's reliance on means-tested benefits, while the basic state pension continues to be tied to the retail prices index. The National Pensions Convention said that the minimum income guarantee

"coupled with the new Pension Credit proposals to take into account the amount of individual savings, will result in 5.5 million pensioners (half the pensioner population) facing some form of means-testing by 2003."

Life expectancy is a clear indicator of poverty, and the gap between life expectancy in Drumchapel in Glasgow and in neighbouring Bearsden is eight years. Children in Glasgow's Easterhouse, in the minister's constituency, are five times more likely to die before their first birthday than the United Kingdom average. Children from poor families have lower expectations about their future and are more likely to have lower esteem, play truant and leave school at 16. Individuals who leave school with low levels of educational attainment are at higher risk of experiencing social exclusion as adults and have significantly lower lifetime earnings.

Homelessness in Scotland is now at a record level. As Mel Young, a director of the Big Issue, has stated:

"It would be much better if benefits were devolved to Scotland as part of an integrated anti-poverty strategy."

Mike Aaronson, director general of the charity Save the Children, decried the Government's lack of ambition and said:

"even if the government meets its current 10-year target this would still leave the UK with the highest child poverty rate in Europe."

Of course, the rate in Scotland is higher than the UK rate. As today's edition of *The Scotsman* states in response to the third report of the Scottish household survey:

"The findings present a worrying picture of a widening social and economic divide between the country's haves and have-nots".

That is today, after five and a half years of Labour Government.

Across Europe, from the Basque country to Bavaria, devolved Parliaments have greater tools than Scotland has with which to tackle poverty. Obtaining such powers would be progress, but if we are to reduce poverty to Swedish or Finnish levels and beyond, we need the powers of those Parliaments. For that, we need independence.

I move,

That the Parliament deplores the fact that a quarter of all Scots and a third of all Scottish children live in poverty; accepts that any measure of poverty must satisfy the requirements of being relative and comparable, noting that the Scottish Executive appears to place less emphasis on reducing the incidence of poverty than changing its definition; is aware that the Scottish Executive is limited in its ability to eliminate poverty due to the inadequacy of the powers devolved to Scotland, and believes that the most effective way to tackle poverty in Scotland is to ensure that all powers over tax and spending decisions are transferred from Westminster to the Scottish Parliament.

11:16

The Minister for Social Justice (Ms Margaret Curran): I am pleased to respond to the SNP's debate. I want to talk about what we are doing to

tackle poverty, the real changes that we have made to people's lives, and the challenges that still lie ahead.

I want to talk about the realities of poverty, unlike the SNP, which has nothing to offer Scotland's poor but empty rhetoric about independence. The myth of independence will not close the opportunity gap, which still stops too many of our children realising their potential.

Mr Lloyd Quinan (West of Scotland) (SNP): Will the minister tell me whether levels of child poverty in Belgium, Denmark, Sweden, Holland, France and Spain are lower than in Scotland? If so, does she believe that that might have something to do with the fact that they are independent countries with complete control over their own economy?

Ms Curran: There are two main points to make about that.

Mr Quinan: Just answer the question.

Ms Curran: I am sorry. I know that Lloyd Quinan wants simplistic answers like his simplistic analysis, but sometimes it takes more than one sentence to explain something to him. He will just have to bear with me.

Mr Quinan: If the minister does not know the answer, she should admit it.

The Deputy Presiding Officer: Order.

Ms Curran: Please, let me try to answer the question. There are two main points to make about that. First, Lloyd Quinan compared European countries with our figures, but the figures are out of date. He was not comparing like with like, because the figures do not factor in the changes brought in by this Labour Government. Secondly, it seems to me that we have the best arrangements possible in Scotland, because we have a strongly performing Labour Government at Westminster that has tackled unemployment and produced economic stability and growth. That has given us a country of rising prosperity, which has allowed us to tackle the issues.

Mr Quinan: The minister has not answered the question.

Ms Curran: I have answered the question. The constitutional arrangements that we have are delivering for Scotland.

Dr Winnie Ewing (Highlands and Islands) (SNP): Will the minister give way?

Ms Curran: Please bear with me—I have just taken an intervention. *[Interruption.]*

The Deputy Presiding Officer: Order. The minister is not giving way.

Ms Curran: The myth of independence will not give our pensioners the quality of life that they deserve. I understand that the SNP's central, and apparently only, plank of policy is that it wants the powers, but the fundamental question that it has yet to answer is what it would do with them. The myth of independence will not help lone parents into work, but our policies will.

Working with the UK Government, we are building a Scotland in which people can live in safe, secure communities, a Scotland that offers rights for all, and a Scotland in which poverty no longer destroys lives and stifles ambition. Since 1997, we have made huge strides in our fight against poverty. The percentage of children living in poverty dropped by four points between 1996-97 and 2000-01, and the percentage of children living in absolute poverty has gone down from 34 per cent to 21 per cent. Even the SNP would have to admit that that is a remarkable achievement.

I clarify for the record that it is a well-established fact in the field of poverty that absolute poverty must be measured. We need to measure the real changes in people's living circumstances. However, we must also measure relative poverty. It is quite legitimate to say that the poorest people have a stake in this country's rising prosperity. The SNP has failed to grasp that we are living in a country with rising prosperity, which is why the figures on relative poverty stand as they are.

We have also made real progress on pensioner poverty. For example, the percentage of pensioners living in relative poverty has dropped by five points to 23 per cent, and the percentage of pensioners living in absolute poverty has dropped by 15 points to 13 per cent.

Although those statistics are encouraging, we can—and will—do better. Although we have achieved much, we have also learned much, and those lessons will inform our policies for the future. We know that we cannot defeat poverty overnight, just as we understand that a single indicator cannot tell the whole story.

Poverty is not just about income measurement, important though that is. In order to tackle poverty, we must ensure that our schools deliver for all our children; that the health service delivers; and that people have the skills to earn a decent wage. We want everyone to live in a decent home in a safe neighbourhood and we want all Scots to enjoy a rich cultural life.

We have already made a real and lasting difference to people's lives. Since April 2001, more than 10,000 pensioners have received free central heating. That is not a myth—that is a fact. Over the next 10 years, £1.6 billion will be spent on Glasgow's housing to ensure that 80,000 tenants have the warm, dry homes that they deserve.

Again, that is not a myth—that is a fact. Furthermore, we have provided £10 million for refuges to ensure that women and children fleeing domestic abuse have safe havens. That is not a myth—that is a fact.

We have learned that the challenge presented by the relative poverty figures is to narrow the gap so that everyone can have a fair share of Scotland's prosperity. The Scottish budget that we published recently concentrates our resources on closing the opportunity gap. Let me tell the chamber what the Executive is doing. Cathy Jamieson will invest an additional £31 million to ensure that sure start Scotland continues its excellent record in supporting the most vulnerable families. Malcolm Chisholm has committed an extra £40 million over the next three years to improve treatment for heart disease and strokes, which are the diseases that stalk our disadvantaged communities. Moreover, I recently announced £20 million of new money to help people into work. That money will provide more and better child care. Too many people are poor because they have no job, no skills for jobs, or no affordable child care to keep jobs.

We have done much to change that situation. In the mid-1980s, there were more than 70,000 unemployed people in Glasgow; now there are 17,000. However, there are more than 30,000 employment vacancies in the city and we need to address the opportunity gap for communities right across Scotland. The chamber should believe me when I say that we will do so, because we believe in hard facts and policies that deliver, not in myths that offer people nothing, not even hope.

On Monday I will publish our third social justice annual report, which will outline our progress on our 29 social justice milestones and which, as I promised in the chamber last month, will also contain robust poverty figures for children and for pensioners.

Although we have made a lot of progress since devolution in our fight against poverty, we have still got a long way to go. There are no easy or simple solutions to tackling poverty, and anyone who colludes with that sentiment is being dishonest with the people of Scotland.

Defeating poverty is the hardest job that faces any Government, but we have had the courage to take on the challenge. I am confident that we have the policies in place to achieve our ambition of a better Scotland for all, and the Administration is united in its determination to ensure that social justice is at the heart of all that we deliver.

I do not underestimate the challenges that we have set ourselves and we can never be complacent about our efforts to tackle poverty. Sometimes we will miss a target, and sometimes

an approach will have to change; however, such setbacks will not stop me or this Administration making the real and lasting changes that are needed to build a better Scotland for all. We must never forget that practical action and realistic policies, not nationalist myths, change people's lives for good and for ever.

I move amendment S1M-3570.2, to leave out from "deplores" to end and insert:

"supports the Scottish Executive's plans to tackle poverty as set out in *Closing the Opportunity Gap: Scottish Budget 2003-2006*; agrees that the definition of poverty extends beyond low income to include lack of opportunity in aspects of people's lives such as jobs, health, education, transport and housing, and welcomes the progress that the Executive is making in tackling poverty in the broadest sense, in order to close the opportunity gap for the most disadvantaged people and communities, both urban and rural, across Scotland."

11:24

Mrs Lyndsay McIntosh (Central Scotland) (Con): I thank Kenny Gibson and the SNP for choosing to debate such an extremely important subject. However, after seeing the motion, I had to pity them. Once again, the SNP has turned a debate on an important issue into yet another constitutional question. The motion is less to do with alleviating poverty than with the SNP's endless attempts to split up the UK and the fact that its approach is identical to that of Scottish Labour. It is the same old song from the SNP.

The debate should be not about the constitution, but about Parliament finding the best way of helping vulnerable people in Scotland.

It is true that much material poverty has been alleviated, but as a matter of urgency, we must tackle 21st century forms of poverty caused by the fragility of families and communities, poor public order and failing public services. I do not doubt for a second the commitment of the Scottish Government to find an end to poverty in Scotland and Margaret Curran's enthusiasm on the subject was obvious for all to see. However, I question the policies that the Government chooses to deal with the problem. The policies treat the problem as though it can be solved simply by throwing money at it. It is far more complex than that.

Bristow Muldoon (Livingston) (Lab): Last week, in common with her current theme, the member said that the old tax-and-spend approach has not worked and will never work. Will she please explain which spending she would cut?

Mrs McIntosh: It is not a question of cutting spending; it is a question of targeting—one of the minister's favourite words.

The solution to poverty must start with the need to create wealth. That is the best means of raising people out of poverty.

The Scottish dependency culture is serious and worrying—more than one in five Scots of working age receive some form—

Tricia Marwick (Mid Scotland and Fife) (SNP): Will the member take an intervention?

Mrs McIntosh: I have just taken one and my time is limited, but I am feeling generous.

Tricia Marwick: I have listened carefully to the member's comments about poverty not being solved by throwing money at the problem. Do I take it, therefore, that the member agrees with the UK Labour Government, which reduces lone parent and invalidity benefits and offers 75p a week to pensioners?

Mrs McIntosh: No, I agree that targeting would be more effective. If we targeted benefits more effectively, we would be doing something to assist people.

Far from taking pride in the figures—as many people on the left want to do—we should be ashamed that one in five Scots of working age receives benefit, and we should instigate policies to bring down the figures. That involves policies focused on wealth creation to provide economic opportunity and security for everyone. We need bottom-up solutions to improve everyone's economic situation and a total rejection of the top-down policies advocated by other parties in the chamber, which do nothing to help the economic plight of the poor—they simply pull less vulnerable people in society backwards.

Scots do not want Government hand-outs; they want to be able to lift themselves out of the poverty trap. They will be able to do that if we concentrate on reducing the burdens of ever-increasing taxes and red tape and if we concentrate on spending more on infrastructure to help all businesses. As a consequence, we will increase levels of employment.

I am not saying that investment in our public services is not needed—of course it is. However, if it is not accompanied by reform of those public services, an opportunity will be lost.

Let us take education as an example. Improving standards in our schools is crucial in providing opportunity for all, yet education is in desperate need of reform. It desperately needs a rejection of the comprehensive, one-size-fits-all policy that has failed too many of our school pupils, particularly those from disadvantaged backgrounds whom the policy was designed to help. Even Tony Blair has recognised that.

The Scottish Government can throw millions into education and come up with as many initiatives, strategies and gimmicks as it likes, but we must realise that, if we do not promote choice and diversity, vulnerable children will never be able to

grasp the opportunity that a good education offers them and rid themselves and their families of ball-and-chain dependency on the state.

Free-market economic policies succeed in a framework of public order and in a society where people have the safety net of stable families, strong communities and high-quality public services—such as education and health, of which we will speak more later. As my colleague Bill Aitken will attest, social justice can take place only in the broader framework of civil justice. We must recapture the confidence of the nation by putting community policemen back on the beat and punishing criminals more adequately for their crimes.

With wealth-creating policies, educational opportunities, strong law and order, first-class public services and stronger families and communities, people will have the ability to lift themselves out of the dependency culture that currently smothers them. If all those interdependent reforms are not carried out, the problems will not go away.

I move amendment S1M-3570.1, to leave out from deplores to end and insert:

“recognises that poverty and vulnerability are still too widespread in 21st century Scotland, despite the fact that much material poverty has been alleviated, and believes that tackling modern forms of vulnerability requires policies that create wealth and provide economic opportunity and security for all, which can only happen within a framework of public order in which people have the security of strong families, communities and high quality public services.”

11:30

Robert Brown (Glasgow) (LD): We heard from Kenny Gibson a reasonable academic analysis, with lots of figures, of some of the issues that he was considering. I welcome Linda Fabiani back after her absence through illness yesterday.

The issue of poverty, and child poverty in particular, is one of huge importance to the lives of individuals and to the health of society in general. The success of public policy in tackling poverty is not measured in terms of the moral fervour of the individual politicians who rant about it, and I have to say that the main ranter is absent from our ranks today.

This morning's SNP motion is, I would suggest, ill timed, unambitious and extremely narrow in focus. It is ill timed because, as the minister said, the social justice annual report is due out on Monday and will give some definition and up-to-date figures on the debate. The main SNP contention is that poverty in Scotland exists because we have, to use a phrase trumpeted all over the papers today, an English legislative programme for an English Parliament. The magic

answer—or, in policy terms, the meagre answer—is, as always, independence.

Dr Winnie Ewing: Given that Scotland is richer in natural resources than most of its neighbours, including Ireland, Denmark and Finland, will the minister explain why we beat them all hands down on poverty? Does not that suggest UK mismanagement over quite a long period?

Robert Brown: I thank Dr Ewing for promoting me to the ranks of the ministerial body, but I do not think that her point is well made. If we examine the figures for poverty in Scotland—I shall come to the details in due course—we see that Scotland benefits from the union. There are arguments about the policies that we should be pursuing, but the detailed issues are not answered by independence.

There is obviously a case to be made for independence. There is a case for it making sense to have benefit issues and other Government spending dealt with in a unified way. In fairness, Kenny Gibson touched on that. However, there is not much of a case to be made for granting all tax powers to this Parliament. Even Andrew Wilson cannot disguise the reality that, as a third of Scottish households claim benefit, compared with a quarter of households in England, Scotland requires more resources from the UK Treasury to deal with the results of poverty.

The argument that control in Scotland of all the levers of power would help to fight poverty can be made only if we are going to do something substantially better and different with that control. The SNP does not have any concrete proposals for different policies to tackle poverty. Its only concrete tax proposal is to cut the rate of fuel tax, which would cost money and obviously would not help pensioners, single parents or children in poverty.

No, I am wrong. In fact, Scotland's party—the champions of Scotland—does have another proposal: it would review the benefits system. Well, gee whiz. How excited can we get about that sort of thing? Is that really what will make the difference?

I am not a great fan of targets, many of which are difficult to pin down in real terms or are affected by extraneous factors that are largely outwith the control of government, but it is clear on any measure that the Executive is making significant progress. The central heating scheme and the energy conservation measures that we have put in place increasingly are helping low-income families. Free personal care and the concessionary travel scheme will make a big difference to older people. Other measures, from the student finance settlement to the important provision of nursery places for three and four-year-olds, are also vital.

The central requirement—and the one that makes the biggest difference—is giving more people, particularly young people, the opportunity of income-creating employment. Liberal Democrats also argue and campaign for a more progressive use of the tax and benefits system—for a higher rate of tax on incomes over £100,000 a year and the abolition of taxation on incomes under £10,000 a year, for example. We argue for substantial real-terms pension rises, the restoration of benefits for 16 and 17-year-olds and the restoration of a proper level of benefits for under-25s.

On such measures, Liberal Democrats have many differences with the Labour Government—and, from time to time, with our Executive—but those differences pale into relative insignificance beside our differences with the Conservatives. Even yet, I am not sure that the Conservatives realise just how much their party is distrusted and hated for the way in which the Major and Thatcher Governments destroyed the employment and life prospects of a generation. My own city, Glasgow, and much of west central Scotland are still paying the price of chronic underinvestment in public services and the blighting of whole communities that Conservative Governments presided over. Chronicled in detail in all the newspapers today are the low rates of house ownership, the high benefit—

Bill Aitken (Glasgow) (Con): Will Mr Brown give way?

Robert Brown: No. I am in the final minute of my speech.

Bill Aitken: He does not want to hear the truth.

Robert Brown: The newspapers chronicle high benefit dependence, poor health, high unemployment and all the other stigmata of an underperforming society.

We in the Parliament are trying to clear up the resultant mess. The whole chamber knows in its heart of hearts that enormous strides have been taken throughout the public sector, the voluntary and independent sector and the private sector to increase opportunities, build skills and job readiness, provide child care and tackle underlying problems relating to health and insecurity, which undermine and sabotage opportunity. There is much more to do, but the Executive has made considerable steps along the road and I have considerable pleasure in supporting the Executive's amendment.

The Deputy Presiding Officer: We now move to open debate. Colin Campbell will be followed by Trish Godman. Members have four minutes.

11:35

Colin Campbell (West of Scotland) (SNP): I hope that no representatives from any independent nations are present or likely to read tomorrow the *Official Report* of today's meeting. Apparently, their nations are a myth—they will find that a difficult concept to understand, given their success with social security.

I have said previously that I joined the SNP in 1976, when I was in full employment. I joined because Britain was not working for many people in Scotland; it is still not working for many people in Scotland. Is it not politics for the Executive to sit in the chamber and propose brilliant solutions to problems that have been derived from the British disease?

I will address the problem of pensioner poverty. Among the anomalies of the pensioners' situation is the fact that women are entitled to pensions at 60, whereas men are entitled to pensions at 65. The age of entitlement is likely to be made uniform, but in an upwards direction.

Unfortunately, pensions in Europe are often paid at an older age than they are in the UK, but Europe presents the UK with other interesting comparisons. In France and Germany, pensions represent 11 per cent of gross domestic product. According to the Organisation for Economic Co-operation and Development's estimates, the average for the richest 21 nations is 7.4 per cent of GDP; if Scotland were independent, it would be in the top ten of those nations. In the UK, the figure is a shameful 4.3 per cent of GDP, rising to 5.5 per cent if we include tax credits. That is a disgrace for a nation that was among the first in the world to introduce old-age pensions for its senior citizens. One would hope that the inevitability of progress would push the UK above the OECD average at some point in future. Unfortunately, predictions in the June 2001 "OECD Economic Outlook" suggested that by 2050—when I shall be 112, if I am very lucky, and some members will be in their 80s and 90s—the proportion of GDP, including tax credits, will still be only 6.5 per cent. That is the future and it does not look good.

I will now deal with the present. Some 20 per cent of pensioners in Scotland are below the 60 per cent median income threshold, which defines poverty. If we use the European definition of poverty, which is 50 per cent of the median, 25 per cent of our pensioners live in poverty. Some 41 per cent of single pensioners receive a net income that is less than £6,000 a year—that is not a good amount—whereas only 26 per cent of other single people have an income of less than £6,000 a year. Some 13 per cent of single pensioner households have an income of less than £4,000. The publication, "Scottish Economic Statistics 2002",

says that the average household income in the UK is £296 a week. Pensioners' incomes are 17 per cent of that amount and could fall as low as 7 per cent by 2050 if policies are not changed.

What are the solutions? A longer working life or inducing people to contribute to private pension schemes are options that seem inevitable. Help the Aged, which has issued a document on the matter, makes the point that pensions should be the subject of intelligent, long-term planning rather than expedient, quick political fixes to get parties through elections. No one can argue with that.

We can discuss poverty in the Parliament as often as we like, but it has been said that pensions are a reserved issue. If we want to produce a complete package for our elderly people, fundamental decisions on all social security matters should be taken in Scotland. The unionist British parties may be afraid of that, but the SNP is not.

Jackie Baillie: Will the member take an intervention?

The Deputy Presiding Officer: No. The member's time is almost up.

Colin Campbell: Irrespective of where decisions are made, poverty is a blight that discourages the young, who still have the youthful optimism and resilience that will enable some of them to rise above it. To the old and frail, poverty is a last punishment for a life lived. We all have a duty to eradicate it. The Executive is not doing well enough.

11:40

Trish Godman (West Renfrewshire) (Lab): We should all be committed to fighting poverty at all levels and to ending child poverty within a generation. No one would disagree with that premise.

The nationalist dream fantasy of an independent Scotland in which everyone is prosperous and lives happily ever after is as remote as it is fantastical and does little to help those living in poverty. As for the Tories, throughout the lifetime of their party, and even now in their twilight years, they have taken the disgusting view that the deserving and the undeserving poor will always be with us.

We recognise that there is a long way to go before we can achieve the aim of ending child poverty, but what have we achieved so far? As the minister said, between 1996-97 and 2000-01 the proportion of children living in low-income households fell from 34 per cent to 21 per cent. To maintain that downward trend, we must continue to examine social exclusion more widely. Factors such as access to jobs, transport, local services

and good-quality housing all have a major impact on people's lives, particularly those of children.

I agree with the sentiments that were expressed by Danny Philips, who is head of the Child Poverty Action Group in Scotland:

"we must all support the pledge to end child poverty by the Scottish Executive. It is simply unacceptable that in a rich nation such as Scotland so many children go without and enter the cycle of poverty into adulthood."

Labour's partnership with the Westminster Government has allowed real benefits to be delivered to the poorest in our society through increases in child benefit, the working families tax credit, the minimum wage and the minimum income guarantee for pensioners. In Scotland, our programmes that are aimed at tackling fuel poverty, such as the central heating programme and the warm deal, are producing real results and warmer, more energy-efficient homes that are better places in which to live and grow up. That is another prime example of social justice in action.

Education is one of the most effective ways out of poverty. By 2006, we will reduce by 10 per cent the gap in average attendance levels between schools that serve areas of high deprivation and those that serve areas of low deprivation. By 2008, we will reduce that gap by a further 10 per cent.

Three of the 30 children in Port Glasgow High School who have 100 per cent attendance are visiting me in the Parliament today. When I first spoke to those children, some of them told me that they were having difficulties attending daily. After an innovative programme in the school and with the commitment of the staff and the kids themselves, they have turned things round and are keen to participate in all levels of school activities.

Alex Neil (Central Scotland) (SNP): Will the member give way?

Trish Godman: No, I will not.

We are using our devolved powers to address the root causes of poverty. We can see that clearly in the continuing downward trend. As the minister and I have said, the proportion of children living in low-income households has fallen from 34 per cent to 21 per cent since 1996. We must continue to invest in education and child care and to work towards employment for all, but poverty must be considered as an issue that is wider than income. Labour's improvements to housing, health care and transport services are all designed to benefit the poor.

It will be a long, hard slog to diminish poverty, but people in poverty are being misled badly by those who offer the panacea of constitutional change as the means of combating that evil. We need policies of redistribution both at Westminster and in the Scottish Parliament to tackle the evil of poverty in honest, practical ways.

11:44

Mr David Davidson (North-East Scotland)

(Con): We have heard some definitions of poverty today, but we have also heard about the poverty of ambition and of practical ideas in the SNP and in the combined ranks of the Labour party. In simple terms, we must consider not the independence that the SNP talks about but the independence and respect that individuals in Scotland should have. Such independence is concerned with the choice and opportunity that people should have in their lives.

For example, after five and a half years of a Labour Government, ability in the three Rs among children who leave school is still declining, but we have not heard about that from the minister this morning, or from anyone else on the Executive benches.

Lots of jobs are being created on the consumer side in service industries, but those jobs are not long term or sustainable. We must have long-term jobs in manufacturing, in the oil and gas industries and in the fishing industry. Some members were in Fraserburgh this week and in Peterhead last night. Hundreds of people in those towns are desperately worried about the decline in, and possible collapse of, the fishing industry. However, for every pound that is raised by fishermen landing something on the quayside, another £10 is raised in the support industries—and that does not include what people spend in the shops, the cinemas and the pubs.

I also want to talk about rural poverty, such as we have seen in agriculture. Contrary to Mr Rumbles's intervention in a previous debate, farmers do not make a reasonable living. The sum of £6,000 was mentioned in relation to pensioners' income, but many farmers do not have that much money to feed their families. They have had to pay off labour and those people are looking for work. We need a long-term solution that will ensure that people have choice and opportunity.

Ministers talk a lot about health. They have thrown millions of pounds of health spending into a black hole, because that funding has no focus, no format and no meaningful infrastructure. Rather than throw all that money at health in general terms, they should put the money into earlier intervention so that, for example, children who are deaf are identified before they go to school and can be given opportunities to listen and learn. We are talking about money that comes from the same pot.

The SNP has lots of theories, which we hear regularly, but SNP members brought nothing new to the debate; instead, we hear the old grind about how the system would be fine if they ran it. On behalf of the Liberal Democrats, Robert Brown

made only one valid comment, which concerned increasing opportunities for employment.

Mr Rumbles: It is a bit rich for the Conservatives to expect us to take lessons from them. Does Mr Davidson acknowledge the fact that, when the Tories came to power in 1979, 9 per cent of the population was in poverty—that is, in households with an income below 50 per cent of the average income—and that, by the time that the Tories left power, a quarter of the entire population was living in poverty?

Mr Davidson: Mr Rumbles takes us back to the issue of definitions. That is not forward looking. For the past three and a half years, the Liberal Democrats have been responsible for everything that Labour has pushed through because, without Liberal Democrat votes, Labour could not do a thing. As far as I am concerned, Mike Rumbles is an apologist for the Executive.

What about benefits advice? We do not want a dependency culture in which the state does everything. Why not release the voluntary sector and empower our communities to help themselves? They could do it better, cheaper and in a more focused way without all the overriding—

The Deputy Minister for Social Justice (Hugh Henry): Will the member take an intervention?

Mr Davidson: Am I allowed to do so, Presiding Officer?

The Deputy Presiding Officer: No. There is a long queue of members who want to participate in the debate.

Mr Davidson: I am awfully sorry. I would have allowed the minister to intervene earlier.

Today, we have heard nothing about giving people choice and opportunity, especially in the rural areas, on the coastal strips and in the vast estates on the fringes of towns where all that people have left is their dependency. That leads to health problems and despair, and despair leads to abuse, addiction and God knows what else. I have heard nothing from the minister that proves that the Executive has got its act together.

The Deputy Presiding Officer: I call Lloyd Quinan, to be followed by Wendy Alexander.

11:48

Mr Lloyd Quinan (West of Scotland) (SNP): That will be interesting.

I begin by quoting some figures from Capability Scotland, which refer specifically to people with disabilities and families who live with people who have disabilities. More than 80 per cent of those who were polled in Capability Scotland's 1 in 4 poll are caring for a disabled child and are

unemployed. One in five families with a disabled child lives on less than £200 a week, and state benefits are the main source of income for more than 40 per cent of those families.

It is important that, in any debate, we recognise the fact that certain cluster areas and certain sections of our society appear to have been overlooked in the so-called drive against poverty. I therefore hope that the Scottish Executive will accept the recommendations that

“the Scottish Executive undertakes an economic analysis of the investment required to ensure that programmes aimed at lifting children out of poverty also reach disabled children and children living with a disabled parent”;

that

“more is done to eradicate poverty and provide security for families living with disability where employment is not an option”;

which is the case in many instances; that

“all mainstream programmes and targeted initiatives have a specific focus on disabled children and young people, with clear targets”;

and that

“the distribution of funding for government initiatives should be based on need and on family circumstance and not simply on geographical location”

as it unfortunately is at the moment.

I hope that the minister can give us a positive reply on those issues.

Another issue is the hidden poverty of opportunity that affects many families with disabled children and many families with someone who is autistic. Deprivation exists not just in such families' right to opportunity, but in our opportunity to benefit from their input to society. The average lifetime cost for someone with autism is approximately £1.7 million, in addition to standard life costs. Whatever the reasons, there has been a large increase in the identification at least of people with autism. It is essential that we understand clearly that the £1.7 million per autistic child and adult must be found from Scotland's budget.

I was at a meeting last night with 11 pensioners who have adult children with autism. Those pensioners have to live on the standard pension. They are being driven into poverty in their twilight years, having contributed to and made possible us being here. To be frank, their poverty situation is unacceptable and must be addressed.

The Parliament had a great opportunity to tackle poverty and promote early intervention, but, unfortunately, certain members chose not to support the School Meals (Scotland) Bill, which would have made a significant intervention in poverty. Mr McMahon may smile, but I do not think

that too many people in his constituency smiled at his behaviour on the day that the School Meals (Scotland) Bill fell.

We are about to enter a war. Britain loves wars, but wars cost money. We cannot tackle poverty unless we have the money to do so. If Labour members believe that dropping ordinance on poor people in other parts of the world is a way to eradicate poverty, they are sadly mistaken. We should be providing for our own people instead of playing imperial games. If Labour members could waken up to that simple fact, people in Scotland would not be living in poverty.

11:53

Ms Wendy Alexander (Paisley North) (Lab): I will start my speech where Kenny Gibson started his, by saying that if one is a decent person at all, one knows that both absolute poverty and relative poverty matter. Absolute poverty means being denied the right to buy the basic necessities of life. As Jackie Baillie said, there has been a 13 per cent fall in absolute child poverty in the past four years; the rate is down by a third, which is a real achievement.

Relative poverty also matters, of course. The definition of the basic necessities of life changes over time, and our view of those necessities is different from the view in our parents' and grandparents' eras. On relative poverty, probably the biggest challenge for progressive Governments all over the world is how we, with the levers at our hands, narrow the income differentials in a world where employers want to pay the rich more and more and pay the poorest less and less.

Mr Davidson: Will the member give way?

Ms Alexander: No. I do not have time for interventions.

As politicians with tax powers in our hands, what is our responsibility for narrowing the growing wage differentials? After 20 years of Tory rule, we know where the Tories stand. Year after year, they cut taxes for the rich and cut benefits for the poor, reinforcing the income differentials.

Mr Quinan: Will the member give way?

Ms Alexander: No. I do not have time for interventions.

Labour has done the opposite, thereby undermining global forces. For example, Labour has provided lower taxes for the poorest, the national minimum wage, the child tax credit, the working families tax credit, and the national minimum income guarantee. All those measures are about narrowing the differentials between the rich and the poor.

The real question is: where does Scotland's principal Opposition party—which called today's debate—stand? Would the SNP, with the powers at its disposal, widen the differentials, as the Tories did, or narrow them, as Labour is doing? A clue is provided by the fact that not many of the SNP's economics spokespeople are present today. A second clue is provided by the colour of Linda Fabiani's jumper and Nicola Sturgeon's outfit. Today we have on display the red faction of the SNP—the people who are fulsome in their support for the poverty lobby. However, the people with their hands on the policy levers are the blue faction, which has a totally different agenda.

At the saltire debate in the summer, Jim Mather, the SNP's finance spokesperson, said that as a point of principle he wanted the total tax take in Scotland to be lower than the tax take in the rest of the United Kingdom. We heard Winnie Ewing say how rich Scotland is. Whatever inequalities exist in Scotland, the SNP wants the rich in Scotland to pay less. That is at the heart of the SNP's stance.

Across the world, Governments must choose. It is a mistake to say that lower taxes drive growth. Lower taxes mean greater inequality. A reduction in total tax does not guarantee growth—it guarantees greater inequality for the poorest. That is the dishonesty at the heart of the SNP. There are red and blue factions in the SNP. Before devolution, the party thought that no one would notice that, but in this Parliament it is increasingly being found out.

Poor John Swinney, who is not present, spends his entire life trying to be a member of the blue faction and the red faction at the same time. In the Tories' famous phrase, that is not working. In the coalition, we know where we stand. I want for Scotland an American spirit of enterprise, but I do not that want to be bought at the price of European solidarity. I ask SNP members to do Scotland's poor the credit of saying that their finance spokesman, Jim Mather, was wrong. Enterprise and growth matter, but they do not need to be bought at the price of Scotland's poor.

11:57

Mr Keith Raffan (Mid Scotland and Fife) (LD): As other members have said, there is a direct relationship between this debate on poverty and the previous debate on crime. Where people survive on low incomes—"survive" is the appropriate word—with a poor diet, bad housing, depressing neighbourhoods, failing schools, inadequate public transport, few jobs, and little or no community support—in other words, where people live without hope—there are more likely to be social problems such as alcohol and drug misuse, truancy, and petty and violent crime.

In a memorable phrase, Margaret Curran said:

"No one wants to live in a Scotland where a family's potential is determined, not by their abilities, but by their postcode."

I hope that those were the minister's own words. She will remember as well as I do that when the Social Inclusion, Housing and Voluntary Sector Committee, of which she was then convener, undertook its inquiry into drug misuse in deprived communities, one of the most powerful statistics that it uncovered was that the highest rates of admissions for drug misuse were in the most deprived postcode areas. The data are set out in an annexe to the committee's report.

A similar point could be made about truancy. Today's truants are invariably to be found among tomorrow's young offenders and problematic drug users.

David Davidson touched on the fact that deprivation is a national issue. It is a rural as well as an urban problem. In many ways, Ferguson Park in Blairgowrie suffers from as much deprivation as Ferguslie Park in Paisley.

Poverty is the ultimate cross-cutting issue. One of the keys to tackling poverty is improving housing. That is why I have great respect for the Executive's policy on stock transfer, which will release massive resources for improving housing. Of course, the SNP opposed that policy. It is interesting that Mr Gibson, who was rather more ambivalent about stock transfer than some of his colleagues, slipped down the SNP parliamentary candidates list for Glasgow as a result, with Sandra White topping the list—a bizarre result by any reckoning. That is evidence of the SNP's divisions and splits. The SNP opposed stock transfer, which is a key to addressing poverty in Scotland, although some members, such as Mr Gibson, who listens occasionally to his constituents, were more ambivalent.

On the environment and improving neighbourhoods, there is room for improving and widening social inclusion partnerships, which have not been mentioned today. I have seen how effective they can be in my region, for example in the south-east of Alloa.

On education, there has been a range of Executive initiatives, such as local management of schools, the McCrone settlement and homework clubs. Of course more has to be done and we have to find ways of getting the best teachers into schools in the most deprived areas.

Health has not yet been covered in the debate. I have seen the effectiveness of health and well-being centres to improve nutrition and diet in the most deprived parts of Stirling, Inverkeithing and Cowdenbeath. Executive policy in support of those centres is addressing an issue that has been little

touched on in the debate, but which is very important.

Further education colleges should be far closer to the communities that they are there to serve and should be sensitive to the needs of those communities, particularly in relation to training and jobs. We need to see drop-in youth facilities like the Corner in Dundee and Off-the-Record in Stirling, in far more of our communities.

Pensioners have rightly been mentioned in the context of national concessionary travel, the warm deal and pensioners forums. We have to listen far more to pensioners forums and to their voice.

The SNP today was long on statistics, but short on solutions. As for fresh ideas—forget it, there were not even stale ones. As for new policies—forget it, there were not even recycled ones. For every diagnosis, the only SNP cure is independence. If the SNP thinks that it will make any inroads at the next Scottish Parliament elections as the party of independence—and lazy thinking—it can think again.

12:02

Ms Sandra White (Glasgow) (SNP): How will I follow cyclone Wendy and ranting Raffan? I will do my very best.

I shall be honest and say that I think that everyone will agree that, as we have often said before, Scotland is a rich country. It is rich in resources, it has wealth in its people and it is a wealthy country. We should all agree that not everyone shares in that wealth; that is what the SNP is most concerned about.

The so-called Labour Executive sits and pontificates, but the Labour Government in the past five years has put forward more of Thatcher's policies than the Tories ever did. Labour is an absolute disgrace to the people of Scotland and it tries to lecture the SNP on what we should be doing. Scotland needs independence and I shall go on to explain why.

Ms Alexander: Will the member give way?

Ms White: Sorry, but Ms Alexander has had her turn and she did not take any interventions.

Pensioner poverty has been mentioned in the debate. As the convener of the cross-party group in the Scottish Parliament on older people, age and ageing, I feel that it is right that I bring the issue to the attention of the Parliament. We have all heard about poverty throughout Scotland, but I would like to concentrate on pensioner poverty.

Research shows that older people are more likely to live in poverty. We must make the point that, unlike many others, pensioners have few opportunities to increase their income without

state help. Members have said that we are in a marvellous position in the union. I ask members, and urge them to ask their constituents, whether they could live on £75 a week—I very much doubt that they could. Some members say that the union is a marvellous place, but do they know that 17,200 pensioners are forced to claim income support? I do not call that a good price to pay for the union and members should acknowledge that.

Hugh Henry mentioned fuel poverty last week at question time. Some 58 per cent of Scottish pensioners have to spend 10 per cent of their income on ensuring that their house is heated adequately. When Hugh Henry answered a question on the central heating installation scheme, he said:

"Some 7,000 households are waiting for heating systems ... However, there is a limit to the number of available heating engineers and to the number of heating systems that we can install."—[*Official Report*, 7 Nov 2002; c 15094.]

That demonstrates some ambition from the Labour party.

I think that Margaret Curran was a member of the Social Justice Committee at the same time as me, when we took evidence about the situation in Europe. When I asked one of the witnesses whether people in other European countries ever died of hypothermia, they said that they did, but not in their own homes. It is terrible to admit that, in Scotland, people die of hypothermia in their own homes. We should examine that situation carefully. We should be ashamed of the fact that members are claiming that poverty does not exist. The Executive is trying to mix the figures.

I remind the Labour party that it was dragged, kicking and screaming, into supporting free personal care. The Executive bowed to Westminster when it was asked to give back £40 million in attendance allowances. It is a terrible indictment that the Executive bowed to Westminster and gave back the money.

Doubts are emerging about how the Executive will meet its commitment to implement its proposals on free personal care. In parts of Scotland, some councils are even talking about introducing means testing, because they do not have the necessary funding.

The free travel scheme has been described as a shambles. Why did the Executive not take on board the SNP's proposal for a national travel scheme such as the scheme that has been implemented in Wales? If the Executive had done that, it would not be in the mess that it is in now.

The Executive is supposed to be a Government. It must show real commitment by providing the resources that the older people in Scotland need to take them out of poverty. The Executive must

stop spinning. Let us have some substance instead.

12:06

Mr Tom McCabe (Hamilton South) (Lab): I will take it as a given that all members of the Parliament, irrespective of their political allegiance, are committed to reducing and eventually eliminating child poverty. Having listened to the speeches of the Conservatives, I realise that I am taking charitable interpretation to its extreme.

When we deal with difficult problems, we need to develop complicated solutions. We need solutions that stretch across every aspect of the Executive's work. We must also be honest with ourselves and with those who suffer disadvantage about time scales and about the complexity of the issues that are involved. There will be no quick fixes to child poverty.

No responsible political party should raise expectations by offering short-term money showers that miss the fundamental, underlying causes of poverty, which can pass from generation to generation.

It is simply not good enough to claim that independence is the magic wand that can cure all ailments. Although the SNP offers independence as a cure-all, it never provides any specifics; milk and honey are all that is ever forthcoming. That is a distortion at the best of times. In relation to child poverty, it is a cynical distortion. Children in Scotland need our help, not our slogans.

The cycle of poverty and despair will be broken when opportunity and genuine choices are a reality, rather than the subject of rhetoric. Let us take the opportunity to discuss a vital issue in a way that provides hope and in a way that defines the determination of the Parliament and the nation to address the long-term needs of disadvantaged children. We must not indulge in short-term sloganising to obtain some perceived political advantage.

The best way to do that is to analyse where we are now. As has been said, in absolute terms, there has been a marked decline in the proportion of children who live in low-income households. The proportion fell from 34 per cent in 1996-97 to 21 per cent in 2000-01—a 40 per cent decrease. That is a fact. If it does not suit some people to recognise that fact, they should think long and hard about their objectivity. Five years is a short time in which to assess properly initiatives that, by their very nature, will impact in the medium to long term.

Although there are more people from disadvantaged backgrounds in work than ever before, we must acknowledge that not enough of

those people are from families that have been without work in the long term.

Mr Gibson: Will the member take an intervention?

Mr McCabe: Not at the moment. There is still insufficient progression for those who enter the labour market on low wages. However, it cannot be denied that opportunities to break the cycle of poverty and despair are being created.

Sure start Scotland has been provided with £31 million of additional resources, more than 125,000 parents benefit from tax credits and 18,000 lone parents are in work as a result of the new deal. An additional £24 million will be provided for the child care strategy over the next three years. Seventy-seven thousand lone parents are in receipt of the working families tax credit. In a three-year period, social inclusion partnerships have benefited from an investment of more than £250 million, which is helping to enable and empower communities throughout Scotland.

More than 50 per cent of Scottish students are in further or higher education. Critically, we have introduced education maintenance allowances that allow even more disadvantaged young Scots to grasp educational opportunity. Those are the beacons that can lead to the breaking of the cycle of poverty and despair, the creation of opportunity and the nurturing of aspiration among more confident young Scots. It is wrong to dismiss or diminish them by demonstrating the lack of vision that typifies the blinkered pursuit of independence.

12:10

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): This has been an important debate on an issue of great importance to the people of Scotland. However, I found it somewhat disappointing. Did we get from the Opposition parties, especially the SNP, policies that we could contrast with the Executive's policies and against which we could measure them? No. Kenny Gibson talked about the "valiant efforts" of the Scottish Executive. The impression that I got from Kenny Gibson was that the solution to improving poverty levels in Scotland was independence. However, he had no idea what he would do if he ever got independence.

Mr Gibson: If Mr Rumbles had listened to the speech—

Mr Rumbles: I am not giving way to Mr Gibson, as he would not give way to me.

Mr Gibson: If Mr Rumbles had listened, he would have heard that—

The Deputy Presiding Officer: Order. Mr Gibson, sit down, please.

Mr Rumbles: To listen to Kenny Gibson, one would think that we were living in some sort of colony or satrapy. We are an independent nation in the United Kingdom and we have MPs fighting our corner in Westminster.

Margaret Curran gave us good statistics, which were emphasised by Jackie Baillie and Wendy Alexander. We heard that absolute poverty levels have fallen from 34 per cent to 21 per cent and that 10,000 pensioners now receive free central heating. That is evidence of practical action on the part of the Scottish Executive on the sort of issues that we need to address.

Lyndsay McIntosh made an abysmal speech on behalf of the Tories. I mean no personal slight against her, but I must say that I found what she was saying outrageous. She gave me the impression that the Tories' message is, "You're on your own—don't expect any help from us."

David Davidson's speech was amusing. I have never been called an apologist for the Executive before and that was an interesting accusation. At any rate, it is a bit rich of the Conservatives to attack other people on the issue of poverty. I know that these figures relate only to relative poverty but, when the Tories came into power, 9 per cent of households had less than 50 per cent of the average income and, when they left power, a quarter of the population was at that level.

Mr Davidson: Mr Rumbles fails to recognise the fact that we turned the economy around, which gave the Labour party many opportunities when it came to power. In doing so, we created schemes that gave people access to education. Most of us in this room got state support for our education.

Mr Rumbles: I rarely agree with David Davidson, but I will do so today: the Conservatives turned the economy around, but not in the way that he has in mind. They caused devastation in the economy, which is why they were kicked out after 18 long years. The statistic that I quoted tells me everything about the Tory attitude, which is, "I'm all right, Jack, don't bother us."

Having dealt with the Tories' abysmal record, I want to be more positive. For the Liberal Democrats, taxation is one of the most important factors in achieving social justice. For example, Liberal Democrats are committed to reforming the national taxation system to make it more progressive by introducing an income tax rate of 50p in the pound for those who earn more than £100,000 a year. More important, we would abolish taxation on earnings below £10,000. We would lift a lot of people out of the poverty trap by not taxing them.

There is a lot more that I would have said, but I am running out of time. For example, I wanted to talk about how we would give pensioners a much better deal by ending the misery of means testing.

A lot of positive ideas on how we tackle poverty—especially child poverty—could have come out of the debate. The Opposition has realised that what the Executive is doing is good. The main carping criticism from the SNP is, "If we wave the magic wand of independence, we will do everything better." The Tories have nothing better to offer.

12:15

Bill Aitken (Glasgow) (Con): The debate is the second that I have summed up this morning. The last one was a good debate, but this one was, frankly, appalling. Although I do not doubt the intentions of those who have contributed, it is seriously disturbing that so many people think that the answer to the problem is to throw money at it. In the one good non-Conservative speech, Tom McCabe acknowledged that. He was correct to say that there are no quick fixes. If we are to improve matters effectively and permanently, we must realise that short-term expedients are not the answer.

We must begin to see the big picture. As Lyndsay McIntosh said eloquently, our priorities must be wealth creation and the injection of entrepreneurial thinking into policy formulation. In progressive, go-ahead economies, all policies are drawn up on the basis of what will create jobs and increase job prospects. Under the Scottish Executive, all policies are equality proofed. That says it all.

With all due respect to Kenny Gibson, the motion in his name will not provide any solution. An independent Scotland may be the answer for him and his SNP colleagues. However, as I have listened over the past three years, I have lost count of their megamillion spending commitments. I can only conclude that their policies would have dire economic consequences. Those policies would not reduce poverty; they would increase it. In time, they would make Scotland a country fit only for social workers and their clients. That is what we would be reduced to.

What does the Executive bring to the process? Everyone knows that the best way to help people is to help them to help themselves. How does the Executive's education policy, for example, achieve that? In the Labour party down south, the penny has dropped that a comprehensive education system that does not work and which denies opportunity to some of our poorest youngsters to better themselves is simply not adequate. The United Kingdom Labour party has realised that that system is not working, but Scottish Labour remains in a time warp. Emerging from her own personal TARDIS, Trish Godman's only solution was that we should consider the redistribution of wealth. That is the application of 1960s solutions to 21st century problems.

Jackie Baillie: Does Bill Aitken acknowledge the independent research that Professor Lindsay Paterson of the University of Edinburgh carried out, which indicates that the attainment levels of comprehensively educated children and those educated in the private sector are the same? Will he recommend that children should be in the comprehensive sector?

Bill Aitken: I suggest to Jackie Baillie that her argument is not with me. It is more relevant when she addresses it to Tony Blair and the Department for Education and Skills. Clearly, those down south are not at all satisfied with the comprehensive system. They appear to be imposing and introducing solutions that Jackie Baillie and her colleagues do not have the political courage to impose.

I will move on. Failures in the national health service impact most devastatingly on the poorer sections of the community. No matter how the Executive arranges or doctors the figures, the inescapable fact is that the situation is worse now than it was when the Conservatives left power. On whom does that impact most? The poor.

Liberal law and order policies have the effect of reducing significantly the quality of life of those in our peripheral schemes. However, the Liberal Democrats pander to Labour and support those policies.

Ms Margo MacDonald (Lothians) (SNP) *rose—*

Bill Aitken: I am sorry. I am in my last minute.

The solutions to poverty are complex and there are no quick fixes. The poor were once defined by someone even more cynical than I as likely to be with us always. It need not be so, but it will continue to be so until a more positive approach is taken to improving our economy and the prospects of the poor.

The Deputy Presiding Officer: That was actually from the Bible.

12:20

The Deputy Minister for Social Justice (Hugh Henry): I am wondering how to respond to much of the debate. It is hardly worth commenting on the Tories; how can we take seriously a party that impoverished so many so quickly in so much of the country? We should charitably recognise, however, that the Conservatives now have their own poverty problems to deal with: a poverty of ideas, a poverty of principles and a poverty of leadership. Iain Duncan Smith and the Tories seem to be more intent on preparation for the pantomime season than on being a serious political party.

Today's speeches from the Conservatives reflected their complete detachment from the real world. They have failed to recognise what happened during their years in power, and they have failed to see some of the things that have been done since they were removed from power.

It is a bit rich for David Davidson to sneer about benefits advice and call for an end to the dependency culture. In fact, the biggest increase in the number of welfare rights and advice staff took place during the Tory years, when hard-pressed Labour councils had to use scarce resources to give advice to the poorest people in our country because of the neglect on the part of the Conservatives.

Mr Davidson: We have had a lot of briefings over the past week on the subject of poverty. Why is it that report after report and briefing after briefing discuss the vast number of people who do not know how to claim the benefits that are there? Labour has now been in power for a third of the time that we were in power.

Hugh Henry: The evidence shows that, during the years of Conservative government and since then, the local authorities that have invested in advice staff have successfully generated millions of pounds for people in their communities. That is something that I commend. Clearly, we have nothing to learn from the Tories and they have nothing to offer.

SNP members sounded as if they were discussing a submission to the political equivalent of a fantasy football league, rather than a serious welfare plan for a modern state. Let us consider the SNP's priorities. Rather than lift the people of Scotland out of poverty, it wants to spend money on an ambassador to Afghanistan and a consul for Cameroon. It wants to pay for separation and divorce before moving on to tackle poverty. It wants to dismantle the UK benefits system, although it will not tell us what it will introduce in its place and how much that will cost.

Ms White: The minister has mentioned the benefits system. Does he think that the money that pensioners get—£75.50 a week—is adequate? Would he not like to change that, as the SNP would?

Hugh Henry: Sandra White says that the SNP wants to change that, but we keep waiting to hear what measures the SNP will introduce. Its members tell us nothing. We know that the SNP will dismantle the working families tax credit, which is delivering £2,400 a year to the poorest families and helping 125,000 families in Scotland. It would dismantle the UK housing benefit system, but we do not know what it would replace it with. The SNP will abolish UK disability benefits, but it does not tell us what it will replace them with.

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

Hugh Henry: No, thanks. The SNP does not tell us what the minimum wage in Scotland will be, and that probably explains why not one nationalist MP turned up to the vote on that in the House of Commons. We just hear whinge, whinge, moan, moan—no details of the financial support that would be available to help Scotland's poor or of how money would be spent.

Unlike the political fantasists, we are delivering progress. We heard today that the proportion of children in low-income households, according to an absolute measure, has fallen from 34 per cent in 1996-97 to 21 per cent in 2000-01, which is a 40 per cent fall. That is real progress for real people.

In contrast with Sandra White's cheap, mean moan about central heating, we have delivered for 10,000 people and we will deliver for the rest; we have introduced free local bus travel and people are benefiting from that; we have introduced nursery places for three and four-year-olds; we have helped the poorest students; we have introduced educational maintenance allowances to help pupils from the poorest families to stay on at school; we have expanded child care; we have the minimum income guarantee; we have a child tax credit; we have the working families tax credit—and that is before we go on to talk about what we are doing in health, education and enterprise and lifelong learning to target poverty. Unlike SNP members, who want divorce, separation and disaster, by ripping us out of the UK, we are delivering real progress for Scotland's poor.

12:25

Linda Fabiani (Central Scotland) (SNP): I will try hard to stick to the truth and not to myth, which we have heard so much of in the debate. Kenneth Gibson began his speech by giving some facts about poverty, which are worth repeating. Around a quarter of individuals in Scotland live in low-income households, which is higher than the average for Great Britain. In November 2001, the total number of people in Scotland on income support was 668,000 which, as a percentage, is above the Great British average. The proportion of the Scottish population aged 16 or over claiming income support is above the Great British average. Around a third of Scottish households claim income-related benefits, in contrast to just over a quarter of Great British households. In 1999-2000, Scottish lone-parent households had the lowest income, at £204 a week, which is again below the Great British average.

The Labour party tells us that being part of the union is best for Scotland. I want to know how it works that out, because I cannot do so. The

minister talked about the myth of independence, but it ain't no myth. Belgium, Norway, Holland, Denmark, Sweden and Finland are not myths and they have less child poverty than Scotland has. The minister did not answer Lloyd Quinan's question on that issue. Lloyd was right to say that those independent countries—which are not myths or dream fantasies—have less child poverty than Scotland has.

The real myth is that the unionist Labour party is committed to poverty eradication. The Labour party came to power in the UK in 1997. It is claimed that Labour was committed to poverty eradication, but how did sticking to Tory spending plans and cutting single-parent and disability benefit amount to poverty eradication? The Liberal Democrats at UK level now say that there is a move to reduce the lone-parent working tax credit by 19 per cent. If that is true, how will that contribute to eradicating poverty levels?

Robert Brown outlined various initiatives that the Parliament has agreed to. Some of them have been good and have received cross-party support although, as Sandra White said, some Labour members had to be dragged kicking and screaming to support those initiatives. However, those measures will not make substantial inroads into the eradication of poverty because they are no more than tinkering around the edges; they treat the symptoms, not the disease. The only way in which we can treat the disease of poverty is by taking responsibility for it.

It is sad that some Conservative members think so little of the people of this country that they believe that, without England to shore us up, we would be a nation of social workers and their clients, which was Bill Aitken's comment. It is disgraceful that Bill Aitken has that view of the Scottish people whom he was elected to support.

Different kinds of poverty have been mentioned. The Executive used to measure poverty in relative terms, but it suddenly decided to change to an absolute measure. Wendy Alexander described absolute poverty as not having the ability to get

"the basic necessities of life."

It is pathetic that in the third millennium we measure poverty against the ability to get the absolute necessities of life. I want more than that for the people in this country, as do the other SNP members. We want honesty in the measurements. We should not change from a relative to an absolute mark of poverty. If the absolute mark remains the same, inflation alone will mean that the Executive is beating poverty. The concept of absolute poverty is a ridiculous concept—to use it is cheating and it is not on.

We then got hawering Hugh Henry, who is terrified of the people of Scotland taking matters

into their own hands and going for independence. One thing, however, that fascinates me about Hugh Henry—indeed, it fascinates me about the rest of the Labour members—is their assumption that, when this country gets independence, which it will, it is the SNP that will be in power. It never crosses the minds of the Labour members that Labour would be in power in an independent Scotland. All that we get is a repeat of the question, “What would you do when Scotland is independent?” It seems that the Labour members have accepted that there will be no place for them in an independent Scotland.

I will tell the chamber what the SNP will do when Scotland becomes independent. We will take on board that the people of Scotland are capable and willing to take their own decisions. The Scottish National Party is the only party in Scotland that has faith in people taking their own decisions. It is the SNP that will be in power, working towards a fairer solution for Scotland.

I have noticed that the coalition partners have been using a bit of a slogan today—“Much done, much more to do,” which seems to be an admission of failure. I ask myself whether that is to be their slogan for the next election. I say to the coalition parties that if that is their slogan, I much prefer ours. Let us release our potential.

Business Motion

The Deputy Presiding Officer (Mr Murray Tosh): The next item of business is consideration of business motion S1M-3573, in the name of Patricia Ferguson, on behalf of the Parliamentary Bureau, setting out a business programme.

12:32

The Minister for Parliamentary Business (Patricia Ferguson): I was just trying to think of where I had heard that last slogan before. I think that it was at the last election, but never mind.

Before I formally move the business motion, I indicate to members that the business for next week requires to be adjusted. It is proposed that the United Kingdom Government will publish an extradition bill today, some aspects of which will relate to devolved matters. It is the Executive's intention to lodge a motion seeking the Parliament's agreement for the UK Government to legislate on the devolved aspects of the bill.

Next week, I will propose to the Parliamentary Bureau that the motion be debated on Thursday 21 November, immediately after the stage 1 debate on the Title Conditions (Scotland) Bill. I understand that the Justice 1 Committee considers that the three hours that has been allocated to the bill is more than generous. It should not be a problem therefore to reduce the length of the debate to accommodate the addition of a debate on the extradition bill.

I move,

That the Parliament agrees—

(a) the following programme of business—

Wednesday 20 November 2002

2:30 pm	Time for Reflection
<i>followed by</i>	Parliamentary Bureau Motions
<i>followed by</i>	Stage 1 Debate on Protection of Children (Scotland) Bill
<i>followed by</i>	Financial Resolution in respect of the Protection of Children (Scotland) Bill
<i>followed by</i>	Parliamentary Bureau Motions
5:00 pm	Decision Time
<i>followed by</i>	Members' Business – debate on the subject of S1M-3486 Duncan McNeil: Mis-selling of Utilities

Thursday 21 November 2002

9:30 am	Stage 1 Debate on Title Conditions (Scotland) Bill
<i>followed by</i>	Financial Resolution in respect of Title Conditions (Scotland) Bill
<i>followed by</i>	Business Motion
2:30 pm	Question Time

3:10 pm First Minister's Question Time
 3:30 pm Executive Debate on Scottish
 Executive Response to Foot and
 Mouth Disease Inquiries
followed by Parliamentary Bureau Motions
 5:00 pm Decision Time
followed by Members' Business - debate on the
 subject of S1M-3538 John Farquhar
 Munro: Affordable Rural Housing

Wednesday 27 November 2002

2:30 pm Time for Reflection
followed by Parliamentary Bureau Motions
followed by Enterprise and Lifelong Learning
 Committee Debate on its 9th Report
 2002 on Lifelong Learning
followed by Parliamentary Bureau Motions
 5:00 pm Decision Time
followed by Members' Business – debate on the
 subject of S1M-3565 John Swinney:
 A9 – Perth to Inverness

Thursday 28 November 2002

9:30 am Scottish Conservative and Unionist
 Party Business
followed by Business Motion
 2:30 pm Question Time
 3:10 pm First Minister's Question Time
 3:30 pm Executive Business
followed by Parliamentary Bureau Motions
 5:00 pm Decision Time
followed by Members' Business

and (b) that Stage 1 of the Prostitution Tolerance Zones
 (Scotland) Bill be completed by 21 February 2003 and that
 Stage 2 of the Criminal Justice (Scotland) Bill be completed
 by 17 January 2003.

12:33

Fiona Hyslop (Lothians) (SNP): This is difficult
 for me. I agree that we do not need three hours for
 the Title Conditions (Scotland) Bill—indeed, I
 suggested previously that we should cut the length
 to one and a half hours. However, yet again, we
 face a Sewel motion on a measure that is of
 serious importance to the Scottish justice system.

My colleague Neil McCormick MEP has already
 spoken on record about the consequences of
 European arrestment orders and their implications
 for the justice system of Scotland. Rather than
 have Westminster legislate for us, we should use
 our time on this important issue to make our own
 laws. It is with some regret that I see our time
 being used on a Sewel motion.

I will not use up time to press the motion to a
 vote at this stage because we have the
 opportunity to do so next Thursday. I appeal to all

members to examine the matter carefully. This is
 an opportunity for the Scottish Parliament to say
 that it does not want a Sewel motion on our justice
 system. We want to decide such issues ourselves
 as there are major implications in the extradition
 bill. We must give the legislation enough time and
 we should do so by means of our own bill, not a
 Sewel motion.

The Deputy Presiding Officer: Does the
 minister wish to respond?

Patricia Ferguson: I suspect that I will have
 more than ample opportunity to do so next week
 when I bring the amended motion to the chamber.

Motion agreed to.

Private Security Firms (Regulation)

The Deputy Presiding Officer (Mr Murray Tosh): The next item of business is the first members' business debate of the day on motion S1M-3522, in the name of Johann Lamont, on the regulation of private security firms. The debate will be concluded without any question being put. I invite those members wishing to speak in the debate to press their request-to-speak buttons as soon as possible. I say at the outset that there will be no possibility of extending the time for this debate.

Motion debated,

That the Parliament notes with concern the lack of regulation of private security firms and the potential impact of unscrupulous activity by these firms on the safety and peace of mind of local communities within Glasgow Pollok constituency, across Glasgow and throughout Scotland; further notes the serious danger posed by any activity that undermines the confidence of the public in the police's capacity to deal with criminal behaviour within communities, and considers that the Scottish Executive, along with local authorities, the police and other relevant agencies, should develop as a matter of urgency means by which private security firms can be regulated and their activities scrutinised.

12:35

Johann Lamont (Glasgow Pollok) (Lab): I welcome the opportunity to debate the important issue of the regulation of private security firms. I am grateful to all those who signed the motion and recognise that there is significant cross-party support for action. I understand that we are under pressure for time. This is a unique timing for a member's debate, and I am grateful that despite pressure on parliamentary time, members' debates have secured the time that they deserve. I will try to keep my comments brief, although it is tempting to go on longer because I am leading off the debate, which is unusual for a back bencher.

The role and activities of private security firms is a serious matter in my constituency, but I am aware that it is also a concern throughout Scotland. The lodging of the motion was prompted by particular events in my constituency, although I am sure that members will understand my caution in discussing the specifics of those events given that a police investigation is continuing. However, I would like to put on record my gratitude to the local police for the way in which they responded when the events occurred.

A series of incidents, including graffiti and wilful damage to cars, caused some distress on a housing estate in my constituency. That distress was compounded when the disorder was followed by the delivery of leaflets throughout the area,

offering the services of private security wardens for a payment of £3 a week per household. There must be anxiety about such a conjunction of events—the malicious disruption of a community and the offer of help by private security firms. It is understandable that we should be anxious that private security firms might seek to play on the fears of households about disorder in their communities. Indeed, it might be argued that it is only a small step from playing on people's fears to generating disorder to create a demand for such services. It must be unacceptable that we may create circumstances in which private security firms might promote a service that could effectively be viewed as a protection racket.

Broader issues are highlighted by the experience of my constituents. What kind of security and peace of mind can be offered by private security firms? How will private security wardens enforce their promise of security? What training will be offered and, crucially, who would do the work? The case for regulation is evident and compelling if we are to have confidence in the process. Private security firms need to be open and transparent. We need to know how the businesses are run and who runs them.

There must be a serious fear that some of the private security firms, unregulated, could be run and owned by people with criminal convictions and operated as a sideline to their criminal activities. Regulation poses no threat to those who operate legitimate businesses, and I trust that legitimate private security firms will embrace any proposals for regulation. Crucially, regulations should provide protection for communities vulnerable to predatory business tactics.

I do not believe that it is overstating the case to say that the problem has the potential to pose a serious threat to our society. Much of the activity of private security firms is generated by and thrives on a lack of confidence in the police. If our communities feel under siege and believe that the police cannot take effective action to stop disorder, the market for the unscrupulous activity of private security firms will grow. We must redouble our efforts to ensure that the police and the justice system can act effectively in response to the anxieties of local communities. As I have said before, the first step is for us to acknowledge that such anxieties are real.

I welcome the announcement by the Minister for Social Justice, Margaret Curran, of £20 million towards neighbourhood community wardens. I am now seeking a meeting with the minister to explore how that approach might help my constituents. It is important that that work, with that of the justice department, reinforces our commitment to peace and security in our communities. I am aware that there has been a consultation on the regulation of

private security firms, and I urge the minister to act on that consultation as a matter of urgency. I look forward to hearing what plans are in place.

As I said, the debate was prompted by a particular problem, but one that illustrates issues of general concern. The challenge for the minister, the Scottish Executive and the Parliament is to find solutions that, in particular and in general, will make our communities safer, more secure and free from those who would seek to exploit them. I urge action on the minister and welcome the opportunity to hear his response.

12:40

Mr Kenneth Gibson (Glasgow) (SNP): I offer warm congratulations to Johann Lamont on securing the debate. I also warmly welcome the Scottish Executive's consultation document on proposals to regulate the private security industry in Scotland. Indeed, the document's first sentence sums up the matter. It says:

"There is a clear need for regulation in the private security industry in Scotland."

Johann Lamont's motion was prompted by incidents in Pollok. As members will appreciate, it was no coincidence that, following certain events, certain parties made offers of help. However, as Johann pointed out, we cannot say too much more about the matter as it is sub judice.

The consultation document touches on the question of what private security firms actually are. Concerns have been raised about everything from private investigators to bouncers who stand outside some of Glasgow's nightclubs. I have gone round clubs with the police and it is interesting to note the difference in the quality of stewardship at the doors of some of those places. Indeed, on that night, I saw via the television cameras at police headquarters someone being severely beaten.

As a result of such incidents, regulation is important. However, we must also take on board the views of legitimate companies, which welcome the Executive's consultation document. It will do everyone good if we can get rid of the cowboys in the industry and ensure that those who provide a legitimate service are allowed to go about their business.

We must ascertain how many companies there are, what they do and how we define the term "private security". Is it some form of community vigilantism or a protection racket in which communities are told that if they pay £3 a week they will have no problems with graffiti or broken windows? Is private security a bit more refined than that? Does it include wheel clamping or the stewardship of nightclubs? The consultation document opens the door to examining the matter

in depth and ensuring that we have proper regulation. I look forward to the minister's comments.

12:42

Lord James Douglas-Hamilton (Lothians) (Con): I am glad to speak in favour of Johann Lamont's motion, all the more so since carefully scrutinised English legislation has been passed with considerable support.

The British Security Industry Association has stated:

"If security officers are going to assist limited police by moving into areas with more public contact and greater responsibility, it is important that they have the trust and respect of the public—that is why regulation is so crucial."

Following the publication of the Private Security Industry Bill, the chairman of the BSIA said:

"Regulation will isolate the less responsible elements of the industry and make them accountable for any breaches of the new laws. It will give credibility to an industry that has long fought to protect its image from the actions of a minority group of disreputable operators."

There have been concerns in the past about the lack of mandatory inspection of security companies and the absence of licensing for in-house officers. Indeed, David Dickinson, the director of Group 4, said in support of legislation that:

"Self regulation has failed. There are too many horror stories around and too many people who are engaging in criminality under the cloak of the private security industry."

As a result, I ask the minister whether we can expect a Government bill on this issue or whether he prefers a committee bill. Also, given the experience of the Private Security Industry Act 2001, will he carefully consider whether the new security industry authority, which will regulate private security firms south of the border, should have its jurisdiction extended to Scotland or whether Scotland should have a separate authority? Which option would make for value for money? It might make sense for the body to extend its jurisdiction to Scotland if the same principles and experience are present both north and south of the border.

Similarly, under the terms of the 2001 act, every private security operative will require a licence to be issued by the authority, which would have the duty to establish a register of approved contractors. Indeed, those contractors must meet certain conditions laid down by the Secretary of State for the Home Department and the local authority. It would be extremely helpful to members if the minister outlined his policy arising from the consultation and said to what extent the English legislation should be followed and whether particular Scottish circumstances will require a different approach—either in principle or in detail.

Johann Lamont's concern that the private security industry should command the confidence of the public is an admirable aim and I hope that the minister will give a sympathetic response that will result in either a Government or a committee bill that will eventually command the confidence of Parliament.

12:45

Paul Martin (Glasgow Springburn) (Lab): I congratulate Johann Lamont on raising issues that face not only her constituents, but people throughout Scotland.

We must ensure that the security industry does not have the problem of the poacher-turned-gamekeeper; we must have the poacher and the gamekeeper. Certain security companies create crime so that they can run protection rackets and we must regulate to deal with that problem. The Scottish Parliament and the Westminster Government face the challenge of dealing with the associates of those security companies, many of which are legitimate, but are associated with the criminal underworld. I do not know the answer to that problem; that is a question for the Justice 1 Committee and the Justice 2 Committee.

Kenny Gibson talked about the police postcode lottery and ensuring that resources are found in our local communities to deal with crime and to fund the work of the legitimate security industry—our police officers. We must deal with the resourcing of police officers in Glasgow.

Kenny Gibson will remember my call for a top-to-bottom review of policing in May 2000. I suggested that we should consider relocating police officers from the leafy suburbs to areas of high crime in Glasgow. We must take tough decisions about police resources and ensure that they have an impact in constituencies such as Pollok and Glasgow Springburn.

The message to security companies is, keep out of our communities unless you are legitimate.

12:48

Donald Gorrie (Central Scotland) (LD): Johann Lamont raises an important question and what she says is concerning. The business of protection rackets was the basis of the power of Al Capone and his rivals and successors. It is important that we nip that in the bud before it happens in Scotland.

My interest in the subject arose when I was researching the possibility of a member's bill on alcohol abuse. One of the unanimous points of agreement from people I spoke to was on stewards on the doors of pubs and clubs. Many of them are not trained and do not know how to

handle people; many have rather dubious backgrounds. I heard allegations of widespread corruption, even from a highly placed police source—not in Glasgow—who said that some door stewards ran a good scam. When one group of people came to the pub, they were frisked and the drugs they were carrying were confiscated. The door stewards then sold those drugs to the next group of people who came along. That is only one example of the way in which door stewards can impact badly on our society. We should certainly do something about that, and I welcome the Executive's consultation.

On Lord James Douglas-Hamilton's point, I would prefer that we had a Scottish system that operated in close liaison with the English system, but the whole thing must certainly cover the UK, one way or the other.

The problem of pubs and clubs can be dealt with reasonably simply if it is written into the licensing rules that a pub will not get its alcohol licence unless it has properly licensed door stewards and that, if the door stewards misbehave, the pub will lose its licence. That way, we would have a licensing system for the individuals as well as for the companies.

Also, the individuals need training. At the moment, door security is not a very attractive career. However, if people could get Scottish vocational qualifications in how to manage people, first aid and how the licensing laws work, that could be the first stage in working in and managing a pub. Such a system would have to take effect in due course and it could not be done instantly, but pubs would not get a licence unless they had done the proper training. That would put the whole issue of pub and club security on a much better basis. I do not claim to have knowledge of the deeper problem of protection rackets, but I share the concern of other members.

12:51

Mr Tom McCabe (Hamilton South) (Lab): I congratulate Johann Lamont not only on raising this issue, but on raising over the course of this session of the Parliament a whole series of issues that really matter to people in her constituency and all over Scotland. I am glad to see that two members of the press are covering the debate, and I hope that they will note that there are members who consistently raise issues that directly affect people's lives. Perhaps they will take the opportunity to note that there is a lot more than trivia going on in the chamber.

The private security industry plays an important role in protecting property and people, especially in the night-time entertainment market. It plays a vital role at many of our sporting occasions,

although we often fail to notice that it is even there. Perhaps that demonstrates how effective well-trained and well-resourced companies can be.

The private security industry must complement the role of the police but, more important, it must hold the confidence of the Scottish public. There should be no question of voluntary regulation. If the industry is to hold people's confidence, there must be mandatory parameters. To bring that about, we must establish a base line. What is the scale and scope of the industry in Scotland? As we speak, there are no independently compiled figures.

There are far too many examples of bad practice, which tarnish the good work of the majority of the industry. It is high time that a new Scottish authority for the regulation of the private security industry was established, with powers to oversee every aspect of that industry. There should be no place for dissecting different parts of the industry and giving responsibility to a disparate range of bodies. That one authority should have the resources to monitor the industry properly, otherwise it will be pointless and will fail to gain the confidence of the Scottish people.

It is time for the talking to stop and for positive action to start. We must eliminate the cowboys and allow the professionals, trained to proper standards, to flourish and to provide a service in Scotland.

12:53

Bill Aitken (Glasgow) (Con): Not for the first time in recent days, Johann Lamont is speaking a lot of sense, and she is to be congratulated on bringing this matter to the Parliament. There can be no doubt whatever that the lack of regulation in the private security industry is a cause for growing concern.

Our experience is not unique. There was a problem down south, which has been answered, to some extent, by regulating. The experience down south indicated, just as we saw in Pollok the other week, that some of the activities that were going on were more akin to a Chicago operation of the 1930s than to contemporary Scotland. Action is clearly necessary.

Under the Civic Government (Scotland) Act 1982, there is a requirement to license people such as taxi drivers and window cleaners. They have to demonstrate that they are fit and proper people to hold those licences. The thinking behind that is quite simple. If a taxi driver is out late at night in some area of the city, he has the excuse that he is there because he is driving a taxi. If a window cleaner is carrying out window cleaning operations, that is clearly his *raison d'être*. It is

essential that we can prove and be satisfied that such people are not criminals, but are fit and proper people to be carrying out such activities. Yet we do not apply any restriction to or seek to monitor the type of person who is involved in private security. I think that the minister will agree that there is a clear inconsistency in that respect.

Kenneth Gibson was right to refer to other activities of private security firms, experience of which has not been particularly happy. It is clear that bouncers—or club stewards, as they are euphemistically called—often cause more trouble than they prevent. Many incidents are caused by the inappropriate way in which they deal with people. They can be more concerned about getting into a rough-house than about diffusing any problem that arises.

Such matters must be examined in depth. The Conservatives are not greatly in favour of regulation simply for the sake of regulation, but it is clear that there is a real need for some type of regulation. If we seek to regulate and inquire into who is driving a taxi or cleaning windows, we should look much more closely at those who operate security firms. Several members have mentioned that there is evidence that there are organisations that are run by the gangster tendency.

12:56

Tommy Sheridan (Glasgow) (SSP): I, too, congratulate Johann Lamont on bringing this important issue to the attention of the chamber. I hope that there will be serious and worthwhile legislation on it.

I do not want to make the issue political, but I will refer to what Bill Aitken said about regulation. The Conservatives must shoulder much blame as a result of the deregulation that took place throughout the 1980s, particularly in connection with local authorities and compulsory competitive tendering. Unfortunately, the problem is that many businesses that thrived in Glasgow did so because they received copious amounts of public money. There needed to be security around developments and demolition projects in local authority areas. There was a difficulty in that, when local authorities were presented with tenders for security jobs, they were told to take the cheapest tender. Often, such tenders came from the most unscrupulous firms and acceptance would be based not necessarily on the ability of firms to do the job best, but on their ability to muscle in and ensure that nobody else could do the job within the price. That was down to deregulation. Local authorities were not allowed to consider matters relating to wages and conditions and whether there was a proper licensing regime.

It is important that, in considering the security industry, we wage war on the lack of regulation. There was a difficulty in the Local Government in Scotland Bill in that there was not enough in it to allow local authorities to choose the best for their areas rather than simply the cheapest. I hope that that will be corrected as it progresses and also that the taxi industry—and the private taxi industry in particular—will have more regulation, as that is needed, particularly in the city of Glasgow.

Recently, Johann Lamont and I have shared platforms to debate the issue. It is vital that we get to grips with it. I hope that Johann Lamont will agree with points that Paul Martin made—I am sure that she will. Part of the reason for the insecurity in many schemes and estates in Glasgow is the lack of police numbers on the ground. In addition, I hope that the minister will address the points that Paul Martin made. There needs to be an overhaul of policing in the Glasgow area. I do not think that community wardens will satisfy in any way, shape or form the gulf between what people perceive to have been on the beat in the streets in the past, compared to what is on the beat now. We must address that. I hope that the minister will do that in his winding-up, as well as addressing the other issues that have been raised.

12:59

The Deputy Minister for Justice (Dr Richard Simpson): I join other members in congratulating Johann Lamont on securing the debate. Its timing is excellent, as we had a debate on crime in general this morning. Yesterday, I spent a considerable amount of time on the first stages of the Criminal Justice (Scotland) Bill. The issue is high on the agenda.

Johann Lamont's first point is absolutely valid, as there are real problems in some of our communities. I have visited Inverclyde, in Duncan McNeil's constituency. I have been to Kirkcaldy with Marilyn Livingstone and to Springburn with Paul Martin. I know that my colleague, Jim Wallace, went in my stead to Cardonald. I intend to visit the constituencies of Patricia Ferguson and Elaine Thomson, both of whom have invited me to look at the problems on the ground. Most of the points that members made today were valid.

I want to join Johann Lamont in expressing support for the residents of Darnley in Paisley, who were victims of the vandalism that she described. We could speculate about the linkages, but as three arrests have been made, further comment would not be appropriate in the circumstances.

There are two strands to the issue: the statutory bodies and the private industry. We need to look at both. Regulating the private security industry is

one way in which public confidence in the criminal justice system can be maintained and enhanced. However, it is by no means the only way forward.

We must continue to take the steps that we have already initiated to try to make our communities generally feel safer. Although we have put a record amount of funding into the police and although we now have record police numbers—they are up by 200 on a year ago—we recognise that how policing is undertaken is also important.

Her Majesty's inspectorate of constabulary for Scotland is about to publish a thematic review that will consider visibility and the public's confidence in policing. I have not yet received the details of that review, but I suspect that it will show us that the numbers of police who are engaged in specialist and backroom activities, such as serving citations, court work and many of the things that were mentioned in this morning's debate, are such that they detract from the visibility that we all agree is necessary. We need to address that. We will work with the Association of Chief Police Officers in Scotland and with the police boards to try to improve that situation.

The distribution of resources was raised this morning and ACPOS has been looking at that. Some forces are underfunded, and I think that people will not be that happy about that report, although it has been agreed with ACPOS. However, I do not want to anticipate the outcome except to say that there will be losers and winners, as there always are in redistribution.

What else are we doing? In association with the justice department, Margaret Curran, who spoke in this morning's debate on poverty, is working on the neighbourhood warden schemes, to which Johann Lamont alluded. We are allocating £20 million to those schemes over the next two or three years. There is no doubt that that gives confidence to communities, as the initial responses from those communities have been excellent. We will look at how those schemes work and how much they cost.

In Clackmannanshire, which is in my constituency, the nationalist council has chosen to introduce what it calls "community improvement zones". The council is spending almost £1 million in two wards to achieve the effect, so I slightly wonder about the cost-effectiveness of those zones. However, I welcome the initiative as it is attempting to deal with these problems.

There are other areas that we can address and that we should improve. I am particularly keen to promote special policing, not as a substitute for the full-time police but as an adjunct that can reconnect police to their communities. If we look back to the 1920s, there were something like 13,000 or 14,000 special police and only a small

number of full-timers. It is quite appropriate that we now have over 15,000 full-timers, but the number of specials is now down to 1,000. We are looking at that and will continue to look at whether special policing might help in terms of connecting policing to communities.

Let me now turn to the private security industry, which has experienced massive growth over the past 20 years. The industry has expanded and adapted to fill increasing demands. As members have said, the industry is diverse and includes door stewards, alarm and monitoring companies, protection for sporting and other activities, and companies that transport cash and valuables and much else. The industry covers a huge range of activities.

I am sure that the vast majority of those companies are honest and law-abiding. They do an important job and they do it well. They serve our communities effectively. However, there is undoubtedly also an unscrupulous element, which uses the industry as a cover for extortion or other illegal activities. Although that element may not be widespread in Scotland, that does not mean that we should ignore it. The police take all such allegations seriously and investigate them thoroughly. We have given a firm commitment to regulate the industry. As Lord James Douglas-Hamilton said, that has been welcomed by the industry, which wants the cowboys to be eliminated. We should congratulate the industry on the progress that it has made over the years through self-regulation.

When it comes down to discussing the detail, in an otherwise almost unanimous chamber we will debate how much and what form of regulation is best. Our nationalist colleagues may decide that they want a separate body for regulating the industry in Scotland. Others, represented by the Conservatives and Donald Gorrie, would prefer the regulation to be part of the UK set-up. The Executive is considering the matter, although it tends to favour the UK set-up, as Kenneth Gibson will not be surprised to hear.

We are consulting on the issues. Members alluded to the fact that we issued a consultation document on the question of statutory regulation. The intention of that was to reassure the public, to exclude unsuitable people from gaining employment in the industry and to raise the standards in the industry, thereby enhancing its status and reputation among the general public, the police, local authorities and the commercial sector. I can tell members that we will regulate, although the timetable for that is a matter for discussion. I will raise with colleagues the suggestion that a committee bill might be appropriate. Donald Gorrie questioned whether door stewarding should be regulated locally:

consideration must be given to how we balance regulation.

The debate reflects an excellent aspect of the Parliament: almost total unity in the belief that we should unite in ensuring more visibility for our police. However, we must have effective and intelligent policing. One matter that was not raised in this debate—although it was raised during the criminal justice debate this morning and I did not have the chance to respond—is the fact that part of our problem is the cross-correlation of information. The housing department knows something, the community council knows something, the neighbours know something and the police know something, but we do not draw all those things together. We must not use the Data Protection Act 1998 as a means of failing to share information; we must find ways to share information.

I welcome the debate and I hope that, in my response, I have been able to indicate how seriously we take the matter.

13:07

Meeting suspended until 14:30.

14:30

On resuming—

Question Time

SCOTTISH EXECUTIVE

Bruce Crawford (Mid Scotland and Fife) (SNP): On a point of order, Presiding Officer. I see that question 5, which was lodged by Mike Rumbles, has been withdrawn. There might well be a good reason for that, but many of us will be disappointed. Given this morning's announcement on the Cairngorms national park, we were looking forward to questioning the minister on the matter this afternoon. Is it possible for any other member to ask that question?

The Deputy Presiding Officer (Mr Murray Tosh): The member will not be surprised to hear that the answer is no, because the question has been withdrawn.

A9 (Dual Carriageway Status)

1. Murdo Fraser (Mid Scotland and Fife) (Con): To ask the Scottish Executive whether it will meet representatives of local community groups campaigning for the upgrading to dual carriageway status of the A9 trunk road between Perth and Inverness. (S10-5856)

The Deputy Minister for Enterprise, Transport and Lifelong Learning (Lewis Macdonald): We will continue to discuss priorities for improving road safety on the A9 with the local councils, the police and other interested parties.

Murdo Fraser: I thank the minister for his answer, although I am not quite sure whether it was a yes or a no. I dare say that we can pursue the matter.

My colleague Mary Scanlon and I have both been victims of car accidents on the A9 trunk road. Does the minister accept that the high level of accidents and, indeed, fatalities on the A9 constitutes an unanswerable case for upgrading the road to dual carriageway status?

Lewis Macdonald: No, I do not accept that, although I will consider carefully and in the usual way Murdo Fraser's request for a meeting. Our priority on the A9 is not to dual the entire stretch from Perth to Inverness because the volume of road traffic simply falls far short of the levels that would justify doing so. Instead, our priority on the A9 between Inverness and Perth is to identify areas where investment can address road safety issues, to make that investment and to improve the safety of the road for all those who use it.

Mr John Swinney (North Tayside) (SNP): I acknowledge the minister's comments about the volume of traffic on the A9. However, does he agree that the accident rate on the road is absolutely unacceptable? Furthermore, does he agree that part of the problem is the fact that, in my constituency alone, the road changes between single and dual carriageway six times within a distance of 50 miles? Given that, will the minister listen more sympathetically to many local organisations' pleas to improve dramatically that stretch of the road by upgrading it to dual carriageway status?

Lewis Macdonald: If Mr Swinney were to check the accident rates on the A9, he would find that they were very far from the extreme end of the range. In fact, the rates are very close to the average for trunk roads of its type in Scotland. Instead, what we need to do on the A9 is precisely what I set out in an announcement in Mr Swinney's constituency only a few months ago, which he was delighted to welcome. We made proposals to tackle a specific problem at a specific junction and put it to rights. At the Ballinluig junction, which Mr Swinney agreed had the most pressing case for investment on the A9, the road is dual carriageway.

Maureen Macmillan (Highlands and Islands) (Lab): Does the minister propose to tackle safety issues on parts of the A9 that cause most concern? Moreover, as drivers feel a great deal of frustration when they are stuck behind slow lorries, what are the minister's plans for encouraging more freight to travel by rail?

Lewis Macdonald: On the A9 and, indeed, throughout the Highlands we have already made significant investment in moving freight from road to rail. In fact, 1.5 million lorry miles a year have been removed from the Highlands through measures such as the freight facilities grant and the track access grant. We will continue to do that and to identify particular cases. For example, I mentioned Ballinluig just a moment ago; there is a clear need for investing in that stretch of dual carriageway, which includes a junction to Aberfeldy just before the settlement of Ballinluig itself. As I said, we will continue to identify where we should make such investments. However, we will do so in the context of the whole trunk road network.

Mr Keith Raffan (Mid Scotland and Fife) (LD): Is the minister aware that there is cross-party concern about the A9? It is completely unacceptable that there continues to be such a high level of very serious accidents and fatalities on that road. If the same is true on other roads, then my goodness, we have a major problem.

Does the minister accept that it is not enough to concentrate on the Ballinluig junction? There have

been serious accidents at other junctions such as at Kindallachan, south of Ballinluig, where there was recently a fatality. We must take action, so will the minister consider at least the possibility of a review of the road and the costs of dualling the road to Inverness?

Lewis Macdonald: It is precisely because we recognise that there are road safety issues on the A9 that in April, when I visited Ballinluig, I chaired the first meeting of the A9 road safety group. That group has continued to meet since then and brings together the local authorities, the police and other interested parties to identify places on that route where further investment will make a difference.

Secondary Education

2. Mr Duncan McNeil (Greenock and Inverclyde) (Lab): To ask the Scottish Executive how it will assist secondary school pupils in fifth and sixth year to strike the correct balance between work and school. (S1O-5857)

The Deputy Minister for Education and Young People (Nicol Stephen): It is clear that it is important to get the balance right between young peoples' work experience, the financial benefit they gain from working and their school achievement. The Children and Young Persons (Scotland) Act 1937 currently allows young people under the age of 15 years to work for a maximum of 17 hours a week during term time and it allows those aged at least 15 years, but below the school-leaving age, to work up to 20 hours.

Mr McNeil: Is the minister aware of the recent study by Jim McKechnie of the University of Paisley that indicates that although a small amount of work can boost academic achievement, working more than 10 hours a week can bring down exam results? How will the Executive help students in the crucial fifth and sixth years to gain valuable experience of the world of work, while protecting them against overwork and exploitation?

Nicol Stephen: That situation has been considered in the education and enterprise review that I chaired. It is an important area and we must get right the quality of work experience as well as the number of hours that can be worked.

As the member said, Jim McKechnie's important review suggests that up to 10 hours per week could be beneficial to pupils. He also said that children are not working because of poverty, but because they want to work. However, he suggested that pupils and parents need to strike a balance between work and study. I agree with that and it is an area in which the Scottish Executive can influence the way ahead, as can local authorities and schools. We might need to consider further action, but parents and pupils

must play an important role in finding the right solution.

Local Authorities (Direct Payment Services)

3. Mr Lloyd Quinan (West of Scotland) (SNP): To ask the Scottish Executive what action it is taking to ensure that local authorities involve service users in the setting up and maintenance of their direct payment services. (S1O-5855)

The Deputy Minister for Health and Community Care (Mr Frank McAveety): Revised guidance for direct payments issued to local authorities on 10 July 2002 makes clear the need to consult local users and representative organisations in establishing local schemes. We place particular importance on taking into account the views of 16 and 17-year-olds and older people who have previously been unable to access schemes. Many other aspects of disability are not fully covered, but we will take those into account. A copy of that guidance has been placed in the Scottish Parliament information centre.

Mr Quinan: It is intended that direct payments will give a choice of services to individuals who are in receipt of community care. Currently, local authorities have the power to make payments for community care services and from June 2003 that power will become a duty. However, current statistics show clearly that local authorities are not making the necessary changes to their services, which is resulting in service users not being given the opportunity to make and receive direct payments. Therefore, does the Scottish Executive have any plans to pilot in any local authority direct payment schemes to parents of disabled children before June 2003?

Mr McAveety: We prefer to work in partnership with local authorities to address deficiencies such as those the member has mentioned. I am happy to address those concerns and to report back to Parliament. However, we are facilitating the change from a local authority power to a duty to make payments from 2003. We want to work in partnership with local authorities and users to ensure the most effective use of resources.

I agree that not enough people are allowed to take up direct payments, so we must encourage people in as many ways as possible. The member suggests one way to do it, but perhaps there are two or three other ways to encourage people. I am happy to listen to members' views.

Drugs Courts

4. Dr Sylvia Jackson (Stirling) (Lab): To ask the Scottish Executive whether it will report on the progress of drugs courts. (S1O-5897)

The Deputy Minister for Justice (Dr Richard Simpson): The evaluation of the first six months

of the pilot Glasgow drugs court was published on Monday 11 November. A further report is planned for early 2004, with a final report in 2005. A similar evaluation of the new drugs court in Fife will also be conducted.

Dr Jackson: As the minister knows, I have long been a supporter of halfway houses. Will he explain how the drugs courts will link with the new time-out centre?

Dr Simpson: The new time-out centre, which we hope will be ready by June 2003, will be a unit to which drugs courts can send women as part of the imposition of probation orders that include a condition of attendance. The hope is that the new time-out centre will divert from short-term sentences at Cornton Vale up to 530 receptions a year. The combination of day and residential facilities at the time-out centre will be highly beneficial to those who have drug problems.

Richard Lochhead (North-East Scotland) (SNP): Does the minister accept that drugs courts play a crucial role in reducing drug misuse? Will he explain why there is not therefore one in Grampian, where drug misuse has gone through the roof, as has drug-related crime. Only last night, an elderly couple in their nineties were robbed in their home for a small quantity of money. That was, no doubt, another drug-related crime. What measures is the minister taking over and above drugs courts, which Grampian does not have, to reduce such crime?

Dr Simpson: There are two parts to that question, the first of which is why there is not a drugs court in Aberdeen. We are testing an urban court in Glasgow. The only other drugs court in Europe is in Dublin, but it has had difficulties and has not proved to be highly effective. The initial evaluation of the drugs court in Glasgow demonstrates its effectiveness, but the numbers that are going through it are very low and we have identified a number of problems that we intend to address. The Fife drugs court is in a rural setting and we intend to test that. We will complete both those tests before we move on to Aberdeen.

Aberdeen has drug treatment and testing orders, but they took a year to be established in the city from the point at which we announced them. There are problems with capacity in Aberdeen, but it is clear that it is a possible venue for a third drugs court if the first two prove to be successful.

Mr Keith Raffan (Mid Scotland and Fife) (LD): Does the minister agree that, if we are to roll out drugs courts and DTTOs, we must provide more residential and non-residential programmes? It is absolutely ridiculous that for 55,000 addicts in Scotland there are currently only 120 residential beds exclusively for drug addicts.

Dr Simpson: The question of halfway houses for women that was raised by Sylvia Jackson also applies to men, and we will consider such provision in relation to men in the future. The whole concept of residential care is a difficult one, because such care is expensive and the outcomes are not always what we hope they will be. It is important that we have an integrated programme and the main thrust of the Government's action this year has been to encourage all the groups to work together in an integrated way. As Mr Raffan knows, we have published a document on that and we intend to ensure that such integrated work is implemented.

The Deputy Presiding Officer: Question 5 has been withdrawn.

Road Safety (Children)

6. Karen Whitefield (Airdrie and Shotts) (Lab): To ask the Scottish Executive what further funding it will provide for road safety initiatives for children. (S1O-5902)

The Deputy Minister for Enterprise, Transport and Lifelong Learning (Lewis Macdonald): I announced last week a second round of funding for child pedestrian training pilot schemes. A third round of funding will be awarded next year. Funding for that initiative totals £810,000 over five years, and a number of other initiatives are also in place.

Karen Whitefield: I welcome that additional funding. Will the minister join me in congratulating North Lanarkshire Council on the innovative child pedestrian training scheme that it has been running with Netherton Primary School? Does he agree that such schemes should be rolled out not only in North Lanarkshire but throughout Scotland?

Lewis Macdonald: I visited Netherton Primary School only a couple of weeks ago and saw in practice the enthusiasm and commitment of staff and parents to ensuring that the scheme works. That initiative is part of a pilot scheme; additional entrants to that scheme in three other council areas were announced recently. The purpose of a pilot is clearly to test the effectiveness of the scheme in achieving improvements in the safety of children of that age. If the pilot is successful, we will certainly consider rolling it out further.

Iain Smith (North-East Fife) (LD): Is the minister aware of the experimental schemes in Aberdeenshire for rural and urban schools where variable speed limits have been introduced at school entry and leaving times? Is he doing anything to encourage other local authorities to examine those pilots and develop them in their own areas?

Lewis Macdonald: We have a set of schemes in place for cycling, walking and safer streets. There is funding for all local authorities and we encourage them to learn from one another's best practice. We expect some of that money to be used for improving safety at school gates. We are aware that certain areas of road safety relate to children who are particularly vulnerable. Children from low-income families who are starting primary school and children from all backgrounds who are moving from primary school to secondary school are particularly vulnerable and we welcome projects that successfully address such matters.

Local Authority Pension Funds

7. Mr Keith Harding (Mid Scotland and Fife) (Con): To ask the Scottish Executive what discussions it has had with the Convention of Scottish Local Authorities and others about local authority pension funds. (S1O-5868)

The Minister for Finance and Public Services (Mr Andy Kerr): Issues relating to local authority expenditure, including pensions, are considered as part of our regular discussions with COSLA.

Mr Harding: As equity markets are falling, will the Scottish Executive fund fully any necessary increased contributions to council pension funds, or will that funding fall on hard-pressed council tax payers? Will that again result in more council services being cut?

Mr Kerr: Actuaries are currently going through the process and are not due to report on the 11 Scottish local government funds until next year. Evaluations of contributions that employers are expected to make take into account a number of national and local factors. As I said, we have on-going discussions with COSLA and those include the issue in question. Local authorities are accustomed to the process. They have regularly been involved in and understand such reviews and they understand the various factors that are taken into consideration. However, I am always happy to listen to our local authority colleagues in respect of such issues.

Education (Head Teachers)

8. Trish Godman (West Renfrewshire) (Lab): To ask the Scottish Executive what measures are being introduced to encourage school head teachers to work together and share best practice. (S1O-5898)

The Minister for Education and Young People (Cathy Jamieson): We have commissioned Learning and Teaching Scotland to pilot heads together, which is an electronic community for Scottish head teachers that will give them access to support from colleagues and provide tools for the creation and sharing of new ideas.

Trish Godman: I recognise that good practice exists, but will the minister tell me what steps are being taken to ensure that unnecessary competition between schools is reduced, especially competition such as that which some schools engage in to attract pupils? Reducing such competition would go some way toward addressing the issue of class sizes.

Cathy Jamieson: Over the past few weeks, the First Minister and I have made it clear in the chamber and elsewhere that we want every school in Scotland to be a centre of excellence. We want to ensure that head teachers have opportunities for flexibility in the curriculum and that they manage their budgets so that we can raise standards and attainment in every Scottish school.

Alex Neil (Central Scotland) (SNP): Will the minister ask head teachers to work together with the university sector and highlight, for example, the work of the University of Strathclyde's modern languages department, which has to run remedial courses for new students to overcome some of their problems before they can engage in university education?

Cathy Jamieson: It is important that the whole education community looks not just at pupils' transition from school to university, but at the transition to the world of work, which Alex Neil takes a close interest in. We will continue to address such matters.

Education (Five-to-14 Curriculum)

9. Michael Russell (South of Scotland) (SNP): To ask the Scottish Executive what steps are being taken to review the contents of guidance on the five-to-14 curriculum. (S1O-5865)

The Deputy Minister for Education and Young People (Nicol Stephen): Learning and Teaching Scotland is charged with providing independent advice to ministers about all matters that relate to the five-to-14 curriculum, and keeps the curriculum guidance under review.

Michael Russell: I am sure that the minister is aware of the contents of a written answer that he provided to me yesterday on the five-to-14 curriculum. In the light of his answer, what is he asking Learning and Teaching Scotland to do urgently about the fact that, Scotland-wide, 48.8 per cent of young people do not reach the required level at secondary 2 in mathematics, 54 per cent do not do so in writing and 43 per cent do not do so in reading? Does he realise that an enormous problem is emerging?

Nicol Stephen: We have already taken action on such issues. However, there is a problem that must be tackled. We have launched initiatives on literacy and numeracy, there is a school improvement framework and new legislation has

been passed, which is one of the first pieces of legislation passed by the Parliament to try to ensure that learning in Scotland is focused on the needs of individual children. An improvement framework is therefore in place and local authorities, individual schools and teachers throughout Scotland are determined to deliver improvements and to improve on the figures that Mike Russell quoted. I also hope that there will be increasing involvement by parents and pupils. However, I agree with Mike Russell that some of the figures are simply unacceptable.

Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD): Does the minister accept that there are real concerns about the multiplicity of strands in five to 14 and the associated assessment and recording in the various areas of study? There is a worry that those demands can impact on the availability and flexibility of time for teaching and learning.

Nicol Stephen: I agree with that. We are looking at ways to simplify in particular assessment in the five-to-14 framework. It is important that we press ahead with that as quickly as possible. A review group is currently considering the issue.

If I may, I will return to the statistics that Mike Russell quoted. It is important that we do not lose sight of the need to continue to drive up standards and attainment in our schools. That does not require only that Government ministers work through national initiatives; rather, all of us—including local authorities and individual schools—must be firmly focused on improving literacy and numeracy in particular.

There are schools that are delivering real excellence even in some of Scotland's traditionally most deprived areas, where it is difficult to achieve high levels of performance. We need to roll out that best practice throughout Scotland.

Hospital-acquired Infections

10. Helen Eadie (Dunfermline East) (Lab): To ask the Scottish Executive what action it is taking to tackle hospital-acquired infections. (S1O-5896)

The Minister for Health and Community Care (Malcolm Chisholm): I published the Scottish hospital-acquired infections action plan on 23 October. All NHS boards and trusts have been asked to take urgent action to carry forward its recommendations.

Helen Eadie: Will the minister comment further on whether the action plan will include training measures and on-site laundry facilities for staff who are concerned about being able to maintain their uniforms and keep them clean?

Malcolm Chisholm: Both those issues are covered in the action plan. The report by Dr Watt, who is a consultant microbiologist, fed into the action plan, which drew not only on his report but on the major convention that we held in the summer, through which we made use of a lot of expertise from Scotland and further afield. Training has been flagged up as an early priority among the large number of actions and initiatives that have been proposed. We have put those initiatives in order, but training is certainly an early priority.

We are building on work that was done earlier in the year. For example, this year, we are measuring the scale of the problem for the first time. We are also setting up systems to manage the problem. The systems are being inspected by the Clinical Standards Board for Scotland and its report, which will give a national overview of the existing situation, will be published before the end of the year.

Dr Winnie Ewing (Highlands and Islands) (SNP): Does the minister relate the shortages in cleaners and cleaning materials, which affect even hospital theatres, to infection? That is exemplified by the experience of my own family. For my husband's eye operation on Saturday, he was openly told that he must rise three hours after leaving the operating theatre and come straight home to my tender loving care to escape the risk of infection. Is it not time that, in the interests of the safety of our people, we removed the job of cleaning from private contractors, whose interest is to make a profit? Is it not time to encourage some cleaning people to be whistleblowers?

Malcolm Chisholm: Clean hospitals are clearly a major part of reducing hospital-acquired infections. We now have the first-ever national standards for cleaning, a report on which will be published at the beginning of next year.

Two years ago, we signalled in our health plan that cleaning contracts should be awarded on the basis not of cost, as in the past, but of best value. That means that quality is very much at the centre. That key idea was carried forward significantly in our action plan, in which we said that there should be a fundamental role for front-line staff—in particular, for the senior nurse in any area—in specifying the standards for the cleaning contract and in overseeing its implementation. We expect such a role to be built into all future contracts.

Mary Scanlon (Highlands and Islands) (Con): Given the fact that 50 per cent more people die from hospital-acquired infection than die on our roads, and given the fact that the Executive has made a commitment to reduce road deaths by 40 per cent, will the minister give a similar commitment to reduce deaths from hospital-acquired infections?

Malcolm Chisholm: I am absolutely committed to reducing both the number of deaths from, and the overall incidence of, hospital-acquired infection. Throughout the year, I have given that issue a high priority. Back in January, when there was a bad outbreak at a certain hospital, I commissioned the Watt report, which underlay a lot of the action plan. I am utterly committed to tackling such infection. A series of actions are necessary and are being taken, but we have tried to prioritise those actions. Health boards and trusts are focusing on the issue as they have never done in the past.

Irene Oldfather (Cunninghame South) (Lab): I welcome the minister's comments. Is he aware of the specific concerns of pregnant women about childbirth in district general hospitals? Can he give an assurance that any future strategy will take careful account of their views and needs?

Malcolm Chisholm: That is another area of critical importance for infection control. I expect all the measures that we have recommended—especially the changes to what happens on the front line—to apply in the area of childbirth as much as, if not more than, in other areas. The action plan contains a raft of practical measures. Simple measures such as having sufficient hand-washing facilities and ensuring that good practice is followed in that regard are at the heart of the action plan.

Scottish Enterprise

11. Bristow Muldoon (Livingston) (Lab): To ask the Scottish Executive what progress is being made with the smart, successful Scotland strategy through supporting the work of Scottish Enterprise. (S1O-5901)

The Minister for Enterprise, Transport and Lifelong Learning (Iain Gray): Scottish Enterprise follows the strategic direction that was set by the Executive in "A Smart, Successful Scotland". It met an impressive 18 out of 21 output targets for 2001-02, as set out in its annual report. Impact on the economy is assessed using performance measures that were set out in March in the Executive's document "Measuring Scotland's Progress Towards a Smart Successful Scotland". We will report on progress next year.

Bristow Muldoon: I thank the minister for that response and welcome the remarks that he made last week at the "Science and the Parliament" event, where he recognised both the importance of science to the Scottish economy and the growing numbers of undergraduates in science and mathematics. Following recent announcements of funding for support and research through the Scottish Higher Education Funding Council, how will he ensure that Scottish Enterprise works with higher education

establishments to ensure the commercialisation of research in Scotland's universities?

Iain Gray: We are ensuring that there is good co-operation between the Scottish Higher Education Funding Council and Scottish Enterprise through common board members and the exchange of board papers between the two boards. The boards are clear about the importance of science. At the "Science and the Parliament" event, I said that we are good at recognising the importance of Scottish scientists of the past and that it is about time that we got better at recognising the importance of Scottish scientists of the present. Scotland's past was built on science and our future will be. Scottish Enterprise understands that.

Tomorrow, in my constituency, I will break ground on the new phase of the Heriot-Watt University research park, which holds the potential for 5,000 jobs through the commercialisation of science. That project is supported by Scottish Enterprise Edinburgh and Lothian. It is one example; there are many others around Scotland.

Christine Grahame (South of Scotland) (SNP): The minister will be aware that one of the Government's key ambitions in "A Smart, Successful Scotland" is to grow businesses. I advise him that, yesterday, Alex Neil and I attended a meeting at Scottish Enterprise with representatives of a Scottish company with a prize-winning product that is receiving inquiries and orders from all over the world. The lacklustre response that those representatives received from Scottish Enterprise, when it was asked for assistance with funding, filled me with despair—no wonder entrepreneurs leave Scottish shores.

Mr Duncan McNeil (Greenock and Inverclyde) (Lab): Ask a question.

Christine Grahame: Duncan McNeil will get a question if he stops trying to bully me.

The Deputy Presiding Officer: Can we have the question now, please?

Christine Grahame: I am more interested in the answer. When I write to the minister with the details of that case—which I am sure is replicated elsewhere in Scotland—will he give the matter the attention that the Executive's well-funded agency did not?

Iain Gray: It is impossible for me to comment on the particulars of a case that is not known to me. If Christine Grahame writes to me with those particulars, I shall investigate them, as I always do.

Last year Scottish Enterprise helped more than 7,000 new businesses to get off the ground and 220 Scottish companies to become exporters for the first time. I do not doubt that there were

difficulties in some of those negotiations, but we have moved to improve that situation. Similarly, we moved this week to improve regional selective assistance support for Scottish companies; we are making information more easily available, so that it will be easier for companies to benefit from that assistance. That is important work and, where there are failures, we will look at them and make improvements.

Miss Annabel Goldie (West of Scotland)

(Con): In 2001-02, Scottish Enterprise required £392 million to exist. In comparison, the English development agencies required a modest £1.14 billion in total. Why does Scottish Enterprise have such a voracious appetite for public money?

Iain Gray: One of the reasons is that about 50 per cent of Scottish Enterprise's budget is spent on the skills and learning agenda, which is probably not the case for the agencies to which Miss Goldie referred. If Scottish Enterprise has a voracious appetite, that is because the Scottish people have a voracious appetite for improving their skills in order to improve their future.

Dennis Canavan (Falkirk West): Will the minister ask Scottish Enterprise to do everything possible to assist the 250 workers at Jones and Campbell Ltd's foundry in Larbert who face redundancy because of the proposed closure of the foundry, which is the biggest in Scotland? Further, will the Executive ensure that careful consideration is given to every possible alternative to closure, the provision of more job opportunities and the diversification of the local economy?

Iain Gray: I am aware of the extremely unfortunate situation to which Mr Canavan referred. However, we have a powerful framework, with a track record of success, for providing the maximum possible support to those who lose their jobs, to help them to find alternative opportunities. For example, some 95 per cent of those who lost their jobs in Motorola at Easter Inch in Bathgate are now in work or full-time training, as are 90 per cent of those who lost their jobs at Longannet. I pay close attention to that framework and I believe that we have improved it over recent months. I can certainly give Mr Canavan an undertaking that I will ensure that that framework swings fully into action to the benefit of the workers whose case he raised.

Football Partnership

12. Phil Gallie (South of Scotland) (Con): To ask the Scottish Executive what representations it has received from the Scottish Football Association about funding for the football partnership. (S10-5890)

The Minister for Tourism, Culture and Sport (Mike Watson): David Taylor, the chief executive of the SFA, wrote to officials in the sports policy

unit in June this year about the transfer of funds from the former Football Trust.

Phil Gallie: What level of monthly funding can the football partnership expect, given the fact that the Football Trust has been wound up? What lump sum would be due to the football partnership? Why is the football partnership not up and running?

Mike Watson: It is disappointing that the football partnership is not up and running. However, it is mired in legal difficulties over the release of funds from the former Football Trust. I will not speculate about the amounts of money that could be involved because we do not know what they are. Once the legalities are sorted out, I will be able to answer that question. However, I have written twice to the chair of the Football Foundation in Scotland—the second letter was sent only this week—to try to remove those blockages. The matter is not directly in the Executive's hands, but we are trying to assist.

Credit Unions

13. Donald Gorrie (Central Scotland) (LD): To ask the Scottish Executive what action it is taking to encourage the growth of the credit union and community banking movement. (S10-5891)

The Minister for Social Justice (Ms Margaret Curran): We are working with our partners in the Scottish credit union partnership on implementing our action plan—"Unlocking the Potential: An Action Plan for the Credit Union Movement in Scotland"—for the credit union movement, which is supported by Executive funding of £1.5 million over three years. Communities Scotland is supporting communities to explore pilot community banking initiatives, building on the excellent work that is being undertaken in Wester Hailes. That exploratory work will continue with the Capital City Partnership and other social inclusion partnerships throughout Edinburgh, and with a consortium of housing associations in the north and east of Scotland.

Donald Gorrie: Will the minister consider discussing with the major commercial banks the creation of a national system for the banks to lend money to approved credit unions? In turn, credit unions would lend the money on in small quantities to local people, on the basis that they have better information about who is or is not creditworthy.

Ms Curran: We are involved in discussions with the banks across a range of issues related to financial inclusion. We will take any opportunity to maximise the potential of that relationship. I would be happy to discuss the detail of the measures that we are taking with Donald Gorrie, if he is interested.

Karen Gillon (Clydesdale) (Lab): Does the minister accept that, although credit unions are a very valuable part of our communities, there are practical difficulties in establishing them in rural areas? Can she explain what action the Executive is taking to assist volunteers for credit unions, such as the one in my constituency, to undertake the visits that are necessary to small villages that are spread out over a wide area?

Ms Curran: We recognise that rural areas face particular problems on this and many other issues in my portfolio. I do my best to factor those problems into all our work.

One solution must be that of taking a broader approach and maximising the use of other community organisations. That is why I am particularly interested in the wider role moneys that are available to housing associations. We want to join up our initiatives to ensure that, where communities are in need, we maximise return to those communities from investment.

Linda Fabiani (Central Scotland) (SNP): The minister will recall the debate on credit unions that was held in March last year. During that debate, the then Minister for Social Justice outlined to us the differences that exist between regulation by the Financial Services Authority and regulation by the Registry of Friendly Societies. That is a reserved matter, but concern has been expressed that new credit unions are finding it difficult to become established under the Financial Services Authority. Have attempts been made to alleviate the problems that new credit unions are experiencing?

Ms Curran: We are doing our best to alleviate any difficulties that credit unions face in the new context. We are funding a comprehensive, practical package of assistance to enable all credit unions to meet the requirements of the Financial Services Authority's regulatory framework. We are taking whatever action we can, although I am not complacent about that. We will take every opportunity to assist credit unions, because we recognise their importance in dealing with debt and poverty in Scotland.

School Buildings (Public-private Partnership Schemes)

14. Alex Johnstone (North-East Scotland) (Con): To ask the Scottish Executive what the benefits are for local authorities of using PPP schemes in the construction of new school buildings. (S10-5881)

The Minister for Education and Young People (Cathy Jamieson): Public-private partnerships provide an additional procurement option that enables local authorities significantly to improve their school estates.

Alex Johnstone: Does the minister agree that the refusal of nationalist-controlled Angus Council to embrace PPP as a means of providing new schools and other public buildings has nothing to do with the provision of good public services and everything to do with the blinkered application of the SNP's left-wing policies?

Cathy Jamieson: I am pleased to see Conservative members supporting Executive policy. I want schools that are fit for the 21st century. I want every local authority in Scotland to ensure that it addresses the problems in its school estate, that it provides schools that are fit for the 21st century, and that pupils and teachers benefit from those schools.

Irene McGugan (North-East Scotland) (SNP): Does the minister agree that it is important that any package for investment in schools—whether through PPP or other means—should include future provision for Catholic secondary schools? If so, given the consensus in the Catholic community in Dundee about the need to replace two schools with a new one that is fit for the 21st century, will she consider a further submission from Dundee City Council seeking an additional sum for investment in education in Dundee? That would ensure that Catholic schools would benefit from the programme of refurbishment and rebuilding.

Cathy Jamieson: The Executive has made it very clear that it values the provision of Catholic education. However, each local authority must reach conclusions about which strategy best meets the needs of pupils, parents, teachers and local communities. I await with interest Dundee City Council's proposals.

Robin Harper (Lothians) (Green): Is it the Executive's intention to require that the very highest environmental design standards are included in PPP projects for schools, given the advantages, both educational and environmental, that would accrue from such a policy?

Cathy Jamieson: We want to ensure that when authorities prepare their plans for the school estate strategies of the future, they take account of environmental considerations and of good building design and standards. To that end, we held a seminar earlier this week, which 30 of the 32 local authorities in Scotland attended and at which we heard a range of presentations and examples of good practice from around Europe.

First Minister's Question Time

15:10

Cabinet (Meetings)

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

To ask the First Minister what issues will be discussed at the next meeting of the Scottish Executive's Cabinet. (S1F-2243)

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): Next week, Cabinet will discuss a number of important issues and, as at this week's Cabinet meeting, I will provide colleagues with an update on the fire service dispute.

Mr Swinney: I thank the Deputy First Minister for his answer and associate the Scottish National Party with the Lord Advocate's comment in Parliament this morning that hoax callers during the fire dispute, or at any other time, must be pursued with absolute vigour.

Yesterday, the Deputy First Minister told Parliament:

"fire service pay and conditions ... are matters for local authority employers."—[*Official Report*, 13 November 2002; c 15310.]

If that statement is true, why did the Government intervene to block a 16 per cent pay deal, which was proposed by the local authorities and discussed at a meeting with the Deputy First Minister in June? Is it because the Government is not prepared to make available any new money for fire service pay?

Mr Wallace: First, I welcome the fact that John Swinney has applauded what the Lord Advocate said in this morning's debate. It is important that we all condemn the making of hoax calls at any time, but particularly when there are not the same resources available. People should be made aware that calls can be traced and that both the police and fiscals will pursue the perpetrators with vigour.

The simple answer to the second question is that a 16 per cent offer was not blocked. As Sir Jeremy Beecham, the chairman of the Local Government Association, has made clear repeatedly, the Government at no time intervened to prevent the local fire authorities from making a pay offer to the Fire Brigades Union.

Mr Swinney: It is clear from that answer that there is no new money available from the Government. [*Interruption.*]

The Deputy Presiding Officer (Mr Murray Tosh): Order.

Mr Swinney: I have in front of me a document that was made available to the fire service employers, which says:

"Bain states that the proposals should be self-financing. The Government agrees and will make no new money available."

The document says that the pay package must be paid for by savings, including reductions in fire engines and cuts in night staffing. Is it not the case that the only way in which the Government plans to deliver the pay deal that the Deputy First Minister lauded in Parliament yesterday is by making cuts to the quality of our fire service?

Mr Wallace: I have often thought, when listening to the exchanges between Mr Swinney and the First Minister, that Mr Swinney just comes out with his next scripted question regardless of the answer. Given what I have already said, there was absolutely no logic in the opening part of the question that he just asked. I made it clear yesterday that I believe that the Bain working paper provides the basis for further negotiation on a range of issues, including modernisation of the fire service and pay. I do not believe that that need lead—indeed I do not wish it to lead—to any diminution in the quality of service. We are trying to achieve not only a fair pay deal for our firefighters, but a modern and efficient fire service. I think that both can be achieved.

Mr Swinney: I am holding the paperwork that has gone to the employer side of the negotiations—the internal papers of the employers organisation. The papers contain the advice that those people are receiving in order to judge what the Government is bringing to the party. I am trying to get the Deputy First Minister to spell out clearly what the deal means to the public. Yesterday, he implied that new Government money would be given to firefighters in return for reform. Today, it is clear that there is no new money and that the Government's reforms are really cuts in the quality of our fire service. Is it not the case that our firefighters are being asked to accept a pay package that jeopardises public safety?

Mr Wallace: I totally refute that. The increase in Executive expenditure on fire services in recent times—both grant-aided expenditure and capital expenditure—shows our commitment to the fire service. The white paper that we published earlier this year, which the Parliament supported, shows our vision of the way forward for a modern fire service that is fit for the 21st century. It is wrong for John Swinney to assert that there will be a diminution in the quality of service—to do so amounts to scaremongering.

The Bain paper not only mentions potential percentage pay increases, but discusses how to pave the way to the future for a modern, reformed fire service in a way that will allow us to improve quality and to ensure that our firefighters receive decent pay.

Secretary of State for Scotland (Meetings)

2. David McLetchie (Lothians) (Con): To ask the First Minister when he next plans to meet the Secretary of State for Scotland and what issues he intends to raise. (S1F-2244)

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): The First Minister has plans to meet the Secretary of State for Scotland later this month, when, among other issues, they will discuss ways of protecting Scotland's fishing industry and the promotion of Scotland abroad.

David McLetchie: I hope that, when the First Minister and the Secretary of State for Scotland get together, they will agree that the fire engines, protective clothing and specialist equipment that are locked up in our fire stations are owned and paid for by the general public, not by the firefighters. Does the Deputy First Minister accept that our servicemen and women, two of whom died and 325 of whom were injured in the 1977 strike, should be able to use modern equipment this time round, as they risk their lives while attempting to save the lives of others?

Mr Wallace: I acknowledge David McLetchie's point, which his colleague Lord James Douglas-Hamilton made yesterday. As I indicated then, such matters are kept under review. Important issues are involved. The situation is not as simple as Mr McLetchie makes it out to be. The contingency planning has been based on the use of military equipment and other resources that are available to the armed forces. The military have been trained on the available equipment, such as the green goddesses.

I share David McLetchie's concern for the well-being and safety of the military personnel, who, in the hours since 6 o'clock last night, have responded very well to the challenges that have been posed. However, I do not believe that it would be in the interests of their safety if they were to try to use complex equipment that they have not been trained to use. That applies not only to the vehicles, but to some of the other equipment. It would not be safe for them to use such equipment without proper training, which cannot be done overnight.

David McLetchie: The Deputy First Minister is right—such training cannot be done overnight. According to the Retained Firefighters Union, it takes five days to learn the basics of driving a modern fire engine, seven days to learn how to use specialist cutting equipment and 10 days to learn how to use breathing equipment. I remind the Deputy First Minister that there are 24 striking days between now and Christmas.

The Executive's approach is nothing to do with an inability to train people to use such equipment; it is about cowardice and a failure to stand up to

the public sector unions. Does the Deputy First Minister, who is in charge of fire services in Scotland, acknowledge that saving people's lives is far more important than not crossing picket lines?

Mr Wallace: Mr McLetchie's comments are most regrettable. He has sought to belittle the importance of training. The training times that I have been told about at the fire colleges are considerably longer than the times that he has cited. He must face up to the fact that the firefighters will return to their normal work tomorrow evening. Unless we were to withdraw some of the equipment that the fire service uses in the ordinary course of its work, there would not be sufficient equipment for that training to be carried out in the next seven days.

Is it better for service personnel to tackle fires with the equipment that they have been trained to use or would it be better for them to use complex equipment that they have not been trained to use? Mr McLetchie should reflect on that. I am sure that the best option would be for the firefighters to use the equipment that they have been trained to use. That is why it is so important that people get back around the negotiating table to try to settle the dispute.

Mr Duncan McNeil (Greenock and Inverclyde) (Lab): Does the Deputy First Minister accept that the firefighters' dispute will not be resolved by the nationalists' scaremongering or by the Tories' war rhetoric? As in every dispute, there are two sides to the argument. [*Interruption.*]

Tommy Sheridan (Glasgow) (SSP) rose—

The Deputy Presiding Officer: Order. Please stop interrupting, Mr Sheridan. The member has the floor and is asking a question.

Tommy Sheridan: I am—

The Deputy Presiding Officer: Mr Sheridan, please sit down.

Tommy Sheridan: I thought that the big boy could take it.

The Deputy Presiding Officer: Let the questioner continue as a matter of courtesy.

Mr McNeil: This gives me the opportunity to say once again that I have been heckled by boilermakers and Tommy Sheridan ain't no boilermaker.

There are two sides to any dispute. The dispute will not be resolved in the Parliament. The sooner that the two sides get together to resolve the dispute, the better.

The Deputy Presiding Officer: I am not sure that that was a question, but I will allow the Deputy First Minister to comment on it.

Mr Wallace: I agree with the point that Mr McNeil has made. The dispute will not be settled on the picket line; it will be settled by the parties getting around the table. I believe that the Bain paper provides the basis for a successful negotiation.

The Deputy Presiding Officer: We will benefit all round if members appreciate what question time involves and ask questions.

Public-private Partnerships

3. Des McNulty (Clydebank and Milngavie) (Lab): To ask the First Minister how the Scottish Executive will take forward its plans to end the two-tier work force for public-private partnership projects. (S1F-2248)

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): On Monday, we announced a protocol that will end the scope for a two-tier work force in future PPP projects. It will also ensure that fair employment policies and practices are followed by public authorities and contractors when considering, setting up and operating PPP contracts.

Des McNulty: Will the Deputy First Minister spell out how all stakeholders—public authorities, private companies, users and local communities, as well as employees—will benefit from the ending of the two-tier work force in new PPPs? Is the protocol, which has delivered the end of the two-tier work force on those projects, the first fruit of the continuing dialogue on the modernisation of our public services?

Mr Wallace: Des McNulty is right to highlight the fact that many stakeholders are involved and will benefit from the protocol. Workers will all be treated on an equal basis, which must be good for employee morale. That will in turn benefit the public in terms of the quality services that are delivered. The protocol will help to attract high-quality staff. The contractors have also bought into it. The protocol represents a genuine partnership and flows from our approach of attempting to achieve reform by building consensus. It demonstrates that agreements, such as our memorandum of understanding with the Scottish Trades Union Congress, can help to deliver tangible benefits and it is indicative of our commitment to improve the quality of public services.

Mr David Davidson (North-East Scotland) (Con): Does the Deputy First Minister agree that the simplification of pay scales should not affect the ability of PPP schemes to deliver high-quality and value-for-money public services for Scotland in partnership with the private sector?

Mr Wallace: The simplification certainly should not inhibit the ability of PPPs to deliver. I believe

that it should enhance it. As I have indicated, I think that it will lead to the delivery of high-quality public services, which will benefit not only employees, but contractors and, above all, the customers who use the services.

Fishing

4. Stewart Stevenson (Banff and Buchan) (SNP): To ask the First Minister how the Scottish Executive will respond to European Union announcements on fishing made on 11 November 2002. (S1F-2262)

The Deputy First Minister and Minister for Justice (Mr Jim Wallace): I will repeat what has been said before. The protection of the industry and fishing communities across Scotland is of paramount importance. As Mr Stevenson will be aware, the European Commission was unable to publish its proposals on 11 November as anticipated. Commissioner Fischler appears to recognise that wholesale closure is not acceptable and efforts continue, in discussions with the industry and others, to identify suitable alternatives. I know that that approach has the overwhelming support of the Parliament.

Stewart Stevenson: Does the Deputy First Minister agree that at this time of crisis we need unity of purpose among fishing communities and the elected politicians of all parties? Will he join me in welcoming the Fraserburgh fishermen's wives' campaign in this regard?

In addition to speaking to the Secretary of State for Scotland, will the Deputy First Minister speak to the Prime Minister about having Mr Finnie appointed as a UK minister—I say this in a genuine cross-party spirit—so that the Prime Minister has the benefit of having a minister at his elbow who has at least been out listening to fishermen? That would avoid the Prime Minister, as at column 28 of *Hansard* yesterday, running up the white flag for fishing in these islands.

Mr Wallace: I agree that the issue should be approached on an all-party basis, as has been the case. The meeting that my colleague Ross Finnie—and, indeed, other colleagues present from all parties in the Parliament—attended in Aberdeen on Monday was indicative of that coming together not only of politicians, but of the community and of the fishing industry on the catching and processing sides.

I would welcome any positive contribution that the Fraserburgh fishermen's wives make. I am getting somewhat used to delegations of and representations from wives of those employed in the north-east of Scotland. I hope that the Fraserburgh wives are as effective in their campaign as the Peterhead wives were in theirs.

On Stewart Stevenson's other point, it might be taking coalition politics too far to suggest that Mr

Finnie might replace Mrs Beckett. The industry and our fishing community need concerted effort to ensure that we get the right answers. They do not need navel gazing about who sits in which chair in the Council of Ministers.

Tavish Scott (Shetland) (LD): Does the Deputy First Minister accept that Franz Fischler's delphic mutterings on Monday were no great progress? Does he accept that the Scottish fishing industry needs a long-term recovery plan for stocks and for fishing communities, which will face considerable crisis if the European Commission's plans are allowed to proceed? Does he accept that that is a better way to approach the matter than is a policy that is based on the political virility of Herr Fischler, who fails to understand the realities of cod in a mixed fishery?

Mr Wallace: I would not want to dismiss gratuitously what Herr Fischler said. There may not have been a road-to-Damascus conversion, but a glint of light is a step towards the blinding flash that might yet come to him.

I agree with Tavish Scott that we need to develop a longer-term strategy for our fisheries. That is important. However, the more pressing need is to ensure a successful outcome for the current round of negotiations. I know that my colleague Ross Finnie is making every effort to that end. He is making extensive representations to try not only to take forward the argument among those at home, but to engage our European partners in that argument.

Tavish Scott is right about the importance of our fishing communities. The sustainability of the stocks and of the fishing communities is far more important than the fate of one European Union commissioner.

Mr Jamie McGrigor (Highlands and Islands) (Con): Will the Deputy First Minister try to ensure that, in 2003, technical and management measures are uniform in all areas of the North sea and west coast to stop the present discrimination against Scottish fishermen? When he speaks to the Prime Minister, will he tell him that we have 30 days to save our fishing industry and that the clock is now ticking?

Mr Wallace: Proper account should be taken of the steps that have already been taken in Scotland, not least the decommissioning of the white fish fleet and the developments in mesh sizes as technical conservation measures. It is vital that full and proper account is taken of those when discussions take place with regard to the kind of measures that will be introduced. I hope that what Jamie McGrigor said was consistent with the all-party consensus on trying to achieve a successful outcome.

Mr McGrigor *indicated agreement.*

Mr Wallace: Jamie McGrigor is indicating that it is. That is welcome.

Mr Alasdair Morrison (Western Isles) (Lab): Does the Deputy First Minister agree that, as a matter of urgency, we must strike a balance between fish stocks and catching capacity and that we must reduce the amount of immature fish that are being caught? Do he and his ministerial team believe that we could learn from our Faeroese and Icelandic colleagues, who are not reducing the number of boats that are going to sea, but are ensuring that their fishermen do not use catch-all nets? Does he agree that we must safeguard the west coast prawn fishery in constituencies such as the Western Isles from any mass diversion of effort from areas of the United Kingdom where restrictions are imposed on vessels that have been fishing for cod?

Mr Wallace: I accept that there has been a serious need for some time to address the mismatch between capacity and stocks. That is a structural problem, which we have been discussing within the context of the on-going review of the common fisheries policy. It is important that we get that right. Lessons can and should be learned from the experience of fisheries management not only within the EU, but elsewhere, as Alasdair Morrison indicated. As Ross Finnie has made clear, we believe, based on the health of the stocks, that the nephrops fishery is sustainable. We agree that that fishery needs to be protected from the impact of any cod recovery measures.

The Deputy Presiding Officer: My apologies to Donald Gorrie and Trish Godman, but we need to move on to the next item of business.

National Cultural Strategy

The Deputy Presiding Officer (Mr George Reid): The next item of business is a debate on motion S1M-3571, in the name of Mike Watson, on the national cultural strategy, and two amendments to that motion.

15:32

The Minister for Tourism, Culture and Sport (Mike Watson): I am pleased to speak to and move the motion. At the outset, I say that I will be urging members to vote against both amendments. The amendment in the name of Michael Russell is neither necessary nor appropriate at this time. A quinquennial review of the Scottish Arts Council is under way at the moment—as is a review of Scottish Screen—and the creative industries group, which I established, is considering how to take forward those aspects of the national cultural strategy. At this stage, it would be premature to move in the way that Mr Russell suggests. In respect of the amendment in the name of Murdo Fraser, I reject it because it is silly.

The second anniversary of Scotland's first national cultural strategy provides an opportunity to celebrate our culture and all that has been achieved in turning the strategy into practice over the past year. It is well established that culture makes a vital contribution to our country. My view is that our culture defines our identity. That is why it is a key objective of this Executive to promote a strong cultural identity for the nation.

As is demonstrated in the strategy and reinforced by the annual report, Scotland has a more diverse cultural identity than it has ever had. That is one of our great strengths. The Scottish Arts Council's diversity strategy, which I was pleased to launch in July, highlights how our now multi-ethnic society has enriched us further. It has simply added to the indigenous diversity that has existed for some time, not least in terms of Gaelic language and culture.

Dr Winnie Ewing (Highlands and Islands) (SNP): Will the minister give way?

Mike Watson: I would like to make some progress first. I will let Dr Ewing in later.

The fact that cultural activity also happens to promote well-being, social justice, health and the learning of new skills provides an added bonus. I make no apology for advancing ways to pursue those outcomes at every opportunity, because culture really does change lives, but only if we are genuinely inclusive.

I ask members to acknowledge culture's contribution to the economic progress of this

country, in particular in respect of the continuing development of our creative industry sector. The challenge now is to encourage the sector to capitalise on those developments and to cultivate an environment in which its already significant impact on the economy will grow. In that respect, over the past year I have started to explore with some of those who are prominent in our creative industries, and with the group to which I referred at the start of my speech, how that can best be done. In fact, this year, that has been a preoccupation of mine in my discussions with industry representatives, because the creative sector transcends the boundaries of the existing agencies. That is why I am working with Iain Gray to ensure that Scottish Enterprise provides the appropriate level of support to those companies and organisations, some of which are small but nonetheless important.

We need to question whether the current institutional arrangements best serve the sector and its advancement, or whether some form of synergy of related functions in a new arrangement—perhaps even a new body—might give the sector the status it requires and deserves.

I do not hesitate to assert that Scotland's cultural pulse beats strongly, because it appears that every week we read of Scottish artists and producers receiving national and international awards for supreme achievements in a host of cultural fields. The annual report acknowledges and pays tribute to some of them. It would be unfair to single anyone out, but the Edinburgh-based independent publisher Canongate Books Ltd is enjoying a hugely successful year, which is fitting reward for its vision in publishing the Booker prize winner, Yann Martel's "Life of Pi".

I must never again forget to sing the praises of Scotland's fine achievements in architecture or the distinction of our architects.

Michael Russell (South of Scotland) (SNP): Name them.

Mike Watson: I will.

The annual report records the Royal Institute of British Architects award for Stirling's Tolbooth. Coincidentally, I was there last Friday to address a conference on arts and communities. The Tolbooth redevelopment also won the Crown Estate's conservation award for the best work of conservation that demonstrates successful restoration and adaptation of an architecturally significant building. That recognition is well deserved for Richard Murphy and Simpson and Brown Architects.

Congratulations are also due for Malcolm Fraser's Dance Base in the Grassmarket, which is another award-winning building that impresses everyone who visits it. I am pleased that it has

also received an access award from the ADAPT—Access for Disabled People to Arts Premises Today—Trust in recognition of its excellent facilities for people of all physical abilities.

Just having a cultural strategy will inspire neither wider participation and access throughout Scotland nor excellence and creativity in our cultural community, but in driving forward the strategy, we will seek to promote the conditions that foster excellence and showcase that with pride wherever we can—at home and elsewhere.

Many members know that we have done that this year. Our Scotland in Sweden promotion presented a dynamic cultural image to our European partners. We had the best ever tartan day celebrations in the USA and, tomorrow, the First Minister will sign a co-operation agreement with the region of Tuscany—a development that the Italians initiated. That will open the door to mutual project work and the exchange of good practices in key matters such as the promotion of cultural tourism.

I am aware of suggestions that culture needs to be pushed further up the agenda. I do not take issue with that, but it might not be sufficiently apparent how much work is under way behind the scenes, across ministerial portfolios and departmental boundaries.

Dr Ewing: I have a simple question. Will the Executive support the Gaelic Language (Scotland) Bill, which was introduced yesterday?

Mike Watson: For reasons that I will outline later, we will not support the bill. I will put my comments in a positive sense.

Dr Ewing: What is positive about that?

Mike Watson: I will explain our reasons in good time.

Dr Ewing: Incredible.

Mike Watson: I do not think that the situation is disgraceful, but we will discuss that on another day.

I referred to cross-cutting work, which is demonstrated by the contributions in the annual report, which was published this week, from my colleagues Margaret Curran and Cathy Jamieson, which record not only their support, but their active engagement. I hear Winnie Ewing's comments from the sidelines and I ask her to concentrate on the debate as a whole. She will have the opportunity to comment on Gaelic issues when she makes her speech.

The past year has seen progress in many areas to develop the national cultural strategy and make it a reality. The writers factory initiative was launched following a feasibility study and is a project by the Scottish Arts Council, Scottish

Enterprise and Scottish Screen to develop commercial writing skills. With the Convention of Scottish Local Authorities, we have developed guidance for local authorities that explores their wide-ranging role, which is of key importance in implementing the strategy. Exciting digital advances include CANMAP, which is the Royal Commission on the Ancient and Historical Monuments of Scotland's online heritage database and archive, and the people's network, which will soon connect all our libraries.

I hope that I have made it clear that central to my vision for culture in Scotland is the involvement of more people as spectators and, more important, as participants. That is why the new Scottish budget invests an additional £3.85 million in 2004-05 and £6.95 million in 2005-06 in widening participation in culture and raising standards. The resources that we will provide go beyond funding for the Scottish Arts Council alone. Overall, in a three-year term, the budget will deliver an increase of almost £11 million for cultural activities under the national cultural strategy.

Tommy Sheridan (Glasgow) (SSP): I have a question about participation. I am sure that the minister is as thrilled as I am, along with everyone in Scotland, about the success of the film "Sweet Sixteen". The fact is that the film was shot in Scotland, written by a Scotsman and used Scottish workers and actors, some of whom were very new to the scene. Does the minister agree, however, that the decision of the British Board of Film Classification was wrong? Should the board have denied anyone under 18 access to the film?

Mike Watson: I am happy to pay tribute to Ken Loach, Paul Lavery and, of course, to Martin Compston, as well as to everyone else who was involved in making the film such a success. My view is that local authorities should make use of the powers that they have to ensure that people under the age of 18 are able to watch the film, as it is clearly of great relevance to young people.

To return to the point that I was making about funding for the arts, it is unrealistic to expect the Executive to do it all, lead it all or—indeed—pay for it all. If Scotland is to maximise the range and quantity of our cultural provision, the input of many partners will be required. Many private sector organisations already provide sponsorship or engage in other ways. The arts and business new partners scheme is one example of that.

The annual report mentions a living example of that involving Tom Mills, a machine shop foreman at Fairway Forklifts Ltd. Tom Mills created a sculpture as a memorial to his father and uncles, who were former shipbuilders on the Clyde. He was able to do that because the company had the vision to support an artist-in-residence, which is how Tom's opportunity came about. I hope other

employers across Scotland look at that example and see what initiatives of a similar nature they can come up with.

I have mentioned that it is time to let more people in Scotland know about what is going on and how accessible it is. That is partly what the 2002 annual report is about. Members who have seen the report will have noticed that it looks a little different from last year's document. I am not saying that the 2001 report did not do its job very efficiently in reporting to the Parliament what we were doing in implementing the cultural strategy, but I hope that the more reader-friendly appearance of this year's report will play its part in helping to promote Scottish culture to Scotland.

I know my limitations in terms of artistic ability, not least in respect of design. If members do not care for the style of the document, I do not believe that they can accuse me of putting style above substance because the substance in the document is considerable.

The report presents and celebrates last year's major cultural achievements, which are the combined contributions of many, many people. I want to pay credit to them all. The report could be described as—indeed, I hope that it will become known as—a directory of actions and of culture in Scotland. I hope that it will reach the extensive readership that it deserves.

Because I believe that, in terms of accessibility, we have to start with young people, the pilot programme of cultural co-ordinators in schools, which went live from August this year in 31 local authority areas, is extremely important. This morning, I visited Lochend Community High School in Easterhouse in Glasgow to hear from the pilot's cultural co-ordinator, Mari Lowrey, what the plans are for the school and how the pilot links into the community, which is another aspect of the scheme. Owing to the early signs of success that the scheme is enjoying, I announced that the two-year pilot has been extended for a further two years, to 2006, with an extra £1.5 million.

In the years to come, the scheme will more than reward the investment that we put into it. I want it to develop skills in young people and to give them a taste for culture in its widest sense, as that will be an investment for the rest of their lives.

The debate is necessarily about the past year, but the year ahead holds many exciting developments in prospect. However, I take it from the Deputy Presiding Officer's facial expression that he does not wish me to list any of them.

I will say only that the last year has seen considerable success and that the coming year promises more. Nobody reading the annual report could be in any doubt that culture is important and that it is becoming even more so. That is why we

will continue to work on its priorities in the year ahead. I commend the motion and repeat my request to members to vote against both of the amendments.

I move,

That the Parliament welcomes the second annual report on implementation of Scotland's National Cultural Strategy; notes the action taken over the past year and welcomes the significant achievements of many dedicated artists and professionals throughout Scotland, and fully recognises the importance of culture in defining Scotland's identity both at home and abroad, its contribution to the well-being of communities and individuals across the country and its role in helping to bridge the opportunity gap by extending participation in cultural activities.

15:44

Michael Russell (South of Scotland) (SNP):

Although the debate is not exclusively about Gaelic, the minister will understand my great disappointment at what he has just said about the Gaelic Language (Scotland) Bill, which was introduced yesterday. I hope that there are steps that John Farquhar Munro and I can take to change the minister's mind. What he said is contrary to the hopes of many people in Scotland. I hope that the minister will enter into discussion about it. There is still time for him to change his mind.

I will continue on a more positive note. When the Executive is thrown out next year, as it is bound to be, I shall miss this annual occasion. Indeed, Irene McGugan and I have come to look forward to the annual report on the national cultural strategy. We treat it a little like Christmas: for weeks in advance, we are constantly looking through our mail, trying to find out when the document will turn up and what it will look like.

This year, I have to say that the minister has surpassed himself, and I congratulate him on the report. It is entirely fresh and new. For example, it has on its bill two guest artists. It is not enough to have an introduction from the minister and one from his deputy; it also features Margaret Curran and Cathy Jamieson saying how wonderful the Executive is. It also has a helpful directory of addresses at the end, which is surprising in a Government document. There are lists of lots of things that happened during the past year. The main problem is that few of them have anything to do with the national cultural strategy.

However, I have to say that the report is entertaining. It is not a report, especially compared with last year's report, that includes lists of objectives and key priorities. If I remember correctly, there were 64 objectives and priorities in the original document. Another thing to note is that it keeps getting smaller—like the achievements. Last year's report was huge, but this year's

contains none of the key priorities. At least, we thought that when we first looked at it, but Irene McGugan, the sleuth of the Scottish National Party's culture team, found them. They are hidden at the bottom of the pages in light print and are no longer called objectives.

Two years ago, the Executive set itself a policy with 64 objectives and announced them in great triumph. Last year it reported on how few it had done anything about, and this year it is hiding them away. Next year, the minister could write them in lemon juice, so that we have to hold the pages up against a candle to learn that something is happening.

I should not complain too much, because despite the great disappointment on Gaelic, I think that this minister is the best arts minister we have had. He is looking embarrassed, and rightly so—I do enjoy finishing people's careers off for them. He is the best arts minister that we have had, but he is saddled with an impossible, daft policy, which is the problem with the national cultural strategy. The report is not about the strategy. It is a gazetteer or compendium of many things that happened in Scotland that would have happened anyway.

Evidence of that can be found on every page, but I refer the chamber to page 24. The key policy is apparently to

"investigate the feasibility of identifying national centres of excellence in traditional arts".

The page includes information on prize winners at the Venice film festival, someone who writes detective fiction and an award to the Piping Centre, which has not been named as a centre of national excellence. In all those cases, trying to find out what the Executive, rather than everyone else, has done is impossible.

It is dishonest for the Government to do that. It should have admitted that its policy is a failure but, having gone on reporting on what is taking place, it keeps changing the rules and how it talks about it. For example, last year's document included key priority 2.3, which said:

"The Executive will publish its major events strategy ... in 2001".

This year's document says that it will be published by the end of 2002. Publication keeps getting further away. Presumably, the next announcement will be that it will be in Labour's manifesto.

However, there is a darker and more misleading side to the issue: it involves constantly moving goalposts and the Executive never saying what it is doing. There is a still darker side in the way some of it is undertaken. Page 37 of the report contains a very positive quotation from the journalist and broadcaster Ruth Wishart. It comes

from an article she wrote on 22 August 2002 in *The Herald*. If we read the whole article, we discover that the Executive has taken the good quotation and ignored all the others. That is misrepresentation. Two sentences further on from the quotation used in the report, she says:

"It is a dismal fact that half the schools in this country charge for tuition with a musical instrument unless the pupil in question comes from a family which is seriously impoverished".

That quotation is not in the report, which is highly selective, misleading and dishonest.

There is a darker side still. Nothing in the report addresses the key question in the cultural sector: whether we can afford to go on doing what we are doing or whether it will suffer death by a thousand cuts, which is what the museums sector is experiencing. There have already been closures. The minister and I spoke at last week's museums conference and he knows the reality of the situation. The same is happening in other areas of the arts as well.

Our amendment addresses that key fact. I have shown extraordinary self-restraint in its wording. As ever, I am deeply influenced by Ian Jenkins, who keeps getting up in the chamber and saying that he would love to support my amendments but objects to my rhetoric. This afternoon, Ian can simply ignore what I have said and vote for the text of our amendment, which says that we need to reassess the financing and organisation of the arts in Scotland. After all, the Education, Culture and Sport Committee—of which Ian Jenkins is a member—has heard a wide variety of individuals make the same point in this very chamber. Indeed, when Ruth Wishart wrote her newspaper article, she had already heard James Boyle, the chairman of the Scottish Arts Council, making exactly that point.

In the constructive spirit for which I am well known, the SNP amendment does not take anything out of the motion, nor does it seek to alter a word of it: it merely adds the simple suggestion that, as many people in the arts in Scotland have advised, the Executive should look seriously at how the arts are financed and organised as a priority instead of spinning or hyping it, or simply pretending.

The Executive can spin and bluster as much as it wishes and publish misleading documents. I allow it to do so. I will not change a word of its motion. If it wants to congratulate itself as it always has done—although Mr Watson does that somewhat less than his predecessors, including Rhona Brankin—it can do so. I want to get things moving again, and our amendment suggests a way of doing so.

I move amendment S1M-3571.1, to insert at end:

“and therefore supports those who are calling for a new assessment of the actual financial and organisational needs of the arts in Scotland in order to achieve those objectives.”

15:52

Murdo Fraser (Mid Scotland and Fife) (Con):

As members know, Brian Monteith usually leads for the Conservatives in such debates. However, he is detained elsewhere this afternoon.

I do not know how Brian Monteith would have felt, but I am rather disturbed to find that I agreed with much of Michael Russell's speech. Mr Russell mentioned his Gaelic Language (Scotland) Bill. I want to deal with that at the start, as it concerns a very important part of Scottish culture. I have not yet read the detail of the bill, but he addresses an important point of principle. The Scottish Conservatives will support the bill at stage 1 because we feel that such an important measure should be taken forward. Indeed, I am disappointed to hear that the Executive has decided not to support the bill and at least allow the matter to be debated in Parliament. If the bill comes before us, we can consider how it might be improved, and lodge amendments.

Frankly, we agree with much of the motion. We also welcome

“the significant achievements of many dedicated artists and professionals throughout Scotland”

and

“recognise ... the importance of culture in defining Scotland's identity both at home and abroad, its contribution to the well-being of communities and individuals across the country and its role in helping to bridge the opportunity gap”.

However, we do not welcome the cultural strategy itself, because we fundamentally disagree with the Executive's approach. Indeed, we fundamentally disagree with the notion of a cultural strategy, as if we can plan culture as we would plan a new road or building. Scotland's culture belongs to its people, not to a Government minister or agency. People do not engage with culture because of a Government strategy.

Mike Watson: I wonder whether Murdo Fraser has been listening at all to what I have said. The strategy is all about facilitation and accessibility; it is about allowing people to get involved and do what they want to do. It does not tell people what to do, but makes the resources available to allow people to do what they want to do. Surely that is what the strategy is about. It is certainly not about building a road.

Murdo Fraser: The minister said that my amendment is silly. I am not the one in the chamber who is being silly. If the minister bears with me, he will hear me develop my argument.

People do not buy tickets for concerts or the theatre, play musical instruments or visit historic buildings because the state tells them that those are good things to do or because some strategy says that this is how culture should develop. Culture develops organically regardless of—and probably in spite of—any cultural strategy.

We welcome many individual measures in the report, but we reject in principle the notion that we can encapsulate all Scottish culture in a strategy document. It is a top-down strategy that is based on the assumption that the minister has perfect knowledge of Scottish culture and that he knows what is in, what is out, what is or is not popular and what should or should not be encouraged. The minister might be intelligent, but he is not all-knowing.

I give members an example. The biggest single cultural event in Scotland—in terms of annual ticket sales—is the Edinburgh military tattoo. It attracts tens of thousands of visitors to Edinburgh and Scotland every summer. Every ticket was sold this year before the first show commenced. The tattoo provides a huge boost to the economy, as the Minister for Tourism, Culture and Sport will know.

I scoured the cultural strategy document for a mention of the Edinburgh military tattoo. How often does it appear? Not once. Perhaps that is because the tattoo celebrates our military traditions and our links with the Commonwealth and is insufficiently politically correct to be part of the cultural strategy. Whatever the reason, it makes my point: a cultural strategy for Scotland that fails to mention an event as significant as the Edinburgh military tattoo must be questioned.

Even if we accept the minister's argument that we should have a cultural strategy, the report is fundamentally flawed. Where are the targets? Where is the evidence of increased participation? It is rich with words, but poorer on concrete examples of progress.

We have heard a lot from the minister about more cultural co-ordinators in schools. By all means let us have more culture in schools, but why do it in such a top-down manner? Why do we take the decision for them rather than give them the money directly and let them decide at a local level how to spend the money on promoting culture? Perhaps they would spend the money on more musical instruments. Perhaps they would spend it on piping lessons—we know that there is huge unmet demand for piping lessons in Edinburgh.

On page 39, the report says that guidance on tuition is being developed, but when, last month, Brian Monteith asked parliamentary questions about which local authorities charge for music tuition and how much they charge, the reply was that such information is not held centrally. The Executive does not even know what the current position is. How can the minister in all seriousness produce a strategy that mentions music tuition in schools when he does not have even the most basic information about the level of current provision?

This morning, I talked to a parent in Aberdeen whose son displays some prowess at the piano. He goes to piano lessons provided by the local school for half an hour a week. He shares that lesson with six other children and, if he is lucky, he gets two minutes on the piano. That is the standard of current provision. When I examine the glossy strategy document and those that proceeded it, I wonder how much it cost to produce. Surely that money would have been better spent if it had been put into schools to provide instruments and free music tuition.

Another example of failure is to be found on page 49, where Gaelic-medium education is mentioned. Another 10 teaching places are welcome, but can the minister tell us whether that will meet demand? I suspect that he does not know. If he is serious about promoting Gaelic-medium education, why does he not support our plan to give parents a genuine right to Gaelic-medium education schools where the demand is not being met by local authorities, as is the case in Edinburgh? Yet again, the strategy fails.

The cultural strategy is deeply flawed. It was always bound to be, no matter who the minister was. By its nature, culture flows from the people. It cannot be handed down from above and it cannot be encapsulated in a glossy document, no matter how expensively produced.

In the words of the motion, we welcome the achievements of artists throughout Scotland. We recognise the importance of culture, but we reject the minister's flawed approach.

I move amendment S1M-3571.2, to leave out from "the second" to "and welcomes".

15:58

Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD): I welcome the publication of the cultural strategy. The document provides a kaleidoscopic overview of what has been done, actions that are in progress and those that will be implemented in the future to develop the strands and themes that were outlined in the original cultural strategy.

A kaleidoscope is a collection of fragments, which, if taken together, form an attractive picture. One of those fragments is an arresting photograph of a young lady on page 25. She is dressed in the finest Borders cashmere from my constituency, showing that art and design need not be confined to drawing boards or art galleries, but can play a part at the leading edge of Scottish business and export markets. It reminds us of the part that business sponsorship can play in the arts. The Ballantyne Cashmere Company Ltd was involved in the "Forbidden City" exhibition at the National Museum of Scotland, where that photograph was taken.

The document shows us that important and valuable developments are taking place locally, nationally and internationally. I see the strategy at work in Peebles in my constituency, where work has started on the Eastgate Arts Centre project. The project was started by the local community and, with a wide range of partnership funding, an old church building at the end of the high street, which was in bad repair, is being restored and adapted by award-winning architect Richard Murphy, who was mentioned earlier, to create a multipurpose arts centre. The heritage strategy and the architectural strategy are coming together to provide a new centre with an auditorium that will draw in companies such as Scottish Ballet and Scottish Opera in their outreach activities. The centre will also attract other artists who would not have come to the town because there was no really good facility before. Arts companies have come before, but not into good facilities, and they will come more frequently now.

Local theatre groups will have new, exciting facilities and there will be great potential for new conference business in the town. The lives of the people in the area will be enhanced, the streetscape and environment will be reviewed and the facilities will be more accessible to the public and to people with disabilities than existing venues are. In every way, that project shows the aims of the cultural strategy coming into practice.

The local silver band has had lottery funding to buy new instruments. The rationale behind the grant was that the old instruments could be passed down to expand the development of a youth strategy, so that youngsters could have access to tuition and instruments that would not have been available before. That expands social inclusion and opportunities for people to develop their skills.

The document points to national successes by individuals in cultural competitions, some of which have already been mentioned, so I will not go over them again. Developments have taken place with the Scottish National Dictionary Association and, as the minister said, extra resources have been

made available for innovation on the computerised archives and digital work. There is also work to invigorate interest in the Scots language. I got a wee brochure today from one of the schools—in Stirlingshire, I think it was—which was an absolutely lovely wee dictionary. I did not get a note with it so I do not know where it came from, but it was a superb idea and an example to us all.

Michael Russell: I am very glad that Ian Jenkins has mentioned Scots. I am happy to endorse the work of St Ninian's Primary School in Stirling, which has asked us all to adopt a word. My word is clamjamfrie; I just wanted to put that on the record.

Ian Jenkins has not mentioned Gaelic, however, and in light of the fact that the minister replied to a question on Gaelic and that Murdo Fraser and I have referred to it, I would be interested to know Mr Jenkins's view on secure status for the Gaelic language and the bill that was published today.

Ian Jenkins: As Mike Russell already knows, I have doubts about secure status for all sorts of reasons, because I do not think that there would be demand for it. I think that secure status would be problematic for Scots as well. I defer to my colleague John Farquhar Munro, who will say more about Gaelic later.

Dr Winnie Ewing: Will Mr Jenkins give way?

Ian Jenkins: No. I am just answering a question.

Dr Ewing: I have a different question.

Ian Jenkins: I have to get on, honestly.

Cultural co-ordinators in schools seem to be an advance. There is much to celebrate in the document, but there are underlying problems that we must not ignore, many of which are to do with funding. There are also issues to do with how we view and rank cultural activities in our list of priorities. The Parliament and Executive ministers must fight to ensure that those issues are moved up the political agenda, and that means fighting for more funds. I am pleased that the document contains messages and endorsements from Cathy Jamieson and Margaret Curran. As a group, we must emphasise cross-cutting activities in a way that helps the Cabinet to recognise the issues as worthy of more funding.

When we debate quality of life, as we did last week, members tend to talk about vandalism, dog fouling and graffiti, but we must not forget the quality-of-life issues that are embodied in the national cultural strategy document. The lives of individuals and whole communities can be enhanced by access to the kind of projects that are instanced in the document. Perhaps if we could clear away the dog dirt and stop looking down to dodge it, we could raise our horizons a bit

further and help to lift the creativity and artistic ambition of communities across Scotland.

We must convince local authorities that arts and culture are not a marginal issue that can provide a soft target when financial constraints cause problems. We must convince head teachers and directors of education that drama, music and art should be at the heart of education and at the heart of the imaginative lives of individual pupils and of our school communities. I am pleased that the document contains an audit of youth music provision, and I ask ministers to consider urgently the promotion of free instrumental tuition in schools across Scotland.

I emphasise the importance of volunteers in the cultural sector. The document mentions volunteering at local level. I also want to mention the Saltire Society, which does great work for Scottish culture with minimal financial support. Such institutions need to be supported locally and nationally. There is much to celebrate, but more funds are needed and there should be a higher priority for arts and culture on our political agenda.

The Deputy Presiding Officer: We have now reached the open debate. Speeches should be restricted to four minutes, plus time for interventions.

16:05

Mr Kenneth Macintosh (Eastwood) (Lab): The saying goes that a week is a long time in politics. However, some of us in the chamber might have a different perspective. Politics can be a frustratingly slow process. When one is impatient for change, as many people in our cultural and creative industries are, fulfilling high expectations can be a frustratingly slow business.

There was not a total cultural wasteland before 1997. I do not wish to portray our Conservative colleagues as a bunch of philistines, as that would be a disservice to philistines. However, the Scottish Parliament was established on the back of the support of many people within creative Scotland and on the back of a huge demand for change. Perhaps there was no greater demand than from our popular music industry.

The Parliament is new and young and many MSPs are from a generation that was brought up on pop music. I sit within earshot of Frank McAveety's desk and know the influence of such music. There may be reservations about the seeming desire of everyone in the country to appear on "Popstars" or "Fame Academy", but Scotland's strong track record in the music industry and the accessibility of such music to people from all backgrounds is undeniable. The music industry provides one of the most important avenues for the expression of creativity, ability and

talent and there was an expectation with the arrival of the Scottish Parliament that that creative talent would be recognised officially.

Inevitably, one of the most significant developments has been the work of my colleague Pauline McNeill in establishing the cross-party group on the Scottish contemporary music industry. For the first time, that has provided a forum for discussion and a mechanism by which the industry's concerns can be brought to the attention of MSPs, ministers and the Executive.

We have made progress since then, particularly through support from the Scottish Arts Council, our colleagues in local government and, more recently, from Scottish Enterprise. The recent music industry forum, which was convened by the minister and involved musicians and other industry representatives, was particularly well received. I urge the minister not to lose the momentum that has been generated because, despite the progress, a number of issues still face the industry and need our attention. For example, many courses in further education colleges offer opportunities to our young people. However, those courses can be of varying quality. They often attract people into education—which is good in itself—but some offer little prospect of advancement in the music industry. That issue should be addressed.

We need to work with broadcasters in Scotland to help to provide a showcase and platform for Scottish talent. I do not think that there should be prescription, but the BBC, for example, produces excellent programmes that could be models for others. They could be linked to events, although there are pitfalls in that respect. Again, maintaining quality is important. Programmes should show off rather than show up Scottish music and Scottish bands.

I have used the term “music industry”. That industry is indeed important; it is not just a creative outlet. The support that already exists for small businesses and the creative industries from Scottish Enterprise needs to be tailored more specifically to the needs of musicians and others in the industry. Further work needs to be done to develop skills and markets. I pay tribute to Scottish Enterprise's efforts in the recent launch of MusicWorks as an international event that is based in Scotland. We should do more to help to fund export assistance so that Scottish artists can reach out to the wider world. There is a recent example in that respect—Soma records was based in New York for a time, with Scottish Enterprise's help.

Closer to home, further work needs to be done to develop venues and rehearsal spaces for bands. I welcome the excellent work that local authorities and Glasgow City Council in particular

have done in that area. For many people who go to a live gig, the music may be good, but there are often sticky floors, bad heating and worse toilets.

Huge international and national developments are affecting copyright, piracy and intellectual and performance rights. We need to maintain a Scottish perspective and a Scottish influence on those developments.

A range of issues must therefore be considered, many of which will require the minister to involve and work with his colleagues in education and enterprise and with the local authorities. I congratulate the minister on the progress that has been made and urge him not to lose momentum. If he does not do so, we can help the Scottish music industry and do justice to those who helped to create the Scottish Parliament.

16:09

Linda Fabiani (Central Scotland) (SNP): For many years, Scottish culture and the creative arts were neglected by those in power. Despite that, there were many examples of people coming together against all the odds to create cultural advancement and entertainment. Small travelling theatre companies, such as Borderline Theatre Company, 7:84 Theatre Company and Wildcat Theatre Company, combined top-quality writing and acting with social comment. Traditional musicians and artists created folk events and festivals all over the country, in Aberfeldy, Dingwall, Bute, Edinburgh and Girvan, to name but a few. There were also great multicultural events, such as the mela. Local authorities were also active: witness the success of Celtic Connections, which Glasgow City Council initially helped to fund.

Surely now that we have a devolved Parliament, those beginnings should be built upon and strengthened. Sadly, that has not been the case. The Executive has not taken advantage of the opportunity that devolution could have provided to counteract the years of neglect. Core funding for the arts has not risen significantly and is proportionately lower than in the rest of the UK. Grass-roots companies are struggling—sadly, some have already gone under—and our national institutions are woefully underfunded.

When the cultural strategy was first unveiled way back in November 2000, I spoke in the debate. When I look back at the *Official Report* of the speech that I made that day, I find it sad that I could read the same speech over again today, because nothing much has changed. At that time, I told the chamber how the then Deputy Minister for Culture and Sport, Rhona Brankin, had said:

“The development of the Cultural Strategy has been a stimulating and invigorating experience”.

She had also said that

“excellence in the traditional arts”

was being promoted. I will repeat what I said then:

“We already have excellence in our traditional arts; it is the promotion and funding that is the problem ... Adequate core funding is what is required. Let the practitioners of the traditional arts spend their time doing what they do best, which is not administration and filling in lottery applications, but performing, teaching and passing on their art.”—*[Official Report, 2 November 2000; Vol 8, c 1367.]*

I was interested in the minister's comment about the promotion of Scotland abroad. The thrust of the review is all about events abroad, such as the Scotland in Sweden event. That is marvellous and should not be knocked, but we are forgetting about the promotion of our culture here in our own country to our own people through schools and colleges and through entertainment and the arts.

The Deputy Minister for Tourism, Culture and Sport (Dr Elaine Murray): I appreciate Linda Fabiani's interest in the traditional arts. Funding of traditional excellence is one of our priorities. Does not the member recognise that, for example, the Scottish Arts Council is providing funding in a three-year programme to promote the traditional arts? Does not she recognise the £700,000 from the excellence fund that went to Plockton High School? I am confused about why the member thinks that nothing has happened since the strategy was first published.

Linda Fabiani: The minister can have all the little pilots she likes, but she must give core funding directly to the people on the ground who are capable of delivering excellence in traditional arts, instead of funding them to fill in applications for match funding from councils and for lottery funding. The people who can best provide that excellence are those who have been doing it for years despite the lack of a strategy.

The strategy document was welcomed by the SNP, as it reflected culture as part of the education portfolio. Sadly, however, the Executive does not seem to have moved on to do more than reflect on that.

The minister can talk all she likes about what the Executive is doing through the Arts Council and so on, but the fact is that local authority provision has dropped. Interviews with key players in local authorities have revealed that cultural services are held to be less important than other services. There is a general lack of finance to deliver the expectations. The increased use of ring fencing and matched funds to direct local authority expenditure has had a detrimental effect on the arts. The Executive's response is simply to issue another consultation; this time it is on guidelines to local authorities on the implementation of the national cultural strategy.

Two years ago, the cultural strategy said that the Executive would

“Work with education authorities to maximise opportunities for instrumental tuition in schools, free to those unable to pay”.

No mention is now made of free tuition, which is another target that has disappeared. Instead, we have more and more consultations. It should be quite easy: just give free musical tuition to children in schools.

We have had enough of pilots. The minister can have as many pilots and task forces as she likes—I understand that we are to have another audit about musical tuition in schools—but we need to be more realistic, so that we can get things really working. The way to start on that is to support the SNP amendment to the motion.

16:14

Mary Scanlon (Highlands and Islands) (Con): I said to St Ninian's Primary School in Stirling that I would choose the word “girling”. I chose that word because I thought that I would get ample opportunities to use it in the Parliament. Linda Fabiani, who has come the closest to girning for five minutes, is the girning champion this afternoon. I will send that to St Ninian's to prove that I have used a Scottish word.

I recently supported the debate on the Inverness Highland bid for the European city of culture. Although many people thought that the bid was an ambitious project for a new city, many others—including me—thought that it could only be a win-win situation. That has been the case, even though Inverness did not make the short list. What the team achieved was to get people, groups and organisations together to undertake an audit of culture throughout the Highlands. From that audit of culture, a cultural pledge was stated.

One of the pledges from the Inverness Highland bid was to introduce free music tuition in schools, rather than the current system in the Highlands, which uses means testing. Many parents would rather not ask for music tuition than participate in a means test. However, I had some hope when I saw a quotation from the Enterprise and Lifelong Learning Committee. Mike Watson—I am sorry to see that he has left the chamber—said that it was disappointing that the Inverness Highland bid was not successful. He also said:

“Several initiatives deserve to be developed even though the Inverness bid did not make the shortlist.”—*[Official Report, Enterprise and Lifelong Learning Committee, 30 October 2002; c 2953.]*

My hopes were raised until I saw the national cultural strategy. On page 39, it says:

“Work with education authorities to maximise opportunities for instrumental tuition in schools, free to those unable to pay.”

That is hardly encouragement for those who feel that, throughout Scotland, children in all schools should receive free tuition.

On page 41 of the national cultural strategy document, I note that there has been an

“audit of youth music provision”.

I welcome that. The audit has been commissioned by the Royal Scottish Academy of Music and Drama, the Scottish Arts Council and the National Foundation for Youth Music to

“consider opportunities across all styles of music and in both the formal and informal education sectors.”

I understand that the report will be published next month. I hope that the Executive will be committed to addressing issues that have been identified by the audit, so that we do not have postcode music tuition fees throughout Scotland. I hope that the audit will also highlight a cultural pledge to school pupils, as the Inverness Highland city of culture bid did. If social inclusion and equality of access are to mean anything, surely it is not acceptable to means test pupils for music tuition in one area and to give such tuition free in other areas.

My second point concerns Castle Tioram. My colleague Rhoda Grant has raised the matter several times. It is important that all the quangos and organisations share the minister’s vision for culture—and I include Historic Scotland. Castle Tioram is a part of our culture that most of us have never heard of, belonging to the mercantile days of the lord of the isles.

Karen Gillon (Clydesdale) (Lab): Does the member therefore support the calls of the Education, Culture and Sport Committee for a fundamental review of the functions and responsibilities of Historic Scotland?

Mary Scanlon: Yes. Well done. I very much support that.

My third point relates to the role of business in the arts. It would be stifling to innovation and culture if we assumed that Governments and local authorities could or should organise all cultural events. The cultural strategy places emphasis on the relations between the arts and business. Recently, through the business exchange, I spent a day at Deutsche Bank, which is one of the largest collectors of art; its offices look wonderful and one is faced with beautiful paintings at every turn. That not only helps the artist, but benefits the employees and the wider community, with more people being exposed to, and becoming appreciative of, art. Deutsche Bank also sponsors the Scottish Chamber Orchestra.

I use the example of Deutsche Bank to highlight the significant role that many businesses in Scotland play in contributing to culture. We do not

always recognise and acknowledge that role. I hope that, both now and in the future, the minister will acknowledge and encourage partnerships between the arts and culture and businesses throughout Scotland.

16:19

John Farquhar Munro (Ross, Skye and Inverness West) (LD): Like everyone else, I welcome the opportunity to participate in a debate about our national cultural strategy. It must be recognised from the outset that culture has major economic benefits as well as being vital in its own right. That is one of the many reasons why it was so disappointing, as my Highland colleague Mary Scanlon said, that Inverness failed in its bid to be the United Kingdom’s nominee for the European capital of culture in 2008.

A combination of Highland Council officials, young people and volunteers put in a great deal of effort to make the bid as robust and dynamic as possible. I commend all who worked so hard on the bid. I do not think that all that effort was in vain. We should not lose sight of that. The ideas and the momentum behind the bid showed us what could be achieved when we all put in the effort and what we can achieve in the future if we put our minds to it. For example, as Mary Scanlon said, Highland Council pledged that every pupil would have access to music and drama tuition as well as other activities. We must vigorously pursue that initiative.

The bid team also commissioned a report on the estimated economic benefits of a successful bid. It was estimated that 8,000 jobs could be created by 2008. That is a large number of jobs for such a rural and sparsely populated area, but it gives us an idea of how important a long-term national cultural strategy is for the economic well-being of Scotland.

Today is an historic day for Parliament and for me in particular because the Gaelic Language (Scotland) Bill was launched today. I am sure that members would be surprised and disappointed if I did not comment on that. The bill is a step in the right direction and is worthy of cross-party support in the chamber. Many have suggested that the bill does not go far enough, but at least it gives an opportunity, through the Parliament, for the Gaelic community to secure its language and culture for generations to come.

Members will note that the Executive has yet to introduce its own bill to achieve secure status for the Gaelic language. However, I am encouraged by the Executive’s acceptance of the recommendations presented by the ministerial advisory group on Gaelic. The new body, bòrd Gàidhlig na h-Alba, is being established and will

report to the Executive. The body will be chaired by no less an eminent Gael than Duncan Ferguson, the rector of Plockton High School, which is in my constituency.

The establishment of the new body gives us hope and encouragement, particularly as the Executive has allocated £3.5 million over three years for the promotion of its initiatives. To be fair, I think that the minister has demonstrated his support for the Gaelic language and culture. I hope that, with cross-party support, he can be further encouraged and supported in his aims so that we can confirm to our Gaelic community that it is not being ignored or abandoned by the Executive. I am pleased to support Mike Watson's motion on the national cultural strategy.

16:24

Rhona Brankin (Midlothian) (Lab): It is two years since Donald Dewar and I launched the national cultural strategy. However, I see that nothing has changed with Mr Mike Russell, who continues to be as negative as ever on the subject. I thought that his speech earlier on the launch of the national cultural strategy was the most negative speech I have ever heard. He surpassed himself in that speech.

It is widely recognised in Scotland that culture is vital for everybody and makes a huge contribution to many areas of Scottish life, such as education, the economy and social inclusion. However, what is important is that culture and the arts, through such means as contemporary music, literature and dance, bring joy and self-confidence to all of us in Scotland.

I would like to concentrate on three areas of cultural policy. First I will speak about the importance of architecture and design in school buildings. I congratulate the Executive on the conference that it held on that subject earlier this week. In particular, I would like to talk about the presentation that Hilary Cottam from the Design Council made on the English project school works. I found her presentation inspiring. She described how the process of redesigning both the buildings and the school environment of a secondary school engaged the whole school community—pupils, staff, parents and the wider community. The process succeeded in turning round a failing school.

In her summing up, will the Deputy Minister for Tourism, Culture and Sport indicate whether she is prepared to discuss with her colleagues in the education department the possibility of supporting a similar project in Scotland? Is she as excited about such a project as I am?

Secondly, I would like to talk about the revolution that is taking place in Scotland's

libraries. I declare an interest, as the chair of the Scottish Library and Information Council. The revolution to which I refer is the people's network. It is the biggest investment in libraries since Andrew Carnegie's. By next spring, every library in Scotland will be connected. That is a huge step forward. By linking every library, we will contribute to digital inclusion. The programme will create wider access to information and make a major contribution to lifelong learning in Scotland. A massive investment is being made. Will the minister assure us that, along with other ministers—this is a cross-cutting development—she will consider the sustainability of funding for the people's network? I believe firmly that it has the capacity to revolutionise lifelong learning in Scotland. It is vital that we ensure its future.

Thirdly, I would like briefly to touch on the museum sector in Scotland. Again I declare an interest, as a trustee of the Scottish Mining Museum. It is clear that, following the national museums audit and the consultation that is currently under way on the museum sector, the ministers will have some tough decisions to make. We all believe that museums have a vital role to play. We must think creatively about the possibility of developing new partnerships between the national sector and the museums with the most important collections in Scotland. Does the minister agree that some of the interesting models that have been developed south of the border are worth considering for Scotland?

Let us not talk Scotland down. Scotland's culture is alive and well. Like health, education and crime prevention, it will always need more funding. I welcome the cultural strategy. Members would expect me to say that, but I genuinely believe that we are making progress. The report demonstrates that. I urge members to reject the rather predictable Opposition amendments.

16:28

Colin Campbell (West of Scotland) (SNP): One reason for this Parliament's existence—apart from the political manoeuvring that brought it about—was the incredible growth in confidence that took place among the people of Scotland in the period that coincided with the political movement towards the Parliament's establishment. Much of that confidence was born out of cultural movement in the country—in the theatre, literature, music and poetry. That movement made a huge contribution to the nation.

Culture is an important part of our way of life, of how we address the world and of how the world sees us. One should not minimise the importance of the issue.

I was interested to hear the minister speak about Lochend Secondary School in Glasgow, the

school into which my old school was amalgamated in 1989. He talked about the cultural work that is being done in the school. In the late 1970s and early 1980s, we had the Easterhouse summer festival, which was cultural in the broadest sense. That was succeeded by the Easterhouse Festival Society, which operated all year round. Cultural initiatives have been alive and well for a very long time as we all know.

I am sorry about Gaelic; I have very little myself and the prospects do not look too good for it today, but that is another issue.

On a frivolous note, there has been much chat about the wonderful appearance of the Executive document. I have to say that it literally smells and I will watch carefully after I have sat down to see how many people catch the odour of the print. It is visually very repetitive with the red bit running through it. If we are targeting a smaller, more easily read and more economic document next year, we can probably cut out one red page in every two or three.

I would like to girn a bit about local government, because girling is—

Mr Alasdair Morrison (Western Isles) (Lab): An SNP habit?

Colin Campbell: No, it is just something that we do from time to time to clarify the state of affairs for those who cannot see the wood for the trees. The Scottish Executive's survey of local authority provision for arts and culture indicated that between 1997 and 1999 there was a reduction of £8.5 million in expenditure on arts and culture. Interviews revealed that cultural services in local government are held to be less important than other services. That reminds me of the anecdote about the recently appointed convener of culture whose conversation was overheard in the members' lounge. They were asked, "I hear you've just been appointed convener of culture—what do you know about culture?" They replied, "Expletive deleted all and that's the way I intend to keep it." That might give an explanation as to why culture does not feature terribly highly when other statutory obligations have to be met.

There is also a view that not enough money was given to local authorities to deliver on people's reasonable expectations of keeping cultural movements and initiatives going. The difficulties that were caused by ring fencing have been mentioned.

I want to talk briefly about libraries. Rhona Brankin spoke about the revolution in libraries. It is generally recognised that libraries are about the most widely used cultural asset in the entire nation. According to Audit Scotland, in 2000-2001, for the fourth year in a row, councils failed to meet the national target for additions to adult, children

and teenager library lending stock. Throughout Scotland adult stock additions were 27 per cent lower than the target and children and teenager additions were 29 per cent lower than the target.

I will finish with a little anecdote. My oldest granddaughter has just gone to Johnstone High School. Her father, who is an English teacher, was delighted at the enthusiasm that she showed for the school library. A school library where she can go and borrow books, come home with them and read, learn from and enjoy them was a novelty to her. The sad thing about that is that all the years of our lives, until about five years ago, her father and I could go to the local library in Kilbarchan, which was part of the normal fabric of village life. In the enthusiasm of the Labour district council to carry out Gordon Brown's Tory policies, the library disappeared and was replaced by an occasional visit from a bus. I have no difficulty whatever in supporting the SNP's motion, which suggests that more financial input is necessary.

16:33

Karen Gillon (Clydesdale) (Lab): It is guid to hae a bit o a blether aboot culture on a day like the day, is it not? It has been a wee bit o a rammy and some o ye hae been mince. Mike Russell and John Farquhar Munro are gey seeck because the heidie said nae to their bill. Rhona Brankin is a bit scunnert and Linda Fabiani had a guid moan. I had better get on with this afore the big man tells us to wheesht.

Rhona Brankin: The wee man.

Karen Gillon: I could not possibly comment. Colin Campbell was obviously not attributing the comments that he mentioned to me, given that last Sunday I was sitting in the Telewest arena in Newcastle listening to Cliff Richard, so obviously my cultural experience is great. I notice in the press gallery Mr Andrew Slorance, who made a guest appearance at the Scotland in Sweden event with the Mull Historical Society—an excellent Scottish band that encompasses the kind of Scotland that we want to promote to the wider world.

We need to give credit where credit is due—to Scotland's culture in all its forms. We have a history that encompasses stirring battles and dramatic exploits. Equally, we have a social history that provides us with a rich social and cultural living heritage, which is encompassed in New Lanark in my constituency. Our social history is very much part of our culture.

We need to give proper value to our culture, not only as an image that others find attractive, but as the embodiment of who we are as people. Our culture must reflect our history and it must encompass the diversity of the population of

modern Scotland. We need a cultural strategy that recognises the breadth of our cultural heritage and gives proper weight to all its aspects.

We must support things according to their cultural value, rather than according to how loud their supporters shout. That has been part of the problem of culture in Scotland in the past. Those who have spoken loudest have received the most support.

I have some sympathy with Mike Russell's amendment. We need to examine far more closely how we spend our money and we must assess how much money is needed for culture and the arts. I accept the minister's comments about the number of reviews that are under way. Those reviews will be meaningful only if, at the end of the process, we are able to discuss the money that is needed to put those reviews into action. Reviews that are reviews alone are meaningless.

Getting the balance between the traditional and the modern is one of the things that we in Scotland struggle with. Sometimes we pretend that our traditional heritage is something that we can only sell or something that we should be ashamed of. We should be proud of our traditional heritage. I welcome the money that has been given to the Piping Centre and its support for traditional music. I hope that, in time, the minister will give due consideration to a report on traditional music that my colleague Cathy Peattie aims to produce on behalf of the Education, Culture and Sport Committee. Traditional music is part of our culture and how we should progress it.

We need to consider the Gaelic language. I have not studied the Gaelic Language (Scotland) Bill in detail, so I am not able to indicate whether I support it. As a Parliament, we need to do more to support Gaelic, not just in existing Gaelic-speaking communities, but across Scotland as a whole.

I welcome the cultural strategy's setting up of the Dewar arts awards. We all know about the late First Minister's interest in the arts and culture. I hope that the trust that has been set up will give money to young people who would not be able to realise their full potential without such support.

I am delighted that the cultural strategy gives sport a much greater emphasis. Sport is an integral part of Scottish culture and, if we miss out sport, we miss out what ordinary working people experience every day as part of their cultural heritage. I hope that members will support the motion.

16:38

Donald Gorrie (Central Scotland) (LD): My Scottish word could be "sook", because I would like to start by welcoming the debate and the good things that the ministers have done. I also

welcome the great achievements of the many people who are involved in the arts in Scotland, whether or not they are supported by the Executive.

About 25 years ago, for some obscure reason, I spoke in Corsica at a conference on regional culture in Europe. For the purposes of the conference, Scotland was regarded, erroneously, as a region. I tried to explain that, in Scotland, the highest form of culture was football. I could not claim that now, because although the enthusiasm is there, the quality is not.

There are other arts of great importance. I will be uncharacteristically controversial by suggesting that many Scots have a problem. Recent research has shown that, among young people in Europe, Scots were the friendliest but had the lowest self-esteem. Diffidence is a problem for Scots. In many cases, such diffidence is misplaced—for example, highly talented Scottish students can be reluctant to speak out in seminars.

The arts can play a huge part in building up confidence. As Colin Campbell said, collectively the arts built a lot of the Scottish self-confidence that led to the creation of the Scottish Parliament. The arts can do a lot for individual Scots. We must recognise the huge contribution that the arts can make in that way when we discuss how we fund the arts.

One idea that the Liberal Democrats have proposed is that we bring together the powerful forces of cultural tourism; historical tourism—studying our own history; family history, which is a great industry, especially for people in America studying their Scottish ancestry; and interest in Rabbie Burns, who is grotesquely neglected as a serious poet. We should bring all those forces together in 2009 for the 250th anniversary of the birth of Rabbie Burns and make that a homecoming year for Scots abroad. It would be like a giant gathering of former pupils. We would encourage Scots from all over the world to come here and there would be great celebrations, particularly about Burns. That would support local tourism in the way that Orkney, Shetland and other rural communities do. We could do that in communities throughout Scotland. We would benefit from our own culture, we would benefit the Scots from abroad and we would bring in a lot of money, which would not be harmful.

I support the promotion of community arts in particular. Coming together in artistic activities of any sort—whether it is at a high level such as the Edinburgh Youth Orchestra, which I have the honour to chair, or mediocre local activities—is a great social and collective activity, which we should encourage.

I share the concern that other members have expressed about the reduction in music teaching. I

share the interest of Rhona Brankin and others in industrial museums and small museums generally. I think that we could do a lot more to help them, although I know that a certain amount is happening.

I have raised this parochial issue with artistic bodies. In central Scotland we do not get touring arts, because it is assumed that people who live in towns in central Scotland can go to the theatre, opera, concerts or whatever in either Glasgow or Edinburgh. We can make a great contribution to Scottish life through the arts. I welcome the good things in the annual report and I hope that we can do better in the future.

16:42

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

The debate has not been one of the most lively that we have had in the Parliament. The reason for that might be that it has been over-rehearsed. It is the same debate as we had last year and very much the same one as we had the year before. The debate has suffered from the fact that the annual report is perhaps smaller than usual and the debate is a relatively short one, in which we must try to define what we mean by culture when, in many ways, it is becoming increasingly diverse.

In the early part of the debate, the minister again justified Executive policy. That is all in the document and we have read it already. The gist of what he said was that, in his view, culture is important—it is a good thing. That was the extent of the message.

We heard from Mike Russell what was probably the same speech—with different words, on occasion—as we have heard before. If I found anything new in his speech, it was perhaps the suggestion that the Executive did not so much have a strategy as an absence of a strategy. Mike Russell also suggested that there was perhaps an element of conspiracy theory in the report. I would not like to credit the Executive with having as much as that in its report.

Murdo Fraser took us on to Conservative policy. We have presented the same strategy on many occasions in such debates. It is about how essential it is to ensure that there is not a predetermined, top-down strategy for culture, because so much of what we call culture comes from the roots. It comes from the bottom up and it is genuinely demand-led by the society that creates it. We must accept that, if we are to see culture in the important role that it serves—and always has served—in Scotland.

On specific issues, I will refer to what Mary Scanlon and John Farquhar Munro said about what has happened in the Highlands, where a positive decision has been made to ensure that

free music and drama teaching is available in schools. Elaine Murray can correct me in her closing speech if I am wrong, but my understanding is that funding for such activities is included in grant-aided expenditure calculations. Therefore, we should blame for the deficiency not the Executive, but the local authorities that fail to address their responsibility by providing such instruction as part of their normal responsibilities.

I worry slightly about the proposal for cultural co-ordinators. It reminds me of the political commissars that used to be on Russian submarines. I am sure that that is not what the minister meant, and that that is just one of the conspiracy theories that run around in my mind. Perhaps the money that has been devoted to the scheme would be better spent on providing free music tuition in our schools.

In certain respects, culture is fragile. Its complexity makes it, at best, delicate. The idea of having a predetermined strategy for culture puts us in danger of trying to hammer in square pegs without first knowing what shape the holes are. In his intervention on Murdo Fraser, the minister said that he did not want to dictate culture; he wanted to facilitate it. That is a radical change from the views that his predecessor expressed last year. I am delighted to hear that there may be some change on that. Culture is evolutionary by its nature. We must never seek to hammer it into any particular box.

16:46

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

Mike Russell gave the reasons why he looks forward to debates on the national cultural strategy. I am just grateful that the ministerial reshuffle means that we will not have to suffer Allan Wilson's painful poetic efforts this year—unless Elaine Murray intends to burst into song in the next five minutes.

Members have mentioned that the annual report differs from the previous one, although not necessarily for the better. The document is almost deliberately more difficult to comprehend, listing as it does many random cultural events in Scotland—many of which, I suspect, would have taken place regardless of the national cultural strategy—such as the universities' initiative to promote training in the creative industries, the Fife writers forum and the series of Italian events at the National Library of Scotland.

If our object in reading the report is to get details of progress on the Executive's "implementation actions", as they were once called, we will have to be content with categories such as "Action since October 2001", "Action to follow", occasionally "More action to follow" and "Action continues". It

seems that not all the action comes from the Executive. The report also mentions the friends of Scotland initiative, which the Secretary of State for Scotland, Helen Liddell, launched. However, as no targets have been set for recruiting participants to the programme and no budget has been published for it, to judge its success or otherwise is also difficult.

Is it any wonder that the recent poll of organisations and individuals in the creative industries conducted by *The Herald* confirmed the frustration and disappointment of those involved in the sector: 74 per cent did not think that the Executive had treated Scotland's arts and culture with the importance that they deserve; 75.5 per cent thought that the Scottish Government did not care enough about art and culture; and not one person who was polled mentioned the national cultural strategy. I am not convinced that the annual report will change those views or address those concerns. We need action that people outside the Parliament will acknowledge to be of real benefit to the arts in Scotland.

The fact remains that other countries seem to value their culture more than we value ours in Scotland. Perhaps that is because they have acknowledged the important role that a vibrant cultural sector plays, not only in benefiting society as a whole, but in economic and tourism terms. I will give members the figures: in the financial year 2002-03, Scottish Executive funding for the Scottish Arts Council is £35 million. That is 0.162 per cent of the Executive's overall budget. Is that the value that we put on culture?

Much mention has been made of language. That is particularly appropriate given the introduction of the Gaelic Language (Scotland) Bill, but I will talk about Scots. Quite frankly, St Ninian's Primary School in Stirling is doing far more for Scots with its word from the weans project than the Executive has ever done, which is evidenced today by the number of mentions that it has had and the interest that it has provoked. I particularly appreciated Karen Gillon's opening remarks. If anybody in the Executive is looking for a word to adopt, "havers" might be appropriate.

I want to talk about another issue to do with Scots, and that is people who write in Scots. Books in Scots are usually published by small presses with tiny print runs. It takes, on average, two years to write a novel. If a novel is in Scots, it will sell about 500 copies, earning the author almost nothing. If we do not encourage writing in Scots, the nation will have no future classic literature in our own tongue from this period, and we will also become increasingly divorced from the literature of the past. Even with education, advertising investment and great good luck, the best writing in Scots has only a small market,

because Scotland is wee. There are solutions, such as free advertising, translation, which would provide bigger sales for publishers, and long-term funding support specifically for books in Scots.

How could we implement those solutions? There is a joint implementation group for the national cultural strategy. It last met in July. It has met only three times since the cultural strategy was launched two years ago. I do not know how often the implementation sub-groups meet, but I do know that we need another one, on languages, and Scots in particular. I would appreciate the minister's views on that.

Finally, on the SNP amendment, at the meeting of the Education, Culture and Sport Committee on 29 October, when asked about a baseline study of funding and the other needs of the arts in Scotland, which the committee supports and which, I understand, James Boyle of the SAC has publicly endorsed—and which is also the essence of our amendment—the Minister for Tourism, Culture and Sport said:

"I am not saying that that baseline approach is not a way forward ... I am not saying yes or no to a baseline study."—[*Official Report, Education, Culture and Sport Committee*, 29 October 2002; c 3811.]

The cultural sector in Scotland would be appreciative if the minister could make up his mind soon.

16:52

The Deputy Minister for Tourism, Culture and Sport (Dr Elaine Murray): I promise that I will neither quote my own poetry nor sing. Those are both things that I prefer to do in private.

If I was going to adopt a word, which I have not done yet, it might be "scunnered", because I am a bit scunnered by some of the ginning that has gone on, and also by some of the misunderstandings that exist. The matter for debate is how the cultural strategy has been progressed, not whether it is a daft policy or, indeed, whether we should have a policy at all.

I was a little confused by some of the misunderstandings about the report. The report does not exist to tick a load of boxes and say what we have done; it is slightly different, and when I saw it I congratulated my colleague Mike Watson, who was behind the way in which it is put together, because it is a refreshing, new and interesting way of producing the data. It is not just a boring table of facts; it has information that people could find useful, examples of good practice, and examples of some things that the Executive is behind. There was no intention in producing the report of trying to claim that the Executive is doing anything—

Murdo Fraser: Will the minister give way?

Dr Murray: No, I have only just started and I have not got long, so sit down for the moment.

The national cultural strategy was an aspiration before devolution. I was the Convention of Scottish Local Authorities' cultural spokesperson prior to devolution, and I am well aware of the pressure from the cultural sector at the time for Scotland to develop a national cultural strategy when it got its own Parliament. A national cultural strategy is not about the Government telling people how culture is done; a national cultural strategy has to be a partnership among people at all levels of government, the voluntary sector and the business sector, to which Mary Scanlon referred.

The strategy is not about imposing a policy on people; it develops and enables partnerships and facilitates various art forms. It should also allow the development of our creative industries, which are often an unrecognised sector in the Scottish economy. They generate something like £5 billion in the Scottish economy every year and 70,000 jobs. The Executive sees the importance of developing a framework that will allow the creative industries to flourish and be recognised for their contribution to Scotland.

Mike Russell had some funny things to say and was quite amusing about the annual report. I remind Mike Russell that the Executive supports culture and the arts through other bodies, through non-departmental public bodies such as the Scottish Arts Council and Scottish Screen, and through the national institutions.

Mike Russell seems to object to page 24, which refers to investment in Scottish story telling and the £800,000 that the Scottish Arts Council awarded to the Netherbow Arts Centre, but anything such as that is in accordance with the national cultural strategy.

Michael Russell: I am familiar with the funding structure. How does what the minister said tie in with the arm's-length funding approach to which the Government is devoted and which was a feature of two previous cultural strategy debates? Ministers cannot have their cake and eat it.

Dr Murray: I am not saying that that is instruction. My reply to the Conservatives is that what is involved is not instruction from the Government, but partnership, such as our partnership with the Scottish Arts Council. The strategy is for the Scottish nation, not the Scottish Executive.

Page 25 of the annual report describes activities that the Scottish Arts Council undertakes through the National Library of Scotland, which is funded by the Scottish Executive. Those actions are important to our culture's development. I will not apologise for the inclusion of examples of good practice from all sectors in our annual report.

Murdo Fraser did not like the fact that we had a strategy. The Tories think that culture will somehow exist out there and will either thrive or go to the wall. The idea that the Government has no role in helping to nurture culture is ridiculous.

Murdo Fraser: How much did the annual report cost to produce? However much that was, would not that money have been better spent on providing free instrumental tuition in schools, for example?

Dr Murray: I am pleased to tell Murdo Fraser that the document and its web conversion cost £18,000. Unfortunately, that amount would not go far towards funding free musical instrument tuition in schools, which might cost several hundred thousand pounds. Many members referred to music tuition, which the Executive considers important. As we have said, we intend to make an announcement about music tuition in school in the near future. I hope that that will be of interest.

Murdo Fraser said that the annual report contains no picture of the Edinburgh tattoo. The national cultural strategy contains a picture of the tattoo. I do not criticise him for not knowing that, because he was not an MSP when the document was published, but we have referred to the tattoo. All parts of our cultural heritage are important.

Members made many good points. Some expressed concern about arts funding—we all acknowledge that concern. I will give a few statistics. The culture and sport portfolio receives £170 million a year at present. After the Scottish budget 2002, that figure will rise to £217 million in 2005-06. The Executive will give the cultural sector funding of £156 million this year. That figure will rise by 18 per cent to £184 million in 2005-06.

Members referred to spending in other countries. The projected spend in England in 2005-06 is £9 a head. I admit that, under the previous budget, spending in Scotland would have been £7.90 a head, but if we include the £10.8 million from the Scottish budget 2002, that figure rises to £11 a head. If we include funding for Gaelic, which we all agree is an extremely important part of Scottish culture, whatever our view on the Gaelic Language (Scotland) Bill, the sum rises to £13.90 per capita. It cannot be said that we do not appreciate the arts or that we do not fund the arts.

Michael Russell: I understand the point about pounds per head—I think that that is what the minister was talking about; it is rather hard to hear her. However, the reality is that the percentage of gross domestic product that is spent on culture is dramatically lower in Scotland. Will the minister deal with that?

Dr Murray: Mike Russell is aware of the different pressures in the Scottish budget, which relate to geography and other matters. We are

ahead of England on expenditure per person on the arts. I make no apology for that.

I do not have time to deal with all the points that were made. I appreciate what Mr Russell said about the level of noise in the chamber, which is always a problem at this time of day.

The Deputy Presiding Officer (Mr Murray Tosh): Order. The minister has asked for some calm in the chamber. Could we subdue the conversations until business is finished?

Dr Murray: Unfortunately, I am not possessed with as loud a voice as certain other members in the chamber, so it is more difficult for me to make myself heard.

I turn to the traditional arts. I look forward to Cathy Peattie's report, to which Karen Gillon referred. As a result of my intervention on Linda Fabiani, members will be aware that we have been funding the traditional arts. We will continue to examine how we can promote the traditional sector.

Donald Gorrie rightly said that the arts sector has important linkages with tourism. That is one of the reasons why tourism, culture and sport have been brought together.

I commend the document to members and I urge them to reject both the amendments. As my colleague Mike Watson said, the Tory one is silly and the SNP motion is unnecessary. I commend the motion to the chamber.

Parliamentary Bureau Motions

17:01

The Deputy Presiding Officer (Mr Murray Tosh): The next item of business is the consideration of four Parliamentary Bureau motions. They are S1M-3574 and S1M-3575 on the approval of statutory instruments, S1M-3576 on rule 2.3.1 and S1M-3577 on the suspension of standing orders.

Motions moved,

That the Parliament agrees that the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No.13) (Scotland) Order 2002 (SSI 2002/465) be approved.

That the Parliament agrees that the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No.14) (Scotland) Order 2002 (SSI 2002/482) be approved.

That the Parliament agrees that the Office of the Clerk will be closed on 27, 30 and 31 December 2002.

That the Parliament agrees that Rules 13.6.4 and 13.6.7 of the Standing Orders be suspended for the purpose of Question Time on Thursday 9 January 2003.—[*Euan Robson.*]

The Deputy Presiding Officer: The questions on the motions will be put at decision time.

Decision Time

17:02

The Deputy Presiding Officer (Mr Murray Tosh): Thirteen questions are to be put as a result of today's business. The first question is, that amendment S1M-3569.2, in the name of Colin Boyd, which seeks to amend motion S1M-3569, in the name of Roseanna Cunningham, on crime, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)
 Gillon, Karen (Clydesdale) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 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)
 McLeish, Henry (Central Fife) (Lab)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (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)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Simpson, Dr Richard (Ochil) (Lab)

Smith, Iain (North-East Fife) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Thomson, Elaine (Aberdeen North) (Lab)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Adam, Brian (North-East Scotland) (SNP)
 Campbell, Colin (West of Scotland) (SNP)
 Crawford, Bruce (Mid Scotland and Fife) (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)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 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)
 Marwick, Tricia (Mid Scotland and Fife) (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)
 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)
 Sheridan, Tommy (Glasgow) (SSP)
 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)
 Young, John (West of Scotland) (Con)

ABSTENTIONS

Elder, Dorothy-Grace (Glasgow) (Ind)
 Harper, Robin (Lothians) (Grn)

The Deputy Presiding Officer: The result of the division is: For 59, Against 39, Abstentions 2.

Amendment agreed to.

The Deputy Presiding Officer: As that amendment is carried, Lord James Douglas-Hamilton's amendment S1M-3569.1 falls.

The next question is that motion S1M-3569, in the name of Roseanna Cunningham, on crime, as amended, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (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)
 Harper, Robin (Lothians) (Grn)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (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)
 McLeish, Henry (Central Fife) (Lab)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (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)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Thomson, Elaine (Aberdeen North) (Lab)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Johnstone, Alex (North-East Scotland) (Con)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)

McLetchie, David (Lothians) (Con)
 Murray, Dr Elaine (Dumfries) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Ullrich, Kay (West of Scotland) (SNP)
 Young, John (West of Scotland) (Con)

ABSTENTIONS

Adam, Brian (North-East Scotland) (SNP)
 Campbell, Colin (West of Scotland) (SNP)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Elder, Dorothy-Grace (Glasgow) (Ind)
 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)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 McGugan, Irene (North-East Scotland) (SNP)
 McLeod, Fiona (West of Scotland) (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)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 59, Against 13, Abstentions 28.

Motion, as amended, agreed to.

Resolved,

That the Parliament acknowledges that all sectors of the criminal justice system must be managed effectively to ensure the even delivery of services across Scotland, welcomes the commitment of the Scottish Executive to systematic reappraisal of the way in which justice is delivered, building on the system's strengths but also addressing the need for improvement; supports the major programme of modernisation, investment and review being undertaken by the Crown Office and Procurator Fiscal Service; awaits with interest the outcome of the major reviews of the criminal justice system currently being conducted by Lord Bonomy and Sheriff Principal McInnes and the work on integration of the system's objectives being undertaken by the Crown Agent, Andrew Normand, and agrees that these reviews should inform proposals for the further improvement and modernisation of the criminal justice system to ensure that justice in Scotland is delivered in a fair, effective and appropriate manner.

The Deputy Presiding Officer: The next question is, that amendment S1M-3570.2, in the name of Margaret Curran, which seeks to amend motion S1M-3570, in the name of Kenneth Gibson, on poverty, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 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)
 Harper, Robin (Lothians) (Grn)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Hyslop, Fiona (Lothians) (SNP)
 Jackson, Dr Sylvia (Stirling) (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)
 McLeish, Henry (Central Fife) (Lab)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (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)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Thomson, Elaine (Aberdeen North) (Lab)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Adam, Brian (North-East Scotland) (SNP)
 Campbell, Colin (West of Scotland) (SNP)
 Crawford, Bruce (Mid Scotland and Fife) (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)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Johnstone, Alex (North-East Scotland) (Con)
 Lochhead, Richard (North-East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (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)
 Murray, Dr Elaine (Dumfries) (Lab)
 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)
 Sheridan, Tommy (Glasgow) (SSP)
 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)
 Young, John (West of Scotland) (Con)

ABSTENTIONS

Elder, Dorothy-Grace (Glasgow) (Ind)

The Deputy Presiding Officer: The result of the division is: For 61, Against 39, Abstentions 1.

Amendment agreed to.

The Deputy Presiding Officer: As that amendment is carried, Lyndsay McIntosh's amendment S1M-3570.1 falls.

The next question is, that motion S1M-3570, in the name of Kenneth Gibson, on poverty, as amended, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 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)
 Harper, Robin (Lothians) (Grn)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (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)
 McLeish, Henry (Central Fife) (Lab)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (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)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Thomson, Elaine (Aberdeen North) (Lab)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Canavan, Dennis (Falkirk West)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Johnstone, Alex (North-East Scotland) (Con)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLetchie, David (Lothians) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Sheridan, Tommy (Glasgow) (SSP)
 Welsh, Mr Andrew (Angus) (SNP)
 Young, John (West of Scotland) (Con)

ABSTENTIONS

Adam, Brian (North-East Scotland) (SNP)
 Campbell, Colin (West of Scotland) (SNP)
 Crawford, Bruce (Mid Scotland and Fife) (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)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 McGugan, Irene (North-East Scotland) (SNP)
 McLeod, Fiona (West of Scotland) (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)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Ullrich, Kay (West of Scotland) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 61, Against 14, Abstentions 26.

Motion, as amended, agreed to.

Resolved,

That the Parliament supports the Scottish Executive's plans to tackle poverty as set out in *Closing the Opportunity Gap: Scottish Budget 2003-2006*; agrees that the definition of poverty extends beyond low income to include lack of opportunity in aspects of people's lives such as jobs, health, education, transport and housing, and welcomes the progress that the Executive is making in tackling poverty in the broadest sense, in order to close the opportunity gap for the most disadvantaged people and communities, both urban and rural, across Scotland.

The Deputy Presiding Officer: The next question is, that amendment S1M-3571.1, in the name of Mike Russell, which seeks to amend motion S1M-3571, in the name of Mike Watson, on the national cultural strategy, be agreed to. Are we agreed?

Members: No.

The Deputy 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)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Elder, Dorothy-Grace (Glasgow) (Ind)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Harper, Robin (Lothians) (Grn)
 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)

Marwick, Tricia (Mid Scotland and Fife) (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)
 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)
 Sheridan, Tommy (Glasgow) (SSP)
 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)
 Young, John (West of Scotland) (Con)

AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Fitzpatrick, Brian (Strathkelvin and Bearsden) (Lab)
 Gillon, Karen (Clydesdale) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 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)
 McLeish, Henry (Central Fife) (Lab)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (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)
 Radcliffe, Nora (Gordon) (LD)

Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Thomson, Elaine (Aberdeen North) (Lab)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

The Deputy Presiding Officer: The result of the division is: For 42, Against 60, Abstentions 0.

Amendment disagreed to.

The Deputy Presiding Officer: The next question is, that amendment S1M-3571.2, in the name of Murdo Fraser, which also seeks to amend motion S1M-3571, in the name of Mike Watson, on the national cultural strategy, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Adam, Brian (North-East Scotland) (SNP)
 Campbell, Colin (West of Scotland) (SNP)
 Crawford, Bruce (Mid Scotland and Fife) (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)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 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)
 Marwick, Tricia (Mid Scotland and Fife) (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)
 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)
 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)
 Young, John (West of Scotland) (Con)

AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Canavan, Dennis (Falkirk West)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (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)
 Harper, Robin (Lothians) (Grn)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (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)
 McLeish, Henry (Central Fife) (Lab)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (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)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Thomson, Elaine (Aberdeen North) (Lab)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS

Sheridan, Tommy (Glasgow) (SSP)

The Deputy Presiding Officer: The result of the division is: For 38, Against 62, Abstentions 1.

Amendment disagreed to.

The Deputy Presiding Officer: The next question is, that motion S1M-3571, in the name of Mike Watson, on the national cultural strategy, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Canavan, Dennis (Falkirk West)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 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)
 Gorrie, Donald (Central Scotland) (LD)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Johnstone, Alex (North-East Scotland) (Con)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 MacKay, Angus (Edinburgh South) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAllion, Mr John (Dundee East) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLeish, Henry (Central Fife) (Lab)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (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)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Sheridan, Tommy (Glasgow) (SSP)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Iain (North-East Fife) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Thomson, Elaine (Aberdeen North) (Lab)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Harding, Mr Keith (Mid Scotland and Fife) (Con)
 McLetchie, David (Lothians) (Con)
 Welsh, Mr Andrew (Angus) (SNP)
 Young, John (West of Scotland) (Con)

ABSTENTIONS

Adam, Brian (North-East Scotland) (SNP)
 Campbell, Colin (West of Scotland) (SNP)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Elder, Dorothy-Grace (Glasgow) (Ind)
 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)
 Harper, Robin (Lothians) (Grn)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Lochhead, Richard (North-East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 McGugan, Irene (North-East Scotland) (SNP)
 McLeod, Fiona (West of Scotland) (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)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Ullrich, Kay (West of Scotland) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 70, Against 4, Abstentions 28.

Motion agreed to.

That the Parliament welcomes the second annual report on implementation of Scotland's National Cultural Strategy; notes the action taken over the past year and welcomes the significant achievements of many dedicated artists and professionals throughout Scotland, and fully recognises the importance of culture in defining Scotland's identity both at home and abroad, its contribution to the well-being of communities and individuals across the country and its role in helping to bridge the opportunity gap by extending participation in cultural activities.

The Deputy Presiding Officer: The next question is, that motion S1M-3574, in the name of Patricia Ferguson, on the approval of statutory instruments, be agreed to.

Motion agreed to.

That the Parliament agrees that the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No.13) (Scotland) Order 2002 (SSI 2002/465) be approved.

The Deputy Presiding Officer: The next question is, that motion S1M-3575, in the name of Patricia Ferguson, on the approval of statutory instruments, be agreed to.

Motion agreed to.

That the Parliament agrees that the Food Protection (Emergency Prohibitions) (Amnesic Shellfish Poisoning) (West Coast) (No.14) (Scotland) Order 2002 (SSI 2002/482) be approved.

The Deputy Presiding Officer: The next question is, that motion S1M-3576, in the name of Patricia Ferguson, on rule 2.3.1, be agreed to.

Motion agreed to.

That the Parliament agrees that the Office of the Clerk will be closed on 27, 30 and 31 December 2002.

The Deputy Presiding Officer: The last question is, that motion S1M-3577, in the name of Patricia Ferguson, on the suspension of standing orders, be agreed to.

Motion agreed to.

That the Parliament agrees that Rules 13.6.4 and 13.6.7 of the Standing Orders be suspended for the purpose of Question Time on Thursday 9 January 2003.

The Deputy Presiding Officer: That concludes decision time.

Fireworks (Licensing Scheme)

The Deputy Presiding Officer (Mr Murray Tosh): The final item of business is a members' business debate on motion S1M-3416, in the name of Shona Robison, on licensing schemes for fireworks. The debate will be concluded without any question being put.

Motion debated,

That the Parliament agrees with the view of the Association of Chief Police Officers in Scotland in calling for the tightening up of legislation relating to the sale and use of fireworks; notes that the association specifically refers to a need for sellers to be stringently vetted in order to ensure that applicants for a certificate to sell fireworks are of good character and should be required to show "need" before being granted a certificate; believes that the best way of achieving this is through the introduction of a licensing scheme for vendors of fireworks, and considers that the Scottish Executive should, as part of the current review of licensing powers under the Civic Government (Scotland) Act 1982, consider extending licensing powers to include firework vendors.

17:11

Shona Robison (North-East Scotland) (SNP): First of all, I thank all members who have supported my proposals for a licensing scheme and those who managed to stay on tonight for the debate. I also want to thank the Scottish Society for the Prevention of Cruelty to Animals. Most important, I must thank the hundreds of people who responded to my consultation paper on introducing a licensing scheme for firework retailers. I have received more than 200 responses, the majority of which have been submitted by community councils and groups the length and breadth of urban and rural Scotland.

It is a tribute to the public that the issue of fireworks has registered so high on the political Richter scale. I also want to pay tribute to the media's role in achieving that, because they have been campaigning for stricter controls. Although the *Daily Record* campaign seeks to go further than the measures proposed in my bill, it has been important in raising public awareness of the issue and putting politicians under the spotlight.

Now that another Guy Fawkes night has passed, it is hoped that the misuse and abuse of fireworks will abate, although it is apparent that, with every passing year, the fireworks season gets longer and longer. In Dundee this weekend, much to the annoyance of residents in that area, fireworks were still being thrown about in the streets where I was working.

Nevertheless, it is now even more important that we keep up the pressure on Government at all levels to ensure that action is taken to tackle the misuse of fireworks and that we do not have to

face yet another Guy Fawkes night that causes distress and misery to so many in our communities.

This debate is part of my long campaign to raise the issue in the Parliament. It started last year when members of all parties signed my first members' business debate motion, which was followed by a members' business debate earlier this year in which Lewis Macdonald promised that my proposal would be considered. I then lodged my proposal for a member's bill. Today's debate presents another opportunity to keep the issue on the agenda and to try to secure some Government action.

The same idea lies behind my bill, public concerns and the media campaigns. We do not want to ban the responsible use of fireworks, but we want to address the misuse and abuse of fireworks and the distress and misery that they can bring to many people, including the old, the young, the vulnerable and the animals that are targeted and affected.

Last year, there was a 35 per cent increase in fireworks injuries. This year has been no better; indeed, it has been even worse in some areas. This year, eight police forces have dealt with 820 firework incidents and more than 6,000 nuisance calls, which appears to be an all-time high. Indeed, the Association of Chief Police Officers in Scotland has said that more than 3,000 man-hours have been wasted following up calls about fireworks and bonfires. Clearly, that is a drain on scarce resources.

The horrific injuries suffered by Alex Carroll from Motherwell, which were featured in the *Daily Record*, are a stark reminder of the dangers of fireworks. It is sad that so many injuries are caused by fireworks. Some injuries are the result of accidents, but many are the result of the deliberate misuse and abuse of fireworks. Fireworks are thrown through windows, put under cars, thrown at people in the street, set off beside animals or—unimaginably—tied to animals. The misuse of fireworks causes most of the problems that we are concerned about tonight. Some disgraceful incidents happened in Dundee over the fireworks season. For example, on bonfire night, fireworks were thrown at firefighters while they were attending bonfires that were out of control. That is disgraceful.

The existing legislation is totally inadequate to deal with the problem. The voluntary code of the British Fireworks Association says that shops should sell fireworks only in the three weeks leading up to 5 November, yet we all know that that is completely ignored by many retailers. It is clear that we need further legislation.

While it is to be welcomed that Westminster is to ban certain grades of fireworks from being sold to

the public, as announced in the Queen's speech, the measures do not go far enough. It is important that we tackle the misuse of fireworks in Scotland, which I believe we have the power to do.

A licensing scheme, used imaginatively, would go a long way towards addressing many of our concerns. Not only would it prevent people who are deemed unfit to sell fireworks from doing so, but it would restrict the number of outlets, with applicants for licences having to show a need in their area. A local authority could also introduce a strict code of practice in its area, restricting when fireworks could be sold and making it clear that anyone applying for a licence would be expected to abide by that code. Retailers who chose to advertise half-price fireworks six weeks before bonfire night would be unlikely to be granted a licence.

I am pleased that the Executive has said that it is considering my proposal for a licensing scheme, but it is time to hear when and how it intends to take that forward. It is time for action. In reply to a letter to the First Minister, the Minister for Finance and Public Services, Andy Kerr, said that the Executive is considering my proposed bill and the Convention of Scottish Local Authorities report, which also supports a licensing scheme. I am glad that that is happening, but time is of the essence.

I know that it would be difficult for me to get primary legislation through in the four months that remain before Parliament dissolves for the election. That is why I have consistently asked for ministers in the Executive to act to amend the Civic Government (Scotland) Act 1982 by regulation, as it should be far quicker to get a statutory instrument through the Parliament before March. However, that will happen only if the Executive acts soon. We need to move quickly to ensure that a licensing scheme is in operation well in advance of Guy Fawkes night next year. I hope that the Deputy Minister for Finance and Public Services can tell us when and how he intends to take that forward.

17:18

Mr Tom McCabe (Hamilton South) (Lab): I begin by apologising to the chamber for having to leave the debate early. As I explained earlier, I have another engagement and time is pressing.

I congratulate Shona Robison on securing the debate and acknowledge the work that she has done on this pertinent issue.

Across Scotland, communities are experiencing what can be described only as torment in the face of a developing trend that sees fireworks used more frequently than ever before. That is compounded by the use of a type of firework known as the air bomb, which can terrify people and animals.

Lifestyles have changed and that has impacted on people's behaviour. We now have more of 24-hour society. People travel more and see elaborate firework displays at almost every major celebration—undoubtedly, the millennium celebrations were a major catalyst for the growth in interest in fireworks.

We need to use the powers available at UK and Scotland level to best effect, which is why a UK view of the matter is critical. It is pointless to pretend that we can shut ourselves off from other countries in a small island. We must continue to urge ministers to use existing powers to the maximum and, if necessary, to develop new powers in conjunction with their Westminster colleagues. We cannot afford to let the issue fade because Guy Fawkes night has passed. It is now quite clearly a year-round problem.

Last week in Parliament, we discussed quality of life in Scotland. For too many, quality of life is being ruined through the greed of retailers and the mindless few. If we apply ourselves properly, we can solve the problem. It is clear from the reaction in my constituency—and, I am sure, in constituencies across Scotland—that people expect us to do no less.

17:20

Mr Gil Paterson (Central Scotland) (SNP): I join Tom McCabe in congratulating Shona Robison on bringing the issue of fireworks to the chamber, as it is a serious and worthwhile subject for debate.

I do not want to appear to be a killjoy who wants to ban fireworks, but I do want to bring about the responsible use of fireworks. The starting point for responsible use lies with the manufacturers, which have a duty to supply to responsible retailers. Retailers, in turn, should have a responsibility to supply to responsible adults rather than to children.

We must get the message out that the indiscriminate use of fireworks is quite unacceptable. Attacks on members of our emergency services, who frequently attend out-of-control bonfires, must stop. In Airdrie and Coatbridge, the same fire crew was attacked twice in one night when attending bonfires. The firefighters had to endure abuse from youths as well as having stones, rocks and bottles thrown at them. One fire officer suffered serious injuries when a bottle was thrown at him. A spokesman from Strathclyde fire brigade said that a fire officer would be killed if such actions were not stopped.

In Bellshill, a firework was thrown through a resident's kitchen window. The lady said that it was "like an airgun". That resident would surely have suffered serious injury had she been

standing by the window at the time, but, my goodness, in one way it was awfully lucky that people were in the house at the time. God knows what might have happened to that house if people had not been in attendance to deal with the firework when it landed.

The year before last, I was in Florida. It was October, but the people in the town where I was staying were actually celebrating their 4 July independence day. The reason for doing it in October was that, that year, it had been declared a fire hazard to hold a firework display during the summer. The firework display was held on a bridge about the size of Kingston bridge. It was a small town, but there was an enormous turnout. I think that it is up to civic society to provide such celebrations, so that people do not need to dig into their own pockets. A civic celebration is much grander, much cheaper and much, much safer.

I own four premises in Scotland, all of which—or parts of them, at least—are licensed, because we supply highly toxic materials to the automotive industry. There is a duty of care on my business to supply only bona fide tradesmen to utilise those products. Shona Robison has the remedy to the problem. As happens in my business, manufacturers should supply only to the correct people. The simple mechanism for ensuring that professionalism is a licence. I support Shona's motion full-heartedly.

17:24

Robin Harper (Lothians) (Green): I congratulate Shona Robison on bringing this evening's motion before the Parliament and on the effort that she has made over the past year to continue to bring the matter to the attention of the Executive. I plead with the Executive to do something before the end of the parliamentary session in exactly the way that Shona has described.

I would like to pick up a couple of points. With limited outlets, there is a possibility that there might be an unwanted and dangerous stockpiling of fireworks. It would therefore be necessary to review the regulations covering the storage of fireworks and to ensure that those regulations were strictly adhered to. I do not want to undermine what has been said, which has been good.

Attacks on animals have been mentioned. Until recently, I wrote a small column in a well-known and excellent northern newspaper. When I mentioned fireworks, the resultant letters in the small mailbag that I received were all about attacks on animals by children. Fireworks had been thrown at animals and set off near them. I remember some horrific incidents from when I was

a teacher, which I will not detail. Fireworks were used to torture and persecute animals. Society should do more to show how seriously it treats such matters.

Tom McCabe referred to air bombs. When I was last anywhere near an air bomb, I felt my internal organs shaking in my body. Their explosions are so intense that they are like a bomb going off. We should do what we can to ensure that fireworks with such intense explosions are never on sale to the general public.

There should be many properly controlled little village firework shows, but small villages with limited resources have a problem. Licences used to be £200, but they can now cost up to £2,000. That means that such shows are costly for small villages. Perhaps the Executive would like to review that matter and introduce a scale of charges so that smaller communities can apply for licences to have their own shows and not find that costs are crippling expensive.

17:27

John Young (West of Scotland) (Con): I, too, congratulate Shona Robison on securing the debate. I think that she will receive all-party support for her motion.

I want to deal with a number of issues, including responsible manufacturers, which were mentioned. A major problem is that the majority of manufacturers of fireworks that are imported into this country are based in south-east Asia and many of them are completely irresponsible. HM Customs and Excise says that it does not have enough staff or expertise to check all imports.

Storage was also mentioned, but there are ways around the problem of storage. One is supposed to store only so many thousands of kilograms of fireworks in one's shop, but under the present rules, there is nothing to stop one from storing 1,000kg at home for one's personal use and giving three or four friends 1,000kg each for their personal use. That avenue must be blocked.

Vetting and licensing are absolutely essential. I say to Shona Robison that any shop that applies to obtain a licence to sell fireworks should be required to display an appropriate plate that shows the dates on which it is allowed to sell fireworks and the expiry date of the licence. If there is no plate, the shop should not be allowed to sell any fireworks and should be prosecuted. Sellers who break the rules should face prohibitive fines. Perhaps the legal system must be changed so that if sellers continued to break the rules, all the stock in their shops—not just the fireworks—could be impounded. That is merely a suggestion. It was mentioned that sellers should be required to show

need, but an obvious need of sellers is to make money.

The vast expansion in the use of fireworks was also mentioned. I am old enough to remember many air raids, including the Clydebank blitz, and agree that the Black Cat firework is almost like a bomb coming down—the whole place shakes and I am astonished that the authorities have not outlawed it completely. Something that has the velocity of a mortar bomb that is not supposed to be exploded within 80ft of a structure can be bought for over £70 off the shelf.

The Royal Society for the Prevention of Cruelty to Animals has mentioned that at least 8,000 animals have received veterinary attention for firework-related problems. I am sure that Sylvia Jackson will deal with that matter.

Various incidents have been mentioned. Last year, in Mike Watson's constituency, car lock-ups that had cars and petrol inside them and which are located between two occupied tenement properties had rockets fired onto their roofs by hooligans, which set the lock-ups alight. The fire brigade arrived and was ambushed; rockets were fired at firemen while they were attempting to fight a difficult and dangerous fire.

Suburban railway stations are also popular locations for such individuals to fire rockets and let off fireworks, especially when suburban trains are due. There will be an accident one of these days—the British Transport police do their best, but they cannot cover everywhere.

I am in favour of Shona Robison's motion. Some bits and pieces of legislation need to be tightened up much more than they have been. However, it is crucial that we link up with Westminster to tackle imports from south-east Asia, because control of those imports is Westminster's responsibility. We need more Customs and Excise officers and we might even need a special brand of officer who has been trained in this sphere.

17:30

Dr Sylvia Jackson (Stirling) (Lab): I thank Shona Robison for securing tonight's debate, which started in the cross-party group on animal welfare. We are pleased that she has taken the issue on board as she has. Many other MSPs, including John Young, have been involved, but it is good of Shona Robison progress the issue.

I also want to praise COSLA for its report, which has provided us with some ways in which we can move forward. One of its suggestions is licensing, which will be dealt with by the bill that Shona Robison has drafted. Those are useful signs.

On the cross-party group on animal welfare, I also want to highlight the work that has been done

by the SSPCA, which Shona Robison mentioned. In particular, I want to mention the SSPCA publication "Dump Squibs", which is an education leaflet that is suitable for children. The leaflet gives some pretty horrendous examples of what has happened to animals and those have been added to by the many other examples that the SSPCA has sent to MSPs.

There is no doubt that fireworks are a problem that affects animals, but they also affect people. Robin Harper described the effect on him of one such firework, but vulnerable people are particularly affected by fireworks. I have received letters in which people have remarked that they do not want to go out around the fifth of November simply because some irresponsible person threw a firework at them. Fireworks are a big issue generally.

Over the past couple weeks, I have attended two community council meetings, at which Shona Robison's consultation document was considered and where there was huge support for her suggestions. I have also been given copies of letters that have been sent to Shona Robison from other community councils. There is immense support out there for what she is doing.

Shona Robison and I have both used the mechanism of lodging various parliamentary questions. I thought that Andy Kerr's last statement was fairly supportive of what needs to be done. Tom McCabe hit the nail on the head when he said that we need to get a combined strategy between the Scottish Parliament and Westminster if we are to be effective. That point was also made by John Young.

Some other matters were also mentioned by John Young, such as illegal fireworks, which are a Westminster issue. In that context, I must thank the Scottish Parliament information centre for providing us with a useful résumé of the legislation at the back of the briefing that it provided. John Young also mentioned licensing, but we need to think about how we can make licensing effective through enforcement.

Finally, I thank Shona Robison for lodging the motion, which has attracted such widespread support. I hope that we can move forward.

17:34

Dorothy-Grace Elder (Glasgow) (Ind): I think that Shona Robison referred to the expression "killjoy". A number of years ago, people used to be thought of as killjoys if they even mentioned regulating fireworks, but thank goodness the public is on the whole much more sensible now. Our move will not be seen as a killjoy move, but as one that will improve the quality of many lives.

Fireworks have been incredibly dangerous for decades—they were dangerous long before the new military-style fireworks emerged. I had an uncle who was badly wounded—half his hand was blown off when he was a child—in an accident with an ordinary firework. The blood loss was terrible and his life was saved only because the local doctor operated on the spot, flinging a sheet over my grandmother's kitchen table, removing what was left of the hand and cauterising the wound. Nevertheless, my poor uncle managed to graduate from the University of Glasgow using his stump. He became a headmaster and used to hold up the stump to his class and say, "This is what an ordinary firework did to me."

My eldest child was born on bonfire night, and it was wonderful to see the beautiful swirls of colour in the sky welcoming her into the world. We had to have a little bonfire party every year after that, although I never liked those things. Then she, too, became sickened as fireworks everywhere got worse and worse—she did not want fireworks any more.

This year, there was no celebration. It was as if a dreadful accident had happened at Faslane—everything went up. In Glasgow, fireworks were flung into closes so that the noise was amplified up through the stairwells. Goodness knows how many heart problems were aggravated by that and how many vulnerable people had to endure it—and it was not even bonfire night.

Shona Robison's proposals relate to a time period for selling—is that right?

Shona Robison: Yes.

Dorothy-Grace Elder: John Young also mentioned a time period. There must be a limited period during which fireworks can be sold. In the paper the other day, I wrote that the shops sell fireworks from October through to December, but a reader corrected me, saying that it is more like the end of August through to December. If people want fireworks for some other occasion—a wedding, for example—they should be able to have a licensed arrangement direct with the manufacturer, not with the local shop.

The Glasgow Dog and Cat Home reports that it is overcrowded with dogs that ran away terrified. Those animals—there are many of them—will have to be put down because their owners have not been traced. Look at all the misery that has been caused because of a celebration that has been taken over by hooligans.

In some parts of Scotland, fire crews were lured by hoax calls to spots where they were attacked. The attacks were carefully arranged and not impromptu in many cases. That is the venal level to which things have sunk. It is yet another hazard in the lives of our firefighters who surely prove all

the time that they deserve at least £31,000 a year. We are hardly supporting them unless we agree that they deserve everything that they are asking for. They are men and women who risk their lives even at ordinary times of the year, and we should not allow such things to happen.

17:38

Donald Gorrie (Central Scotland) (LD): Shona Robison has chosen a good way in which to address a subject that is difficult because of the difference between the powers that lie at Westminster and the powers that lie here. Local authority licensing would be a good way of trying to tackle the issue, but I hope that we can also explore further licensing of shops. Perhaps councils could have the power to license firework displays, and not only civic displays—which are important, as Gil Paterson said—but reasonably organised ones in the community. We could also investigate the extent to which the police can pursue the hooligans who throw fireworks through people's windows and about in the street, causing dogs to panic.

We must co-operate with Westminster on the issue. My successor as the MP for Edinburgh West, John Barrett, has inherited the problem of firework misuse in Muirhouse. He spoke about the matter in Westminster Hall recently, urging a reform of the Explosives Act 1875, which still seems to govern our activities in this area.

We must do all that we can here, but we must also urge Westminster to do what it can to alter the nature of fireworks, many of which create a huge amount of noise but have no sparkle. I tried to work in a joke about politicians there, but I have not quite worked it out yet. The joke would not apply to any member currently in the chamber, but it might apply to some others. To be serious, however, many fireworks create a huge bang but do not produce a nice display in the sky.

The central problem is how we educate people not to be hooligans. I have no solution to that problem, but we must pursue one. The hooligan issue is related to the problem of hoax calls to get out firefighters—military or professional—which were referred to earlier. The same mentality is involved in both cases. The people concerned lack the imagination to see the harm that they do, and I am not sure how to teach people to have imagination. However, the education system, along with youth clubs and similar activities, must try to teach better behaviour to young people so that people can enjoy fireworks correctly and so that we do not have hooligans rushing about the streets with fireworks—fireworks that should never have been let into the country and that were bought from people who should not have sold them.

17:41

Ms Sandra White (Glasgow) (SNP): I congratulate Shona Robison not only on securing the debate, but on her tenacity in pursuing the issue through, for example, contacting community councils and the Executive. I hope that her proposed licensing scheme for retailers of fireworks (Scotland) bill will eventually be passed, because it is urgently needed. We sometimes do not seem to realise exactly what a firework is. We should remind ourselves that a firework, whether it is a mini-firework or a huge firework, is an explosive. Some people enjoy the sight of exploding fireworks. However, it is an unfortunate fact that some people use fireworks to cause harm. I hope that Shona Robison's proposed bill will help to put a stop to that.

I have an elderly mother and I own a dog and a cat. Those three and I have suffered terribly because of fireworks, not just on bonfire night but in the weeks prior to it. My mother and my pets are still suffering. My dog is practically a nervous wreck and the cat refuses to go out. Elderly people in the constituency complain that people are still throwing bangers and other fireworks about. We must tackle that situation.

Much has been said about Scottish Parliament and Westminster legislation and codes. We in the Scottish Parliament have an ideal opportunity to use Shona Robison's proposed bill to amend the Civic Government (Scotland) Act 1982, which I think would be quite easy to do. If Westminster proposed similar legislation, that would be fine and good. However, I do not see why the Scottish Parliament should have to wait for possible Westminster legislation.

We should act as quickly as possible to amend the 1982 act through Shona Robison's bill and enforce the bill's provisions. If Westminster wanted to follow suit with similar legislation, that would be fair enough. We would not prevent it from doing so. I think that I said to the minister previously that I would not mind a Sewel motion in reverse. However, the Scottish Parliament has an opportunity to do something about fireworks in Scotland and we should act as quickly as possible.

We need Shona Robison's proposed bill because of the inadequacy of the codes. The voluntary code, as its name implies, has no legally enforceable obligations. I think that Shona Robison mentioned that the voluntary code states that fireworks are not allowed to be displayed for three weeks prior to 5 November. However, a BBC television report on 31 October showed that, according to Strathclyde police's injury statistics, almost 2,000 incidents involving fireworks were reported in the six weeks prior to 31 October.

That shows the scale of the problem. We need legislation now. I hope that the minister will take on board the fact that the Scottish Parliament has the power to amend the 1982 act. I hope that Shona Robison's bill will come into force some time next year—not necessarily before bonfire night—to prevent firework incidents involving vulnerable and elderly people and animals. I congratulate Shona Robison again.

17:44

The Deputy Minister for Finance and Public Services (Peter Peacock): Some very useful points have been made in tonight's debate. We have heard a range of ideas—some new ideas, as well as ideas that we have heard before. As usual, officials sitting at the back of the chamber have been noting everything that has been said. We will examine all the points that have been made by members from all parties.

I welcome the broad support that the motion indicates for the position that Shona Robison has outlined and that Lewis Macdonald set out in his closing speech at the previous parliamentary debate on the subject in June. As members have indicated, the motion builds on many campaigns in which members from all parties have been involved. Margaret Jamieson, who is unable to attend tonight's debate, expresses her support for the points that have been made, based on campaigns in which she has been involved in her constituency.

What has been said in tonight's debate confirms the growing concerns that exist and the sense of outrage that is felt across Scotland at the increasingly irresponsible behaviour of some individuals and, sadly—as Shona Robison indicated—of some retailers. Tom McCabe, Gil Paterson, Robin Harper, John Young, Sylvia Jackson, Dorothy-Grace Elder, Donald Gorrie and Sandra White all spoke about that sense of outrage, based on their experience.

Since the previous debate on fireworks on 12 June, public concern about the misuse of fireworks has grown. People are particularly concerned about noise and the general nuisance that many of them experience. Sadly, as members have indicated, we have continued to witness serious injury from fireworks. I know that people throughout Scotland have been horrified to learn that fire crews have been attacked with fireworks and stones while carrying out their duties. Such behaviour—to which several members referred—is not just deplorable, but wholly unacceptable in the modern age. People throughout Scotland share the outrage that members have expressed. As Shona Robison pointed out, the *Daily Record* published a snapshot poll of people's reactions to

the current state of affairs, which clearly indicated that people are dissatisfied with the situation.

Since the previous debate, the Executive has received about 50 letters—many from members, forwarding constituents' concerns about the issue. Many of those letters congratulate the Executive on its commitment to tackle the misuse of fireworks. I know that the Department of Trade and Industry, local authorities, councillors, MSPs, MEPs and MPs have received many more representations and complaints during the same period.

As Shona Robison indicated, there were a large number of incidents on bonfire night this year. I have been told that 822 such incidents—rather than 820—were reported to police across Scotland. As a result, eight people have been reported to procurators fiscal.

As members know, extensive regulations concerning fireworks are already in place. However, enforcement remains a difficulty. The sale and supply of fireworks are regulated largely by the Fireworks (Safety) Regulations 1997, which were made under the Consumer Protection Act 1987. The regulations control the type and size of fireworks that are sold to the public and include a ban on certain large and powerful fireworks. They prohibit the sale of most fireworks to anyone under the age of 18 and require all fireworks on sale to comply with British standard 7114.

As John Young and Donald Gorrie indicated, the Explosives Act 1875 governs the safe storage of fireworks through licensing and registration requirements. It makes it an offence to let off fireworks in a public place. The Health and Safety Commission is currently reviewing the act. The commission is considering whether the award of a storage licence should be conditional on the applicant's being a fit person. Members referred to that issue in the debate. Final proposals will be put to UK ministers in the first half of next year.

Trading standards officers across Scotland do an excellent job in enforcing existing controls, and they inspected many retail premises in the run-up to bonfire night. However, the Executive shares people's sense of outrage at the current situation. It believes that existing controls are not enough to deal with the recent upsurge in incidents.

That view is shared at Westminster. Members will no doubt have noted the fact that yesterday's Queen's speech made clear the Government's commitment to measures to tackle anti-social behaviour, which damages communities. I understand that those proposals extend to fireworks. We will liaise closely with our Westminster colleagues on how they intend to advance the matter.

Melanie Johnson, the Parliamentary Under-Secretary of State for Competition, Consumers and Markets at the Department of Trade and Industry, recently undertook extensive discussions with other Government departments, enforcement authorities and the fireworks industry on questions relating to the better control of fireworks. On 15 October, she announced a package of measures designed to cut the number of injuries and to reduce problems of noise and nuisance.

Fiona Hyslop (Lothians) (SNP): We all noted the Queen's speech yesterday and the commitment to tackling certain aspects of the misuse of fireworks. Will the minister indicate whether the Executive is prepared to use the powers that it has to make either primary legislation or, preferably, regulations, to allow a reasonably speedy resolution of the problems of sale? That would mean that we could indicate to people that they will not face the problems next year that they have faced this year. I had two people at my surgery this week, complaining about their problems. Will the minister indicate whether the Executive is willing to act instead of just waiting for Westminster to act?

Peter Peacock: I will come to that, but I make it clear that we will use whatever powers we have to try to make progress on the issues. I will come back to the points that Fiona Hyslop made, but I want to return to the theme that I was pursuing.

Melanie Johnson, my colleague in Westminster, announced on 15 October a package of measures designed to cut the number of injuries and to reduce problems due to noise and nuisance. The package includes a voluntary ban on air bomb sales from 1 January 2003. We know that air bombs are cheap, noisy and popular with young people, so their removal from sale should make a real difference to next year's firework season. Subject to consultation, regulations will be introduced to enshrine the voluntary ban in legislation.

Melanie Johnson also announced a crackdown on the illegal markets for fireworks, with improved co-ordination between the Health and Safety Executive and HM Customs and Excise. That reflects the points that John Young made about international difficulties, which are why HM Customs and Excise is involved. The DTI has regular discussions with the industry on promoting responsible firework use. It pressed the industry to hold to the voluntary code and there was a large and positive response to that. However, it is infuriating and it undermines the effectiveness of the voluntary code when retailers simply ignore it. As Andy Kerr said recently, those who have been ignoring it are drinking in the last-chance saloon.

Members are aware of the report to which Sylvia Jackson referred, which COSLA produced through its fireworks task group three weeks ago. We are grateful to COSLA for the work that it has done on examining the current situation and producing a wide-ranging report. The scale of the report shows the range of issues to be considered and the complexity of the problem. There are no easy solutions.

The terms of the motion draw to our attention the proposals of the Association of Chief Police Officers in Scotland. I know that ACPOS takes the misuse of fireworks seriously. Earlier this year, it established joint working groups on fireworks with the Scottish Police Federation and the Association of Scottish Police Superintendents. ACPOS is calling for action on the sale and use of fireworks. Ministers agree that the current problems cannot be allowed to continue.

Shona Robison's motion calls specifically for the introduction of a licensing scheme for vendors of fireworks and echoes a similar recommendation in the COSLA report. The motion calls for such a scheme to be considered as part of a review of the Civic Government (Scotland) Act 1982. I confirm that ministers have agreed to consider the issue, in particular licensing those who sell fireworks to the general public.

Of course, we must be clear about what we can do under devolved powers. Regulation of the supply of goods and services to consumers is reserved under the Scotland Act 1998, and the sale of fireworks is regulated under consumer protection legislation. We have been considering whether it is possible to introduce licensing under the Civic Government (Scotland) Act 1982, either by amending it or by using section 44 to designate additional activity. We are also considering whether a voluntary code on the sale of fireworks is sufficient to meet our communities' requirements.

We must take account of reserved and devolved issues, which are not straightforward. We will work with our UK colleagues on ways to progress, as Sylvia Jackson, John Young and Donald Gorrie suggested. All those issues are being considered. We have agreed to a meeting with our Westminster counterparts to discuss the best ways forward and to find the best combined strategy, to which Sylvia Jackson referred. We will meet COSLA and ACPOS soon to discuss with them the best way forward. The Executive will consider all possible options carefully and will introduce proposals that are best suited to tackling the issues that have been raised today, which concern our communities. The debate has been another useful opportunity to air views, to represent the concerns of communities throughout Scotland and to reaffirm the Executive's firm

commitment to making progress on the issues as quickly as possible.

Meeting closed at 17:54.

Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice at the Document Supply Centre.

No proofs of the *Official Report* can be supplied. Members who want to suggest corrections for the archive edition should mark them clearly in the daily edition, and send it to the Official Report, 375 High Street, Edinburgh EH99 1SP. Suggested corrections in any other form cannot be accepted.

The deadline for corrections to this edition is:

Thursday 21 November 2002

Members who want reprints of their speeches (within one month of the date of publication) may obtain request forms and further details from the Central Distribution Office, the Document Supply Centre or the Official Report.

PRICES AND SUBSCRIPTION RATES

DAILY EDITIONS

Single copies: £5

Meetings of the Parliament annual subscriptions: £350.00

The archive edition of the *Official Report* of meetings of the Parliament, written answers and public meetings of committees will be published on CD-ROM.

WHAT'S HAPPENING IN THE SCOTTISH PARLIAMENT, compiled by the Scottish Parliament Information Centre, contains details of past and forthcoming business and of the work of committees and gives general information on legislation and other parliamentary activity.

Single copies: £3.75

Special issue price: £5

Annual subscriptions: £150.00

WRITTEN ANSWERS TO PARLIAMENTARY QUESTIONS weekly compilation

Single copies: £3.75

Annual subscriptions: £150.00

Standing orders will be accepted at the Document Supply Centre.

Published in Edinburgh by The Stationery Office Limited and available from:

The Stationery Office Bookshop
71 Lothian Road
Edinburgh EH3 9AZ
0131 228 4181 Fax 0131 622 7017

The Stationery Office Bookshops at:
123 Kingsway, London WC2B 6PQ
Tel 020 7242 6393 Fax 020 7242 6394
68-69 Bull Street, Birmingham B4 6AD
Tel 0121 236 9696 Fax 0121 236 9699
33 Wine Street, Bristol BS1 2BQ
Tel 01179 264306 Fax 01179 294515
9-21 Princess Street, Manchester M60 8AS
Tel 0161 834 7201 Fax 0161 833 0634
16 Arthur Street, Belfast BT1 4GD
Tel 028 9023 8451 Fax 028 9023 5401
The Stationery Office Oriel Bookshop,
18-19 High Street, Cardiff CF12BZ
Tel 029 2039 5548 Fax 029 2038 4347

The Stationery Office Scottish Parliament Documentation
Helpline may be able to assist with additional information
on publications of or about the Scottish Parliament,
their availability and cost:

Telephone orders and inquiries
0870 606 5566

Fax orders
0870 606 5588

The Scottish Parliament Shop
George IV Bridge
EH99 1SP
Telephone orders 0131 348 5412

sp.info@scottish.parliament.uk

www.scottish.parliament.uk

Accredited Agents
(see Yellow Pages)

and through good booksellers