

MEETING OF THE PARLIAMENT

Wednesday 4 June 2003
(*Afternoon*)

Session 2

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Scottish Parliament

Wednesday 4 June 2003

(Afternoon)

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

Time for Reflection

The Presiding Officer (Mr George Reid): Good afternoon. The first item of business this afternoon is time for reflection. Our time for reflection leader today is the Rev Fergus Macdonald from the National Prayer Breakfast for Scotland.

The Rev Fergus Macdonald (National Prayer Breakfast for Scotland): For many centuries now the psalms of David have had a special place in the affections of the Scottish people.

We are told that, at one time, prisoners condemned to die on the gallows in the Grassmarket had the right to request a psalm to be read immediately before their execution. The story goes that one victim, who had lodged a last-minute appeal for clemency to the King, asked for Psalm 119, which, with 176 verses, is by far the longest of all the psalms. Fortunately for him, before the reading of the psalm ended, a messenger arrived with a royal pardon. I suppose that that might be described as being saved by a king and a prayer.

The 150 psalms that have come down to us are still being used as prayers some 3,000 years later. They are prayers that are spoken, chanted or sung by every confession of the Christian church; prayers that are used by Jews and Muslims, as well as by Christians; prayers whose universal appeal has prompted their being described as “the voice of our common humanity”.

The psalms provide one of the principal motivations for the National Prayer Breakfast for Scotland. A number of you were present at the 2003 prayer breakfast, which was held this morning in the Corn Exchange. The breakfast provides a forum for more than 300 Christians—of all denominations and none—to gather from all over Scotland to pray for our nation, and especially for the members of the Scottish Parliament. They believe that, in doing so, they are fulfilling an important responsibility of citizenship.

Today, an increasing number of people are rediscovering prayer. Social research indicates that a growing number of ordinary people acknowledge that they pray. That recovery of

prayer reflects a new interest in spirituality, and may even foreshadow a key role for the psalms of David in the pop culture of the future. Let us learn from the past and, at the same time, look forward to the future by reflecting on some words from Psalm 100, which were sung with enthusiasm at the opening day of the Parliament in July 1999:

“O enter then his gates with praise,
Approach with joy his courts unto:
Praise, laud, and bless his name always,
For it is seemly so to do.
For why? The Lord our God is good,
His mercy is for ever sure;
His truth at all times firmly stood,
And shall from age to age endure.”

Education (School Meals) (Scotland) Bill: Stage 1

The Presiding Officer (Mr George Reid): The next item of business is a debate on motion S2M-84, in the name of Peter Peacock, on the general principles of the Education (School Meals) (Scotland) Bill.

14:34

The Deputy Minister for Education and Young People (Euan Robson): I am pleased to invite Parliament to approve the general principles of the Education (School Meals) (Scotland) Bill. If I forget to say "formally moved" at an appropriate juncture, I am sure that you will remind me, Presiding Officer.

The Education (School Meals) (Scotland) Bill proposes an amendment to section 53 of the Education (Scotland) Act 1980. It seeks to remedy an unintended consequence of recent changes to the benefit and tax systems, which relate to eligibility for free school meals. A technical change to the legislation governing eligibility for free school meals is proposed. That will ensure that children and young people who were previously entitled to free school meals will continue to be so entitled.

This year is a transitional year in which families may, but need not, move from benefits to tax credits. The Scottish Executive has issued guidance to local authorities setting out interim administrative arrangements to ensure that no children lose their entitlement to free school meals in this transitional year. However, those arrangements cannot be sustained beyond a short period. The bill is necessary to give arrangements legal force. It is important to have the legislation in place before children return to school in August. The bill includes an order-making power and we are taking that approach to allow Parliament the necessary flexibility to keep pace with changes to the tax and benefits system without our requiring changes to primary legislation every time.

Brian Adam (Aberdeen North) (SNP): Given what the minister has said about the matter's not being sourced here and given that the child tax credit scheme is already in serious difficulty, is the minister confident that no one will lose out? I refer especially to those who are not in receipt of benefit, but who might be eligible to apply during this transitional year, have applied for child tax credit and are stuck in the system along with hundreds of thousands of others.

Euan Robson: I am confident that no one will lose out. Our intention is to use the powers to prescribe entitlement to free school meals for

children of families who receive child tax credit, who do not receive working tax credit and who have an annual income, as assessed by the Inland Revenue, of less than £13,230. The point is that there will be an order-making power.

The bill will maintain, as far as is possible, the status quo for entitlement to free school lunches. It will protect the interests of children who are in danger of losing entitlement and will give entitlement for the first time to the children of students and of families with savings, but very low incomes. It will ensure that families in Scotland have the same entitlement to free school meals as do those in England and Wales.

Mr Brian Monteith (Mid Scotland and Fife) (Con): I understand that guidance was issued in April. Will the minister tell us when the Executive became aware of the difficulty that it seeks to remedy?

Euan Robson: I cannot give a precise date. I believe that we became aware of the difficulty earlier this year. The point is that the financial year 2003-04 is a transitional year and the problem emerged in the run up to the year.

Section 53 of the Education (Scotland) Act 1980 requires education authorities to provide a free school meal to pupils whose families are in receipt of income support or income-based jobseekers allowance, or support under part VI of the Immigration and Asylum Act 1999.

The Inland Revenue has introduced a new tax credit system, which affects the amount of income support and income-based jobseekers allowance paid to families with children. It is important that we understand the aspects of the new system that have an impact on a child's eligibility for free school meals. I will try to set those out simply and in a few words. The Tax Credits Act 2002 introduces two tax credits: the child tax credit for families with children and the working tax credit for working households on low incomes. The effect is the creation of a single, income-related strand of support for families with children, complemented by a single strand of support for adults in work.

The Tax Credits Act 2002 will replace a number of existing forms of support for families with children and low-income households. Among other things, it will abolish the child-related elements of income support and income-based jobseekers allowance and draw those elements into the child tax credit. Income support and income-based jobseekers allowances will remain as benefits, but they will be adult-related only.

Tommy Sheridan (Glasgow) (SSP): In the course of the minister's explanation, will he tell us how many children living in low-income households in Scotland will still be excluded from free school meals?

Euan Robson: I will come to that in due course.

As I have said, this year is a transitional year and families may choose to move to the new system this year if they wish. From the next tax year, parents and carers will have to claim child tax credit if they wish to continue to receive income-based financial support for their children. We estimate that some 6,500 schoolchildren will lose their entitlement to free school meals when their parents move on to child tax credit, so we need to take action now to link entitlement to the tax credit system automatically.

The loss of entitlement will not affect all families who make the transition, only a small proportion. That is because some recipients of child tax credit will no longer be entitled to income support. Those retaining entitlement to income support, as well as child tax credit, will also retain entitlement to free school meals. We are protecting the interests of the children who would lose out.

The changes made by the Inland Revenue affect two other categories of parents and carers on low incomes who are entitled to tax credits, but not to income support: student parents with schoolchildren, and parents or carers who have savings above £8,000, but who have very low incomes. Those families are not currently entitled to free school meals for their children, although some students currently get support through a school meals grant. They will become eligible as a consequence of the technical changes that are proposed in this bill. We estimate that that will extend entitlement to around 7,000 children, who will become eligible for the first time. That is a beneficial consequence of the new arrangements.

What I have said describes our immediate intentions as far as this bill is concerned. However, the Executive is committed to working together for Scotland's children and I would like to take a little time to set this technical amendment in the context of our agenda for improving the school meals service. Members will be aware that the expert panel on school meals was set up in January 2002 to provide us with a framework for a national strategy for school meals. The panel's report, "Hungry for Success", which we published in February this year, sets out a vision for a revitalised school meals service in Scotland, establishes nutrient standards and presents a number of far-reaching recommendations connecting school meals with the curriculum. The recommendations in the report are an important step forward in our efforts to improve the health of all children and young people in Scotland. We have accepted all the panel's recommendations in full and will provide £56 million over the next three years for their implementation.

A key recommendation was for the introduction of swipe cards, to reduce any stigma attached to

free school meals, and as a means of rewarding healthy eating and reducing queues in lunch halls. We are supporting local authority initiatives by investing some £6 million through the modernising government fund to support the introduction of smart cards across the public sector in Scotland, including schools.

Alongside our radical improvements to school meals, we have also launched a free school fruit scheme for children in primaries 1 and 2.

Tommy Sheridan: Will the free school fruit scheme be means tested?

Euan Robson: The free fruit initiative provides one portion of fruit three times a week during the school term to every pupil in primaries 1 and 2—every pupil—so it is not means tested. A total of £2 million is being provided each year over the next three years to fund that particular initiative. That brings the total to £62 million over the next three years for our investment in nutrition for youngsters at school.

I have attempted to provide a brief overview of our actions to improve school meals. I have given a brief tour of some of the on-going activity to support our young people's health and well-being; we are, of course, taking action on a number of fronts. In so doing, I hope that I have demonstrated the Executive's commitment to taking the needs of our young people seriously. The bill is a technical measure that seeks to protect the interests of the most vulnerable of our young people and ensure their continued entitlement to free school meals. I urge Parliament to support the bill.

I move,

That the Parliament agrees to the general principles of the Education (School Meals) (Scotland) Bill.

14:45

Fiona Hyslop (Lothians) (SNP): The first meetings in the first session of the Scottish Parliament were marked by the need for emergency legislation to close a legal loophole in the Ruddle case. True to form, the purpose of the first bill in the Parliament's second session is to close a loophole of London's making. We understand that the Government knew about the problem earlier this year.

The farce of the introduction of the child tax credit, which in the last few weeks has left thousands of families on low incomes worse off, has been followed by the free school meals fiasco. Seven thousand children face the threat of having their entitlement to free school meals removed, because the Westminster Government forgot to think about Scottish legislation when making its tax credit proposals. Today's debate on free

school meals fills me with a deep sense of irony. We must rush through emergency legislation to ameliorate the effects of a decision that was taken in London without considering its impact on our schoolchildren.

Devolution has only partially resolved the problems of London deciding on issues that affect Scotland. Helen Liddell has been caught nodding on the job. Perhaps her French lessons, or the increasing number of receptions that she hosts, meant that she was too busy to tackle the problem. She had plenty of time to ensure that the rights of young Scots to free school meals were protected while the Tax Credits Act 2002 was being considered. She has been posted missing from duty.

Phil Gallie (South of Scotland) (Con): I acknowledge what the member says about the effect of the tax change on schoolchildren. Would she agree that the Chancellor of the Exchequer, who looks after taxes in general, has made so many changes that he has confused a range of taxes right across the country and that not just Scottish schoolchildren are affected?

Fiona Hyslop: I was about to deal with that. The Chancellor's approach is to tackle poverty by getting people back to work. The problem is that there are people who, in spite of being in work, are still poor. Their access to one set of benefits has been removed. The passporting system means that they have problems getting access to other services. Unemployment is down, but there is still a huge number of working poor. Although the devolved Government has responsibility for enterprise, jobs and social justice in Scotland, it has very limited powers to ensure a coherent approach to tackling low wages and poverty.

The Tax Credits Act 2002 has resulted in tinkering with the system and in obfuscation designed to hide the fact that taxes are going up and benefits are going down and that we are failing the poorest in our society. That has impacted on a large number of Scots and has caused uncertainty. Thousands of people have tried to contact the Inland Revenue—it has been dealing with 200,000 calls a day.

Let us consider the bill. Incompetence in the drafting of the Tax Credits Act 2002 means that a loophole must be plugged. The changes to the system affect not only free school meals—claimants will lose other passported benefits, such as maternity grants, funeral expenses, housing grants and national health service prescriptions. Such benefits are being removed from the poorest members of our society.

We must address the impact on the free school meals initiative. I welcome the proposals to close the loophole. We should turn the problem into an

opportunity to open the door to wider access to free school meals. That is why the Scottish National Party has lodged its amendment.

Although I hear what the Government has said about issuing directives to local authorities to continue entitlement, I have concerns about the problems of people who are caught in the system. Brian Adam raised such concerns. I have contacted the councils in the Lothians and, although some of them can deal with the situation, Midlothian Council does not know how many people are affected. If a council does not have that information, how can it continue to guarantee that there will be sufficient free school meal places? I would like the minister to deal with that in his summing up. We are spending valuable time on the issue and we should use that time to take the debate forward.

Our amendment would give local authorities the freedom to use wider eligibility rules for free school meals. At present, the law tells local authorities whom they must charge. The Government's bill will mean that the Government will be able to make up its own rules on who gets school meals, as long as the definition is related to receipt of benefit or tax credit. Tommy Sheridan's amendment is premature. We hope to build a consensus and to establish a coalition for providing wider access to free school meals.

We are considering stage 1 in the Parliament today. In committee, we might have asked the minister to say whether he would be prepared to use his powers to expand the provision of free school meals. Currently, the Executive could decide to do that by amending the bill at stage 2. It could decide that the children of anybody in receipt of child tax credit could receive free school meals. Basically, that would mean that there would be almost universal provision of free school meals. Ministers could still decide to do that.

It is incumbent on us to press the Executive on that. The Executive already has the "Nutrition in Schools: Scottish Nutrient Standards for School Lunches" report on school meals provision. It could use the civil service to examine and cost the options. The Executive could show that it supports the will of the Parliament on widening access to free school meals by making further proposals on how it could do that. The Executive should do that before we get to stage 2 amendments. If people were then not satisfied with the Executive's proposals and wanted to push for universal free school meals, they could do so by amending the bill at stage 2.

I believe in opening the door to wider access. I am concerned that the Scottish Socialist Party amendment might close that door at a time when we have an opportunity to build a consensus for wider access.

For example, eligibility for free school meals could be extended to the children of anyone in receipt of child benefit. At a cost of £300 million, I am not sure whether the Parliament would want to do that. We want to tackle poverty, but a better way of doing that might be to fund better child care provision, ensure that children get meals of proper nutritional value and tackle the low wages that I mentioned earlier. We know from the committee report and from the report of the expert panel what sort of money would be involved in such a decision. We could make that decision, but we do not need to make that decision today at 5 o'clock. We can ask the Executive to come back to the Parliament before stage 2 and set out its stall.

There is almost certainly a place for universal benefits. I want a pro-enterprise Scotland and a Scotland that has economic growth, but I also believe in redistribution. I want to ensure that we tackle our country's appalling levels of poverty. I am not necessarily convinced that universal free school meals is the way to go, but I believe that the Executive should come back before stage 2 with a funding proposal for universal free school meals, or at least with some measure to widen access. We could then build something positive out of the loophole that the legislation seeks to cover.

That is where the Scottish National Party is coming from. We want to open the door and build consensus. We have an opportunity to do that. For example, we could extend eligibility to other benefits, such as disability benefit, housing benefit and council tax benefit. It would not be unreasonable to look into all those options. As we are faced with a piece of fast-track, emergency legislation that has not had proper consultation, it is not unreasonable that we ask the Government to come back with recommendations, costings and an option.

The Executive has already shown itself willing to widen eligibility for those on poor incomes, such as carers and students who have small savings. By agreeing to the SNP amendment, the Parliament would ask the Executive to go further. With the knowledge that has been gained from the expert panel and with the extensive support structure that is provided by the civil service, the Executive could propose improvements before we vote on amendments at stage 2.

If the Executive parties do not support the SNP amendment, they will indicate that they are not interested in extending eligibility further and have no intention of doing so. It would then be for the Parliament to amend the bill at stage 2 to extend provision.

Iain Smith (North East Fife) (LD): Will the member give way?

Fiona Hyslop: I am in my final minute.

The SNP wants to open the door to wider access to free school meals for young Scots. By constructive consensus, we can build a coalition to do that. I urge members to call on the Government to come back with recommendations, before stage 2, that provide a better deal for our young Scots.

I move amendment S2M-84.1, to insert at end:

"and, in so doing, notes that the power conferred by the bill will allow ministers to extend the scope of eligibility for free school meal provision, and calls for ministers to lay before the Parliament proposals to extend further the eligibility for free school meals as part of an anti-poverty and nutritious health campaign and to do so in advance of Stage 2 proceedings on the bill."

14:53

Tommy Sheridan (Glasgow) (SSP): I welcome the SNP amendment, as it is better than simply passing the technical motion as it stands. I hope that the amendment will be supported. I also welcome Fiona Hyslop's desire that the Executive make proposals on widening access to free school meals.

Our group is absolutely convinced that it is time for the Parliament to listen. After the election, the First Minister spoke about the loss of support for the major parties in the Parliament and about the significant reduction—it was 9 per cent less—in the number of voters who were inspired to use their vote. He said that his Executive would be a listening Executive.

I ask the Executive to listen—to listen to the Child Poverty Action Group; to listen to One Plus; to listen to Unison, the largest trade union in this country; to listen to the Scottish Trades Union Congress, which organises all the trade unionists in this country; to listen to the West Gap Against Poverty, the Poverty Alliance, the Scottish Low Pay Unit and the Scottish School Board Association; and to listen to the church and nation committee. I ask the Executive to listen to what they have to say about free school meals, because they support them as a radical anti-poverty and pro-health measure.

Rhona Brankin (Midlothian) (Lab): Could Mr Sheridan explain to Parliament why he wants to give money to and subsidise rich and wealthy parents, when he continually talks about the need to narrow the gap between rich and poor? How does that fit in with his other rhetoric?

Tommy Sheridan: The member has an income of at least £49,000 per annum. She could probably afford her own private health insurance, but as a socialist I believe that on that income she deserves the universal provision of health. I believe—

Rhona Brankin: Why?

Tommy Sheridan: If the member would let me finish, instead of shouting out.

Rhona Brankin: That is fine. I will ask another question.

Tommy Sheridan: That is fine. There is no problem.

I believe that on her large income she is entitled to universal education provision. As a socialist, it is entirely consistent to believe that a child at the age of 5 should not be subjected to a means test. I do not believe in that type of targeting. They call it "targeting" on the new Labour benches. Socialists who still believe in the principle of socialism call it what it is—means testing. New Labour wants to continue to means test. We Socialists say to people like Rhona Brankin and me, who are on good incomes, that we should be taxed more in order to provide universal benefits for everyone. That is what closing the wealth gap is all about.

Rhona Brankin: Does that mean that people like me should be entitled to other benefits, such as income support?

Tommy Sheridan: The member is now struggling badly. She should get a new briefing to read out.

The truth of the matter is that the STUC, in its evidence during the progress of the School Meals (Scotland) Bill, took up the issue that the member raised. The STUC represents many low-paid workers. The member will probably be aware of that, if she still remembers what the STUC is for. The STUC said that it supported the measure on free school meals,

"because it will improve child health and welfare in an holistic way. It will tackle poverty and social exclusion".

Significantly, the STUC went further and said:

"school meals have to be universally free. Targeting does not work because of the stigma that is attached to it. Our congress considered evidence from abroad, which showed that the provision of free school meals was successful. It rejected the view that this is about feeding rich kids ... The issue is about social inclusion and social cohesion. Universality is the best way of achieving that."—[*Official Report, Education, Culture and Sport Committee*, 7 May 2002; c 3348.]

Of course, the member does not want to listen to the STUC or the Educational Institute of Scotland or Unison or One Plus or the Child Poverty Action Group. What do they know about poverty, for goodness' sake? Is it not about time that new Labour put aside its arrogance and its failure to listen to those who support such measures because they believe that they are necessary to tackle the crime of child poverty and the poor dietary health record that we have in this country? In this Parliament we have an opportunity to make

a difference. Making a difference means introducing the mechanism to deliver—

Dr Sylvia Jackson (Stirling) (Lab): Will the member give way?

Tommy Sheridan: I am sorry. I am in my last minute.

That means introducing a mechanism to deliver not just free school meals—because it would be no use delivering free school meals if they were of a poor nutritional standard—but free school meals with legally enforceable nutritional standards. That is what we have the opportunity to do. If the Executive, and in particular the Labour members, want to listen and open their ears, they will hear the voices of those who represent the poor and the low paid. They are saying to members loud and clear that they should support the introduction of free school meals.

I move, as an amendment to amendment S2M-84.1, amendment S2M-84.1.1, to insert after "meals":

"to all children in state schools of parents in receipt of child benefit".

15:00

Lord James Douglas-Hamilton (Lothians) (Con): I start by warmly congratulating Euan Robson on securing his new role as Deputy Minister for Education and Young People, in which I wish him every success. Having had the good fortune to be the minister responsible for education for a number of years, I know that he and Mr Peter Peacock will soon become aware that, although everyone has views on education, those views are not necessarily of a unanimous disposition.

I start from the conviction that in Scotland every schoolchild knows that he or she can get into a national team if he or she has the ability, aptitude and inclination. Similarly, it should be open to every young person to reach the top of their chosen trade or profession. The passport to success should and must be through the education system. The hallmarks of our policy can be summed up in three words: standards, choice and opportunity.

I congratulate Euan Robson on his timely intervention on the subject of school meals. Recent changes to the benefits and tax system have undoubtedly had an adverse effect on eligibility for a considerable number of children who need free school meal provision. It is right that the Executive should seek to clarify entitlement through this tidying-up measure.

The new tax credit system that the Inland Revenue has introduced will alter the amount of income support or income-based jobseekers

allowance that is paid to families with children. From the tax year 2004-05, the child tax credit and the working tax credit will replace the child-related elements of income support and income-based jobseekers allowance as the forms of income-based financial support for children. However, in the transitional year 2003-04, parents will be allowed to claim child tax credit if they wish, starting from April past.

Unfortunately, given the eligibility rules for income support and income-based jobseekers allowance, some families will find that their eligibility for income support is compromised, which would disqualify their children from receiving free school meals. It is estimated that 6,500 children would be adversely affected in that way. That would be wholly unacceptable and it is entirely right that we should address the situation in the Parliament today.

It is of considerable significance that the bill widens eligibility for free school meals by encompassing children of student parents or carers who have savings of more than £8,000 but who are on very low incomes. Potentially, it will increase the number of eligible children by 7,000.

We do not believe that there are grounds for extending free school meals entitlement to the vast majority of children. We believe that those who can already afford to pay for their children's meals should not necessarily be subsidised by the state. As David McLetchie said in the Parliament some weeks ago:

"The Scottish Socialist Party wants to give free school meals to the children of well-paid politicians ... who can well afford to feed our own children."—[*Official Report*, 15 May 2003; c 27.]

Fiona Hyslop: I hear what the member says. However, we heard from the minister that the Executive wants to use regulations to cap eligibility for free school meals for the children of people who are in receipt of tax credit and have an income of £13,500 a year. Does the member think that that figure is reasonable, or should it be increased?

Lord James Douglas-Hamilton: There will always be considerable debate about where the cut-off point should be. The minister spoke about the expert panel, which has made recommendations. It is right and appropriate that the system should be reviewed in due course. However, because the bill widens eligibility, it is a step in the right direction. There will be a debate about the cut-off point, which will have to be reviewed objectively in the light of the best evidence, but the Administration is giving the matter its best shot at this time.

Those who can afford to pay should pay. In our view, state funds should be channelled to those

who need them most. For that reason, I am recommending to my colleagues that they support the bill.

Education may not always be the most prominent subject in the national news, but it is of tremendous importance, as it provides our citizens—young, middle aged and old—with opportunities for fulfilment. I welcome the minister's speedy introduction of the bill.

15:05

Cathy Peattie (Falkirk East) (Lab): The bill is a straightforward measure to safeguard and extend entitlement to free school meals. It was introduced as a consequence of the new tax credit system. Next year, child tax credit must be claimed if parents wish to continue to receive income-based financial support for their children. This year, child tax credit claims are optional, but some parents who have made claims have discovered that they have lost their children's entitlement to free school meals.

It is unfortunate that we could not act to deal with the problem before its impact was felt. Now, we must ensure that we have a remedy for the situation as soon as possible and that we are not caught in such a mess again.

On a more positive note, the bill not only protects but extends entitlement to free school meals. Adding receipt of tax credit to the criteria for eligibility for free school meals will maintain the eligibility of about 6,500 children and will make a further 7,000 eligible. That is because the tax credit will include new categories of families who are not covered by the existing criteria. Those families comprise 5,000 children whose parents are students and 2,000 children whose parents are carers.

Tommy Sheridan: I asked the minister the following question, but he did not answer it—perhaps Cathy Peattie can. How many children from low-income families will still be excluded from entitlement to free school meals?

Cathy Peattie: The minister enlarged on the numbers, as I did. The bill will ensure that children of students will be able to have free school meals, which was not necessarily the case in the past. Children whose parents are carers with a small amount of savings but low incomes will also be included. I will go on to cover a wee bit of the issue that Tommy Sheridan raises.

It is vital that we put the situation right and bring it in line with what happens in England and Wales. The bill will ensure that families in Scotland have the same entitlement to free school meals. It will prevent the situation from recurring, by allowing ministers to prescribe any benefits or allowances as giving entitlement to free school meals.

There is time and space to discuss wider entitlement and it is important that the chamber does that. However, at the moment, we must put the legislation in place to ensure that the families who are at risk of losing out if the bill is not passed do not suffer. I am sure that we will return to the issue, but we must deal with the bill with haste and no time wasting. I ask members just to support the bill.

The Presiding Officer: We move to open debate. Robin Harper has up to seven minutes.

15:08

Robin Harper (Lothians) (Green): Thank you, Presiding Officer.

The Presiding Officer: By way of explanation, I should say that, although speeches in the previous session were given four minutes, I am anxious to encourage dialogue. Some speeches this afternoon have been significantly shorter than four minutes, so take interventions, Mr Harper.

Robin Harper: I will be delighted to.

Although I welcome the bill, which is timeous, urgent and necessary, I support the amendments in the names of Fiona Hyslop and Tommy Sheridan. Free school meals are a Scottish Green Party policy. In a sustainable, just and inclusive society, there is no place for our youngest to be exposed to the deprivations and ill health that are associated with a poor diet.

Joined-up thinking suggests that we must focus our attentions as early as possible. I will digress slightly from what is proposed in the amendments and in the Executive's motion, because the issue needs to be widened and deepened in our thinking in the next four years. In the first six years of life, habits can form. Children who have become used to unnecessary quantities of salt, sugar and fat in their diets before they start attending school might find problems in adapting to the nutritious diet proposed by Tommy Sheridan and supported by the Scottish Green Party. Help needs to be given to children and parents as early as possible. We need to review what more can be done in the first six years of life.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): How many millions of pounds will be involved? What percentage of children would take up free school meals?

Robin Harper: Tommy Sheridan may correct me on my response to the first part of the question, but I believe that his party's research showed a recurring cost in the order of £250 million a year.

Tommy Sheridan: The cost is £174 million.

Robin Harper: I suggest that £174 million is not an extraordinarily large sum in view of the

Executive's annual budget of—I believe—£20 billion. The answer to the second part of the question is immaterial.

Mike Rumbles: Surely not.

Robin Harper: It is immaterial in the sense that the important thing is to ensure that the provision is available to all at source. [*Interruption.*] Mr Rumbles should refrain from interrupting me from a sedentary position. If he wishes to make a further intervention—

The Presiding Officer: He does. I call Mike Rumbles.

Mike Rumbles: So it is to hang with the expense, is it? From what the member said, the money is an irrelevance. The member thinks that the money should simply be made available and has no idea of how many children would benefit. Surely that could be a massive waste of money.

Robin Harper: I am sorry, but I repeat that £174 million a year on ensuring that the children of Scotland have access to nutritious food and to a healthy diet would be money well spent.

Mr Monteith: Will the member take an intervention?

Robin Harper: No. I have answered enough questions on the subject. I want to return to my original theme.

We need to review what more can be done for children in the first six years of life—from birth to their first year at primary school. Research shows that a concentration of resources to help parents and children at that stage can pre-empt many of the health, behavioural and dietary problems that afflict too many of our young people today.

As our food culture becomes increasingly invaded by the fast-food culture, more of our young people suffer from the problem of obesity. I believe that more than 30 per cent of young people in the United States of America are defined as clinically obese. The problem is now beginning to affect children in this country and of every class.

The situation has caused so much concern to the Scottish Green Party's policy developers that we have actively considered making a proposal at European or United Kingdom level for a salt, sugar and fat tax on processed foods. The tax would apply to proportions of those additives—after all, that is what they are—above certain limits, which would be set in consultation with health professionals and dieticians.

My party and I strongly support, as we did in the last session of the Parliament, Tommy Sheridan's proposal for free school meals. Lord James Douglas-Hamilton said that people are not necessarily of a unanimous disposition on the subject. However, as Tommy Sheridan pointed

out, there is unanimity among many groups. How can members ignore what practically every education, health and poverty group in Scotland is saying? How can members ignore the recommendation that we should adopt a policy of free school meals for every child in every school in Scotland? Other countries in Europe have such a policy and their children are significantly healthier than children in Scotland are. Apart from the three main political parties, as they describe themselves—the Liberal Democrats and the Labour and Conservative parties—is there an organisation in Scotland that has counselled against free school meals?

15:15

Alex Neil (Central Scotland) (SNP): I support the amendment lodged by Fiona Hyslop. There is supposed to be a commitment in this Parliament to deal with child poverty. When Tony Blair and Gordon Brown took office six years ago, they said that they would end child poverty not just in Scotland, but throughout the UK, within a generation—within 20 years. That was six years ago and there are only 14 years left for them to end child poverty. Far from its being ended, however, not only is child poverty still with us, but it is getting worse in many parts of Scotland.

The key question is what contribution free school meals can make to ending child poverty. The official figures show that about 30 per cent of Scotland's children live on or near the poverty line. However, only 20 per cent of children are entitled to free school meals. That suggests to me, and even to those who are not in favour of universality, that there is a big gap to fill to ensure that every child who lives in poverty is entitled to and takes up free school meals. If Fiona Hyslop's amendment is accepted, ministers will—if they are so minded—be able to close the gap.

It is no secret that I am in favour of universality in relation to free school meals. I do not believe that every benefit or service can be universal, but certain services must be universal if they are to achieve their objectives.

Had Rhona Brankin been in the House of Commons when the Education Act 1872 was passed, I wonder whether she would have stood up and said, "We do not need universal education because a lot of people can afford to send their weans to school." Had Mike Rumbles been around in 1909—and some of us think that he might have been—listening to the Lloyd George budget—

Mike Rumbles: Will the member give way?

Alex Neil: That so-called people's budget marked the last time that the Liberals worried about the people. What about the introduction of universal old-age pensions—something that Mike

Rumbles and I will no doubt benefit from in the not-too-distant future?

Iain Smith rose—

Alex Neil: Mike Rumbles was up first; I will give him the chance to reply.

Mike Rumbles: I wonder whether Alex Neil can answer the question that Robin Harper failed to answer. If free school meals were introduced, what percentage of children in Scotland would take them up?

Alex Neil: I hope that the percentage would be similar to the percentage of people who take up universal pensions and universal child benefit—of which I do not doubt that Mike Rumbles was a beneficiary many years ago—as well as the percentage of people who take up universally free education. The more people who take up free school meals, the better.

Mike Rumbles also asked about costs. The bill is not an accountancy exercise; we must examine the benefits as well as the costs. Let us consider the benefits of free school meals. When a child goes to school on an empty stomach, they cannot study their lessons and benefit from education.

Cathy Peattie rose—

Alex Neil: Will Cathy Peattie wait until I finish my peroration before she gets up?

When a wean is starving and not properly fed, that child will grow up to be an unhealthy adult. What is the cost of that to the national health service, to employers and to everybody else? Come on, Cathy.

Cathy Peattie: I agree with Alex Neil about bairns going into schools hungry and without breakfast, but would the money not be better spent on breakfast clubs, targeting the bairns who actually need it?

Alex Neil: I am quite happy if the free school meal is at the start of the day instead of at midday. That is a reasonable suggestion and I do not think that there will be much of a dispute on that point. The key issue is one of principle and one that the Labour movement used—when it was a labour movement—to endorse: no child in Scotland, or anywhere else, should go hungry.

Iain Smith: Will Alex Neil give way?

Alex Neil: Children should not go to school hungry, they should not be at school hungry and they should not leave school hungry. Talking of hungry, I will now allow Iain Smith to intervene.

Iain Smith: Alex Neil makes a strong case, but I would like to know what proposals the SNP put to the electorate just five weeks ago on that very point. Did the SNP propose to extend free school meals to anybody?

Alex Neil: The SNP has a radical programme, not just on that issue, but on many other things. When Scotland becomes an independent country, we will seriously tackle child poverty—not merely to alleviate that scourge, but to eliminate it from our society. That is our ambition. We want not just to play about at the edges like a true Liberal Democrat, but to transform our society so that no child has to suffer from hunger or the effects of hunger.

The issue of school meals is a litmus test for the Parliament. We have just had an election in which less than 50 per cent of the Scottish people voted. That is because people think that we are a waste of space and that we do not deliver for them. We talk to one another, but we do not deliver on the people's priorities. I say to every member that the Parliament will never get the support of the people until it delivers for the people. Making the advance that Fiona Hyslop has proposed on free school meals is not only the right policy, but should be used to symbolise the fact that the second session of the Scottish Parliament will not be a repeat of the first and that we will deliver on the people's priorities, not the politicians' priorities.

15:23

Murdo Fraser (Mid Scotland and Fife) (Con): I look forward to seeing the promise of free school meals for all in the next SNP manifesto, under Alex Neil's leadership.

The bill seeks to remedy an unintended consequence of a change to the benefits and tax system on eligibility for free school meals. It is a technical measure to ensure that those who currently benefit from free school meals will continue to access them. The move to child tax credit removes the existing qualification for eligibility for free school meals. I rather wonder whether those responsible for the benefit changes were even aware of the impact that those changes would have on free school meals. If they were aware, they took no action, which meant that the bill was necessary. Whatever happened to joined-up government?

I shall digress for a second, as other members have done, on the issue of child tax credits. There is no doubt that the whole system is an absolute mess. I have been contacted by many constituents—as I am sure other members have—who have complained about the way in which the system has operated and about underpayments and overpayments. A constituent told me that she realised that she had been overpaid and phoned up to complain. She was assured that the calculations were correct, but she had done her sums and knew that they were not. Her colleagues and other people she knew had been similarly overpaid and had happily spent the money, but

she had a bit more sense and said that she would keep the money, as she knew that, sure as guns, the Inland Revenue would be asking for it back. That must be happening right across the country.

I have also been contacted by staff at the Inland Revenue call centre in Dundee, who are utterly frustrated by the situation. They have been bombarded with telephone calls from members of the public and are ill equipped to deal with the situation. The computer continues to crash and people cannot get through by telephone. When people eventually get through, they take out their frustration on staff. I appreciate that that is nothing to do with free school meals, but it is a concern. Will the minister take the matter back to colleagues in Westminster on the Executive's behalf and tell them to sort out the system?

Stewart Stevenson (Banff and Buchan) (SNP): The member referred to the need for joined-up government. Has he noticed, from paragraph 13 of the financial memorandum to the bill, that one effect in respect of students will be the levy of additional taxation that will benefit Westminster for the forthcoming year? Does he agree that the ultimate in joined-up government would be the elimination of Westminster and the transfer of all the necessary powers to the Scottish Parliament, where such muddles would not happen?

Murdo Fraser: I am afraid that I do not share the member's faith in the infallibility of the Scottish Parliament.

The bill, which, as my colleague Lord James Douglas-Hamilton said, the Conservative party is pleased to support, does not change the substance of the policy on eligibility for free school meals. However, I cannot understand why a technical measure of this nature requires some two hours of parliamentary time for debate. That simply gives those who believe in free school meals for all another platform to present their opinions. We debated the issue in the first session of Parliament.

Tommy Sheridan: I am aware of the member's honesty—he holds his views honestly and I honestly oppose every one of them. Will he admit that the views that we have put forward today represent a wide range of views in civil Scotland, although he may not agree with them?

Murdo Fraser: I recognise that many organisations hold the views that Mr Sheridan holds and that many organisations take contrary views—I will refer to some of those organisations shortly. The point that I was making, which I hope Mr Sheridan will appreciate, is that we debated the issues in the first session and will debate them again in this session, as an SSP member has proposed a member's bill on the topic. I simply

wonder why we are debating the issue again, as I am sure that there will continue to be a parliamentary majority against free school meals.

Fiona Hyslop: Does the member fear that there is no reason for a debate? Under the powers of regulation, the Executive will have to set a limit on eligibility for free school meals. There is a desire to set a limit at an income level of £13,500 a year; our job is to agree whether that is the right level or whether it should be increased. We think that it should be increased. Does the member agree that this is an opportunity for the Parliament to debate what the level should be?

Murdo Fraser: As my colleague Lord James Douglas-Hamilton said, it is clear that there should be a debate about the appropriate level. However, that is a matter for subordinate legislation and I do not see that there is much point in discussing it at length today.

I want to deal with the substantive issues. Members have made a number of fair points. The minister said that swipe cards have been developed to try to deal with the problem of the stigma that is attached to free school meals. SNP-controlled Angus Council said when giving evidence on the bill that Mr Sheridan introduced in the first session:

"Whether it is necessary to provide free school meals for all pupils in order to remove that possible stigma is highly debatable."

The simple fact is that many schools do not have the capacity to deliver free school meals for all—there is simply not the space in schools to provide big enough canteens. There could be horrendous queues, which would put pupils off taking up free school meals—the meals would not be attractive to pupils, and making them attractive is the whole objective.

It is all very well providing nutritious meals for free, but what guarantee is there that pupils will consume them? Despite the fact that my local high school provides nutritious meals, pupils leave the school premises, go down the road to the chip shop and buy chips and a roll, chips and cheese sauce, chips and curry sauce or something else that is pretty frightful and a can of juice. Free school meals can be provided, but we cannot force children to eat them. I suspect that, even if free school meals were provided, the majority of pupils would continue to get pocket money from their parents, go to the local takeaway or chippie and buy whatever food they want to buy. The plan to have free school meals for all would work only if children were forced to stay on school premises at lunch time and banned from taking any food into school with them.

I say to the SNP that it is playing a slightly dangerous game with its amendment, as it is

leaving the door open to the idea of free school meals for all—an idea that was rejected in the first session. If the SNP thinks that the way for it to progress politically is to try to out-campaign Mr Sheridan's party on the left, it is going down the wrong road.

Free school meals for all is a diversion. The idea is irrelevant to the needs of children in Scotland today. We should reject that diversion and agree to the stage 1 motion, as the bill will bring about an important change in the law.

15:30

Iain Smith (North East Fife) (LD): We are dealing with a relatively straightforward piece of legislation, although the debate has clearly been wider than the scope of the bill.

The bill is about maintaining the status quo and ensuring that no one is disadvantaged by the changes to the tax credit and income support systems that have been introduced by the UK Government on an interim basis this year and which come into full effect next year.

We should remember that the bill is about ensuring that no one is disadvantaged; it is not about the provision of free school meals and whether that should be extended to other categories. We should consider the bill for what it is—a technical measure—and not as something to open doors to a wider debate that we will no doubt have during the next four years in the Parliament and its committees.

It is clear that when the new tax credit system was introduced, an error was made somewhere along the line that meant that the loophole occurred. I understand that the error did not come to light in the Scottish Executive until much later than perhaps it should have done, but as soon as an opportunity arose in the Parliament for legislation to be introduced to correct the mistake, that was done. The position in England and Wales was mentioned. I understand that the mistake was corrected in England and Wales by way of an amendment to the Education Act 2002, which introduced the change there. At that point, perhaps there should have been a Sewel motion to ensure that the change also came into effect in the Education (Scotland) Act 1980. That would have been the simple and straightforward way to deal with the problem and would have avoided our having to debate this bill today and again next week.

Brian Adam: I am glad that the member recognises that the problem exists. Can he assure the chamber that the Executive parties will ensure that the concordat arrangements, which perhaps ought to have taken care of the matter, will ensure that not only in this case but in any other cases

there will be proper consultation between the Treasury and the devolved Administration so that no more such issues arise?

Iain Smith: I do not think that anyone can give a guarantee that a cock-up will not happen in the future. That is what has happened. There is no conspiracy; something has slipped through. The problem should not have happened, but it did. We must live with that and rectify the situation.

Scottish ministers are taking the opportunity to make it easier to keep track of benefit changes in the future. That may make it easier, if the Parliament decides at a later date that there should be an extension of free school meals to other categories, to introduce such an extension using a secondary legislation provision through regulation rather than a change through primary legislation as is currently required. We should all welcome that change to the regulations to make things easier.

Alex Neil: I recognise that the member is not in favour of universal free school meals. However, does not he think that the Executive should use the opportunity to introduce proposals to close the gap between the Scottish children who live in poverty—approximately 30 per cent—and the 20 per cent who are eligible for free school meals? That gap suggests that 10 per cent of schoolchildren in Scotland live in poverty and do not qualify for free school meals.

Iain Smith: Unlike the SNP, I do not believe in making policy on the hoof for the headlines of the day. If we want to address that gap—that option is available to the Parliament—we should consider the matter properly, have a proper investigation and check how we could do that effectively. For example, we would have to consider what categories the provision of free school meals would have to be extended to in order to ensure that the gap to which Alex Neil refers would be closed. A committee of the Parliament might want to take up the matter, but it needs to be examined properly; policy should not be invented on the hoof. It is nonsense to suggest that the Executive could produce proposals by next week to deal with the matter.

The SNP's position on free school meals changes every time that the issue is debated. It cannot make up its mind whether it is in favour of universal free school meals. Can Alex Neil tell me what the SNP proposed to the electorate on the issue five weeks ago in its manifesto? I can tell him that there was not one such proposal. The SNP had no proposals to provide free school meals to anybody other than those who presently receive them. The SNP, as usual, is playing to the gallery because it believes that it can make headlines on the issue. The SNP's commitment is another uncoded one and it is going into the new

session of Parliament in the same way that it went into the previous session; it makes uncoded spending commitments in every debate and has no clear, consistent policy throughout.

The SNP needs to be honest with the electorate. Perhaps if it had been so—if the free school meals issue is a litmus test of the Parliament, as Alex Neil said that it was—it would have put something into its manifesto to say what it was going to do on the issue and how it would pay for that. To have done that would have been honest and to be honest about such issues is the real litmus test of the Parliament.

At least Tommy Sheridan is consistent; he has a consistent policy on the issue, which is that he supports the universal provision of free school meals. As he said, many organisations back that policy. However, I find it slightly difficult to understand how one tackles child poverty, which is what we are talking about, by committing more than £150 million of resources to those who are, by definition, not in poverty.

Tommy Sheridan: I will give a direct answer to Mr Smith on that point. The Child Poverty Action Group's figures, which are backed up by the Executive, show that 100,000 children who live in households that are considered to be poor are excluded from free school meals. Therefore, if free school meals were universally provided, 100,000 poor children who currently do not get them would get them.

Iain Smith: The issue that we should be addressing is that if there is a problem for those 100,000 children, how do we target resources on them without giving £150 million to those who, by definition, are above the poverty line? The figures were given earlier: 20 per cent of the third of children who are below the poverty line receive free school meals and about 10 per cent do not receive them, so they are taken account of. If we take two thirds of the £180 million that the provision of universal free school meals would cost, we are left with a figure of about £150 million that would go to those who are above the poverty line. That does not strike me as a sensible use of resources. Let us target the resources on those who are most in need and those households that would benefit most from the measure. Let us not target the resources on those who do not require them.

The bill is a technical one. Let us support it today and have a proper debate on school meals and eligibility for them in the proper way in the Parliament and not rush unnecessarily into stupid decisions today, as the SNP suggests that we do.

15:37

Maureen Macmillan (Highlands and Islands (Lab): As other members have said, the bill is a

technical one to deal with an unintended consequence of a change to the tax benefit system and will ensure that children's entitlement to free school meals is not compromised when their parents benefit from the new child tax credit. As other members have said, too, the bill will extend entitlement to free school meals to the children of students and to families with savings of up to £8,000 and incomes below £13,250.

Predictably, other parties have been less interested in ensuring that the loophole is closed than in using it to rerun a debate that we had in the previous session on the universal provision of free school meals. I do not believe that such a debate should be forever closed, but nor do I believe that this is the time to reopen it. To do so would delay fixing the present, specific problem. The attempt to do so shows me that some Opposition parties are more interested in gesture politics than in practical ways of targeting families who need support and in improving the health of our children and young people.

Mr Bruce McFee (West of Scotland) (SNP):

Maureen Macmillan indicated that she does not think that this is the appropriate time to address the fact that there are children living in poverty who are not eligible for free school meals. How long does she think that it is reasonable for those children to wait for a fair deal?

Maureen Macmillan: The bill is a technical one and the issue to which the member referred should not be debated during this debate. I, like Alex Neil and Iain Smith, acknowledge that perhaps the criteria could be looked at in committee. Let us consider the issue in the proper place. Let us take it through the Education Committee and so on.

Campbell Martin (West of Scotland) (SNP):

This is the proper place.

Maureen Macmillan: The proper place is not in the chamber, at this time, for this technical bill. Families who need free school meals can already access them under the present criteria. If those criteria need to be changed, that can be considered at a separate time but not now. There is no time at the moment to do that.

Fiona Hyslop: Will the member take an intervention?

Maureen Macmillan: No.

To consider the criteria now would hold up the process that is going on to get free school meals again for the families who have been taken out of the system by the new tax credit regulations.

People go on about how free school meals stigmatise those who have to apply for them, but that is not the case in schools that use smart cards. The school where I taught for 10 years had

smart cards and there was never a problem with kids who got free school meals being stigmatised.

I want to address the health aspects in particular, as we have been told that free school meals will improve children's health and that all children would be healthy if all school meals were free. Of course, that would assume that school canteens were models of healthy eating, which, at present, they are not. I guarantee that, if we had healthy menus in schools, three quarters of the pupils would still go down the road where, to build up their street cred, they would try to look cool by hanging around not the greengrocers shop eating fruit and vegetables, but the chip shop or the burger van. At the moment, many children who are eligible for free school meals choose not to take them because they prefer to spend their money on chips down the street.

The problem involves the need to educate people to eat healthily, and that cannot be done simply by putting a plate of healthy food in front of them. The majority of children will not eat fish unless it has been mashed, reconstituted into fingers, covered in orange crust and deep fried. Similarly, chicken has to be minced, glued together, dipped in batter and deep fried in dinosaur shapes and beef is eaten only in the form of burgers. Of course, there are chips with everything. One of my daughters ate nothing but fish fingers all through secondary school and my son would eat only pizza in the school canteen. I notice that their children's diet is very similar.

How many pounds-worth of food would be scraped into the dustbin at the end of each day by a large secondary school that provided a healthy-eating menu—non-deep-fried food, lots of vegetables and salad, fresh fruit, real fish and real chicken—for, let us say, 1,000 children?

Carolyn Leckie (Central Scotland) (SSP):

Does the member accept that she has shown that even the children of people who are as well paid as she is are not guaranteed a nutritious school meal? Her children obviously did not eat healthily even though she is well paid.

Maureen Macmillan: Is this debate about teaching children to eat healthily or is it about this nirvana that Carolyn Leckie seeks, in which every child who eats a free school meal will be healthy? That is absolute rubbish. The challenge is not to provide free meals that might never be eaten but to persuade children to have a healthy lifestyle, which encompasses much more than simply their diet, although the importance of diet is well recognised and nutrition-based standards for school meals will be put in place in Scottish schools during the next four years.

We are encouraging better dental health in children by providing toothpaste and toothbrushes

for babies and toothbrushing in primary schools. We are providing free fruit in primaries 1 and 2. Urban and rural low-income communities are being encouraged to improve their diet through healthy food initiatives. Further, sportscotland is operating its active primary school programme. All those initiatives take a holistic approach from a young age. Free school meals will not be the instrument by which we change eating habits that are already set. The challenge is to change eating habits in the very early years so that young people will choose the healthy option at home and at school. I repeat, free school meals will not do that.

Tommy Sheridan: Yes, they will.

Maureen Macmillan: No, they will not. I guarantee that, if free school meals were introduced tomorrow, it would not make all that much difference to children's health, as they would still choose the unhealthy option.

I oppose the amendments and support the Executive's motion.

15:44

Mr Kenny MacAskill (Lothians) (SNP): As Fiona Hyslop said, the problem that the Executive seeks to address today offers the Parliament an opportunity to address a broader malaise in our society.

Robin Harper made an apt point about the general health of our children and, as someone who travels extensively, I have to say that I am frequently amazed at how much healthier children in foreign parts are compared with our children. I am not speaking only about children in warmer climes. In Finland, which has similar climatic conditions and size of population to Scotland, the children are generally healthier and fitter than ours. School meals are not necessarily a panacea—broader social and health problems have to be addressed—but they have to be factored in. School meals are an important part of an all-round education that involves not only scholastic elements but lifestyle elements. Free school meals are essential for many. They are welcomed—even if denigrated—by generation upon generation of schoolchildren.

Mr Monteith: To what extent would Mr MacAskill say that the significant amount of sport in Finnish schools contributes to the healthier lifestyle of Finnish children?

Mr MacAskill: I have no doubt that it is significant. As I said, free school meals are only one ingredient of the health of Finnish schoolchildren. There is a variety. We must take cognisance of that. Mr Monteith's point is well made, and I accept it.

I will make three points in support of Fiona Hyslop's amendment: the provision of meals to

those least able to afford them; the provision of a nutritious diet and an education in such for all, not only those who are in receipt of the free meals; and the requirement to ensure value for money not only in the provision of the meal, but for the public purse. It is appropriate and logical that we should deal with those points in reverse order.

It is self-evident that public funds are limited. They are not infinite. We cannot simply inject more money to achieve better value for many, as we know from many areas of the public sector. Significantly more funds are being added to budgets, but little discernible change results. We must consider how to provide the best quality and best value.

I have listened to the debate—the spat, if I can put it that way—on universality versus means testing. In the main, I believe in universality, but there must be limits. Unless we are prepared to impose crippling general taxation, we must accept that universal benefits cannot be available to all. I would welcome that being debated in the Parliament, because we must move the Parliament from being simply one of spend, spend, spend to one that spends what it taxes and raises. I hope that the Labour members in particular will realise that, until we have all the powers of financial independence, we will have difficulty addressing matters such as free school meals by any means other than holding out the begging bowl to Westminster.

Mr Monteith: Will Mr MacAskill give way?

Mr MacAskill: Not at the moment. I will come back.

On the provision of a nutritious diet, I accept that a stigma has been attached to school meals, but I also accept that that can be addressed in a variety of ways. Murdo Fraser touched on the fact that there is, in many instances, a deeper malaise. The fact that many children refuse to take school dinners is due in large part to a cultural divide. It is not that they simply dislike what is provided, but they prefer to go out of the school. That may not be what we wish or in their best interests, but it is what they do.

I do not accept that the problem would be solved simply by providing free school meals and requiring the children to be in school for them. We need to go beyond that. There is the question of resources and how we would cope with the disciplinary demands to which the requirement would give rise. It is not simply a matter of requirement. We must address the question of the ingredients and where we go from there.

I am open minded about the best method of provision. I accept that, as the minister said in his opening speech, there have been successful attempts. Cathy Peattie mentioned the breakfast

clubs in Glasgow, which give substantial added benefit. There is a good argument that breakfast is the most important meal of the day for a child who is being educated—especially a child from a poor background, who might not have received any breakfast.

Tommy Sheridan: Does Kenny MacAskill agree that one of the most significant factors in the success of the breakfast provision in Glasgow is that it is universal?

Mr MacAskill: I have no doubt. I do not know the detail of the scheme, but I accept its benefit. I also accept that free fruit is important, as it not only provides the sustenance that is required for the individual child, but is a way of moving our society towards a change in culture and lifestyle. It is much harder to legislate for a change in culture than it is to legislate for many other things.

Provision for those who are least able to afford school meals is a key aspect. If we fail to provide for them, there is no alternative for them. I am open to persuasion on whether that is best dealt with by universal provision, a combination of breakfast clubs and free fruit or whatever else—subject to the requirement that cognisance must be taken of the financial constraints and limitations that exist.

The amendment in Fiona Hyslop's name seeks, first, to make provision for the least able. That is essential and must clearly be at the top of the agenda. Secondly, we must seek to change the attitudes of children from all classes and across all parental wage barriers. Thirdly, we must take cognisance of best value, not just in terms of the meal being provided, but in terms of what we are providing as legislators, charged with responsibility for the public purse.

15:50

Frances Curran (West of Scotland) (SSP): This is the first opportunity that I have had to speak in the Parliament, and I wish to share some of the contents of my postbag from over the past four weeks. I have received a lot of invitations to lunch, dinner and even breakfast, from, for example, the Scottish Agricultural College and the diplomatic corps. There was also, of course, the Queen's dinner last night. Another invitation was for a business breakfast with the City of Edinburgh Council, and there were many more.

I have been here for only four weeks, so I might be wrong, but it has occurred to me that MSPs could eat out every single day for free. They never have to fork out on a roll and tuna and a bag of crisps. Many of the lunches, dinners and breakfasts that MSPs are invited to are paid for by public bodies, using public money. It would seem that MSPs are not opposed in principle to public

money funding free lunches, dinners and breakfasts. I was not there last night, so I might be wrong, but I doubt that members had to fill out a means-test form before going to dine with the Queen.

Cathy Peattie: We did not dine.

Frances Curran: Was it just vol-au-vents, then?

The issue is not one of providing free school meals with free money, nor of opposition in principle; it is a question of access. Who should have access to free lunch, breakfast and dinner? Who is the more entitled: MSPs, who have the privilege of being on £50,000 a year, or schoolchildren?

The issue of rich parents was mentioned. I do not know which world some members are living in, but 90 per cent of parents earn less than the people sitting in this chamber—ordinary back-bench MSPs. Three quarters of people outside the chamber, even on a skilled worker's wage, earn less than I do. This is a country of not-very-well-paid workers. The provision of universal free school meals would therefore have a huge impact on families throughout Scotland.

Rhona Brankin: Will the member take an intervention?

Frances Curran: It is my first speech.

Rhona Brankin: I will ask an easy question.

Frances Curran: On you go. Do I have to sit down while she asks it, Presiding Officer?

The Deputy Presiding Officer (Murray Tosh): That is a matter for you entirely.

Rhona Brankin: Does the member believe in any form of means-tested benefit, for child tax credit, for example?

Frances Curran: My problem with the child tax credit is that it is a subsidy to low-paying employers. People should be paid enough money not to have to apply for a means-tested benefit. That is the real issue.

I return to my question about who is more entitled to free meals: MSPs or every schoolchild in Scotland. I hope that members will take that as a rhetorical question.

We will be debating this issue again, but I say to members of the Labour and Liberal coalition: please, please, please do not come to the Parliament with screeds of figures about increases in obesity, heart disease and cancer. We know that those are related to diet and to poverty. I ask them not to appear on "Newsnight Scotland" or to come to the Parliament with screeds of figures on child poverty and on the situation for hundreds of thousands of children. If members vote against the

measure of universally free school meals, they are kidding themselves on, they are kidding the Parliament on and they are kidding the people on. Let us have universally free school meals as one of a raft of measures to promote good health, to tackle poverty and to increase wages and benefits for ordinary people. Let us take cognisance of what happened on 1 May and ensure that the Parliament makes a difference to ordinary people.

15:54

Christine May (Central Fife) (Lab): This is my first speech in the Parliament, too. Listening to some of the debate, I was aware that I do not have the perhaps dubious benefit of having heard the debate on free school meals that took place last session. I come to all this relatively fresh.

The primary purpose of the proposal that is before us today is to ensure that no child who currently gets free school meals loses out on that entitlement when they go back to school in August. I am sure that nobody could possibly object to that technical measure to ensure that no one loses out. The Executive has taken the opportunity to ensure that it builds in flexibility to take account of other benefit changes or other circumstances that might arise whereby children who are currently less well-off than the average are entitled to free school meals. That is necessary because there was a change to the UK-wide benefits legislation and the Westminster Government has acted similarly to take account of issues in England. We are therefore closing a technical loophole.

I turn to the amendments to the motion. I have a vision, which keeps coming into my mind, of Tommy Sheridan, Robin Harper and Frances Curran's dinner ladies holding the noses of reluctant school pupils to force-feed them their free school dinners. That is the only way that they will get the majority of young people to eat their free school dinners, regardless of their parents' income and regardless of whether they have come out without their breakfast. They do not want to eat free school dinners. It is not cool and they do not like it. They do not want to be in the school; they want to be out with their mates.

Rosie Kane (Glasgow) (SSP): Will the member give way?

Christine May: No. This is my maiden speech.

Rosie Kane: It will be an easy question.

Christine May: No. I am not giving way.

Unfortunately, the habits of a lifetime are less easy to break by throwing people something free. The Executive has taken the right decision to start trying to break habits in children's early years, giving parents incentives to eat healthily and

providing free fruit, which young people will usually accept. The Executive has started by costing those elements and making available the necessary funds.

Frances Curran: Will the member give way?

Christine May: No. I am not taking interventions in my maiden speech. I am very nervous. Frances Curran is obviously much more competent and confident than I am.

I hear a lot about how providing universal free school meals will cost only £175 million, but nowhere do I hear which parts of spending on the Government programme would be adjusted or reduced to take account of that. Nowhere do I hear what other elements of Government policy would be cut in order to take account of the continuing expenditure. I hear a lot about the gap between the number of those who currently qualify for free school meals and the estimated number of those who live in poverty and I am asked what we are doing about those people. Targeting the parents of those young people and ensuring that they claim the benefits to which they are entitled is a far better way of ensuring that their diet improves.

I turn to the measures that are proposed in Fiona Hyslop's amendment. Fiona Hyslop listed a range of benefits that she felt should be included in the bill at stage 2. After hearing what Kenny MacAskill said, I wonder whether they have been speaking to each other, because he said wisely that time should be taken to cost proposals to ensure that they are affordable.

Linda Fabiani (Central Scotland) (SNP): Will the member give way?

Christine May: No.

Perhaps when Kenny MacAskill and Fiona Hyslop speak to each other they will come to an accommodation.

The Executive has introduced other measures, such as working with primary care trusts and local health care co-operatives. It has provided funding to improve primary care and health, such as dental health, which has already been mentioned. It has introduced measures to improve nutrition in low-income communities.

Everyone in this chamber, like me, has probably seen the benefit of breakfast clubs in schools in deprived areas in their constituencies. The Executive has taken account of the expert panel's suggestions on nutritional standards in school and has worked with schools to find ways of making nutritious meals attractive to pupils. Simple measures can be taken, such as making changes to the layout of the school dining facilities. In addition to such measures, and to nutritional considerations, money must be put in to

encourage physical activity and activities outwith school. Children must have a broad range of activities in which to take part.

I understand that there is, in the partnership agreement, a decision on banning sponsorship in school canteens and on banning fizzy drinks. Those measures are both to be welcomed—although, as the mother of two children, I remain to be convinced about how successful they will be.

What we have before us today is a technical measure that will not only ensure that those who currently receive free school meals retain their entitlement, but will build in flexibility and leave the door open for the Executive or for other MSPs to come back with costed suggestions for additional exemptions.

16:01

Eleanor Scott (Highlands and Islands) (Green): I want to pick up on a few points that other members have made, because Robin Harper has eloquently presented the Scottish Green Party's point of view, which is that we will support both amendments because we believe that free school meals should be available to all children.

Labour members have said that there are means-tested benefits and Tommy Sheridan has said that there tend not to be means-tested services. The health service is not means tested: access to it is free to people at the point of use whatever their income, and the same goes for education. I regard the provision of school meals as a service.

Mr Monteith: The member says that the health service is not means tested, but does she accept that there is a postcode lottery in relation to the services that people receive? That is a form of means testing.

Eleanor Scott: That is an operational defect in the health service rather than a principle that is embodied within it. I hope that something similar will not happen with free meals, which would be quite simple to deliver.

Members have spoken about the expense and they have asked where the money will come from, but I do not think that the proposals will be all that expensive. The expense will be about the same as the price of a mile of motorway, but I suggest that the proposals are a much healthier option than a mile of motorway.

Maureen Macmillan wondered whether children would eat free school meals and whether they would eat healthily, and she suggested that we need to educate people to eat healthily. I think that we can do better than that: we can, as Robin Harper said, accustom people to eat healthily if we

begin early enough. The teenagers who are down at the chip shop with the eloquently described chips and cheese sauce—a subject that I know about only too well from my previous life as a school doctor—will probably be a lost generation unless they start cooking for themselves and getting interested in real food. However, children at primary or nursery school age can become accustomed to eating good and proper food.

That brings me to a point that I wish to stress. Tommy Sheridan said that the free meals that we hope will be offered to all school children should observe legally enforceable nutritional standards. If so, the Executive will have to consider its procurement policy. It is unfortunate that I did not see it, but I have been told about a piece of investigative journalism on "Panorama" about imported chicken going into the mass catering trade and, very likely, into our schools. Chickens are, in order to increase their weight, being injected with water and then with collagen to keep the water in. Some of that collagen was from beef sources and the description that I heard was absolutely shocking.

Alex Johnstone (North East Scotland) (Con): Buy British chicken.

Eleanor Scott: Yes. The food that local authorities buy to serve to our children should be sourced locally, should be organic where possible, and should be nutritionally adequate—and I am not talking simply about the number of calories that are plonked in front of a child in the hope that he or she will eat a portion of them.

The Deputy Presiding Officer (Trish Godman): You are in your final minute.

Eleanor Scott: Children should be given something that is recognisable as real food, which not only feeds them for that day, but starts them on the way to a healthy-eating lifestyle for the rest of their days. There can be no doubt that the seeds of our poor health are sown in our diet in early childhood.

There has been great lamentation about Scotland's low position in European health league tables. We would not go wrong with a bit more legislation and a bit less lamentation. We can do something about the problem; the bill does not represent the whole answer, but it is a start. I ask the Executive to consider procurement policies and the sort of food that is being fed to our children in school canteens. That food should be sourced locally and, where possible, it should be organic. Children should be given real food that starts good eating habits for life.

16:05

Bill Aitken (Glasgow) (Con): Although it is not surprising that the principal purpose of the debate

has been subsumed by consideration of the wider issue of universal benefits, some hard questions need to be asked on the initial issue—for example, why today's debate on it is necessary.

The minister diplomatically described what has happened as “an unintended consequence”. Of course it is an unintended consequence. No one down south and, I am sure, no one here would wish to see the development of a situation in which those who had been receiving a benefit would no longer receive it. On the basis of that premise, why on earth were the regulations and proposals in question not impact tested to find out what would happen?

Euan Robson: I might be able to help the member on that question. He will recall that transitional arrangements between the Executive and local authorities were put in place so that no one missed out. The bill is simply a technical measure to alter the current rigidity in the law by enabling ministers to use a statutory instrument to make changes as and when changes are necessary. There was a realisation that there was a need to act. Action was taken and we are now putting matters on a proper legal basis.

Bill Aitken: I make it clear that I am not blaming the minister for what has happened, but he should be asking hard questions down south. None of the proposals would have been necessary had the issue been thought through. It is clear that the intention of Parliament was not properly represented in the regulations that came forward.

I turn to the secondary consideration, which is the almost inevitable debate on the provision of universal free meals and universal benefits generally. Fiona Hyslop has just come back into the chamber, and it was hardly surprising that her characteristically Pavlovian response was to blame the Westminster Government. However, on this occasion, she was quite right to do so. She extended her argument to the issue of extending the Scottish Parliament's powers. I was interested to glean from her speech that, as well as being pro-enterprise and a supporter of growth in the economy, she believes in the redistribution of wealth. When will it ever dawn on some members that the only way in which we will make life better for poorer people is to create more wealth, so that they can get their share of a much bigger cake. We will not achieve that aim through a politically correct redistribution of wealth.

Fiona Hyslop: I apologise for missing the beginning of the member's speech. Does he think that universal free school meals is a redistributive measure and does he acknowledge that the culture in many Scandinavian countries, which have a very pro-enterprise culture, is to redistribute to ensure that everyone benefits?

Bill Aitken: I have been asked that question before and I have always replied that I would not fancy living in a Scandinavian country. Universal free school meals is certainly a redistributive measure.

Tommy Sheridan asked us to listen to other people; he was quite right to do so. However, it is perfectly valid to reject their arguments after having listened to them. I listened carefully to the interview—or interrogation—to which Rhona Brankin subjected him, during which he said that he would not exclude her from the provision of publicly funded health care and education. On the basis of what he has said on other occasions, that is just as well, because there would be no private health provision or private education and she would be stuck with the publicly funded provision of the national health service and so on.

I congratulate Frances Curran on her maiden speech. We did not dine with the Queen last night, although she may have received such an invitation—being obviously better connected than I am. We did not.

However, the serious issue is that the vast majority of kids would not accept free school meals. Although I might criticise Maureen Macmillan's political eccentricity, I am sure that she was a good parent, so if her kids believed in the pizza and Coca-Cola culture, there is not a lot that one can do.

I am sure that we will return to the matter in due course, but we are simply being asked today to put right an appalling blunder from down south. We should do that and leave the other matters until another occasion.

16:10

John Swinburne (Central Scotland) (SSCUP): It has just dawned on me that I might have let myself in for a very long four years. From the arguments that I have heard from the Labour members, the biggest problem seems to be expenditure. My God, their Prime Minister took us into a war that cost £3 billion, yet they cannot think from where they will get £170 million to feed the children of Scotland. I ask them please to get their priorities straightened out; I do not want to sit here listening to this for four years.

I will make one little concession. The obscenity that is means testing in this country currently affords the Exchequer £200 million per annum from my generation. We will generously give that to the Labour party to allocate to the kids, so that £174 million of that money can be used to feed kids regularly. If one child does not go hungry because of that little deed of ours, the country will be much better off for the future.

I shall not take up my full time allocation, because I am disgusted with what I have been hearing all afternoon.

16:12

Rosie Kane (Glasgow) (SSP): The bill is, I believe, about closing a loophole, righting a wrong and sorting a blunder. Cathy Peattie talked about how we are caught in a mess. However, I want to talk about the mother who is caught in a mess because, although her children are on free school meals because she is on a low income, she still has to find extra money to give the kids in the morning so that they can get exactly the same thing on their plates as the other kids, whose parents are not on low incomes.

I also want to talk about the assumption that children from wealthier and better-off families are getting nutritious food. That is simply not the case, as we have already heard today from the Labour benches. A load of issues need to be included when we close the loophole and sort out the technical problem that the bill will address.

We welcome today's debate—unlike the Conservatives, who do not welcome it but have had plenty to say during it—as we welcome any opportunity to introduce provisions that might make a difference to the one in three children who are born into poverty, as Alex Neil mentioned. I am pretty sure that some members' ears were sore when their bottles crashed after realising that they would have to bring the issue back before the Parliament, and that the SSP would get an opportunity to raise the issue of poverty.

Some members have talked about weans going to the chippie to get chips and gravy. Let me make a wee suggestion: if all weans got a free school meal, they would not need to be given money in the morning before school to go and buy chips and gravy. Honest to God, it is that simple—I was on income support two years ago, so members should not get their knickers in a twist.

What worries me—as it worries John Swinburne—is the tidal wave of opposition to provision that would put nutritious meals in children's mouths. Why do we have universal provision of free breakfasts and fruit for children? We have it because it makes sense.

Uptake was mentioned. When provision is universal, uptake is usually about 99 per cent. By making a benefit universal, we make it normal and ordinary—

Mike Rumbles: Does the member seriously suggest that 99 per cent of children would take up the option that she proposes today?

Rosie Kane: Is Mike Rumbles seriously suggesting that we should not try to achieve that?

Is he seriously suggesting that we could not act like the big fast-food industry and make school meals attractive and interesting? Is he seriously suggesting that we could not spend a wee bit more on educating our children and taking away the unhealthy options? I am sorry that he is seriously suggesting that.

We have to examine the whole issue and the wider frame, and we must examine how children behave—there has recently been a lot of talk about children's behaviour. Let us educate them about nutrition and the various things that they need to eat right through their school years. Do members know what the good would be in that approach? The good would be that the loop will begin and those children will thereafter educate their children. That is long-sighted and good for the future.

If the Executive is worried about money, it should use the Gordon Brown principle of “whatever it costs”, which is what he said about funding the war. That is what should be said about our children's futures. Free fruit should be universal, free breakfasts should be universal and free school lunches should be universal. I still have ties with the outside world, so if members need any information on the subject they should come and gie us a shout.

16:16

Rhona Brankin (Midlothian) (Lab): We heard earlier this afternoon that the bill is a fast-track bill that is required to sort out an anomaly that has arisen from a change to the benefit and tax system. The bill is vital, because it will ensure that families who are currently entitled to free school meals will remain entitled. It is important that that is done speedily.

Children whose parents are on the new child tax credit will still be entitled to free school meals and, importantly, the bill will ensure that children in Scotland have the same entitlement to free school meals as do children elsewhere in Britain. It is also important that the bill will extend eligibility to the children of students and parents or carers who have savings but who have low incomes. I welcome the fact that those new categories should see 7,000 more schoolchildren receiving school meals. I hope that everybody welcomes that.

I am not surprised that the SSP—the party for “madness and craziness”—is behaving this afternoon in a rather opportunistic way and using this vital bill to return to the subject of free school meals. As we all know—but as Tommy Sheridan and his comrades have conveniently forgotten—universal free school meals were debated and defeated recently in this Parliament, but the SSP keeps coming back to the issue. That is surprising,

given that the SSP managed to gain only six seats in this Parliament on that issue.

Murdo Fraser: Will the member give way?

Tommy Sheridan: Will the member give way?

Rhona Brankin: I would be delighted to give way to Tommy Sheridan.

Tommy Sheridan: To assist the member's arithmetic, the increase was a 245 per cent increase in votes for the SSP.

Can Rhona Brankin answer the serious question: how many children from low income families are still excluded from free school meals? The Child Poverty Action Group says that there are 100,000 such children in Scotland. How many are there according to Rhona Brankin?

Rhona Brankin: I could not tell Tommy Sheridan the answer, but I am not prepared to take any lessons on poverty from him. His is the party that would abolish the working tax credit—maybe that is the reason why he was not elected in Pollok. If he stood on abolishing benefits such as the working tax credit, I am not surprised that he was not elected.

Tricia Marwick (Mid Scotland and Fife) (SNP): On a point of order, Presiding Officer.

Rhona Brankin: Let me go on to talk about the SSP position. First, there are many ways of tackling poverty.

The Deputy Presiding Officer: There is a point of order.

Rhona Brankin: If Tommy Sheridan will stop interrupting me, I will go on and give him the answer to his question and describe some of the measures that we are taking.

The Deputy Presiding Officer: There is a point of order.

Tricia Marwick: Rhona Brankin said a few moments ago—before she got into full flow—that “this Parliament” had “debated and defeated” free school meals. Will you tell the member that this Parliament did no such thing and that it was the previous Parliament that had that debate and defeated free school meals?

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

Rhona Brankin: I accept the point. The issue was addressed very near the end of the last Parliament. Of course, a bill will be lodged in this new Parliament and we will get the chance to debate the issue all over again. To be frank, there are many ways in which to tackle poverty in this country, but that is not the way to do it.

I will continue to take issue with the SSP. First, free school meals would benefit the rich. That is somewhat surprising, given that the SSP is calling

for the rich to be taxed and for the redistribution of wealth. The wealthy would benefit, which would be of no benefit to children who already are entitled to free school meals. In fact, free school meals for all would cost in the region of £300 million a year.

Tommy Sheridan: Nonsense!

Rhona Brankin: No—it is not nonsense. Tommy Sheridan should listen. We listened to him. It would cost £170 million to provide the extra free school meals, but that would require additional capital money to extend school buildings and school canteens. Tommy Sheridan may shout “Nonsense!” but the Executive must unfortunately take the responsible decisions about finance. Small fringe parties such as the SSP can call for anything, based on fantasy economics.

As an MSP, I do not believe that my children should have been entitled to free school meals. I do not believe that the children of politicians, doctors, lawyers or well-paid business executives should be entitled to free school meals. That is a waste of taxpayers' money and would undermine Executive initiatives to target help at those who are in greatest need. That is exactly what the Executive is doing. In addition to the measure that we are debating, the Executive is putting in place the national nutritional standards for school meals, which are widely welcomed by child nutrition experts. We have the exercise in schools initiative and the national physical activity task force. We are targeting support where need is greatest. For example, free toothbrushes and toothpaste are being provided to babies and the Scottish community diet project was established in 1996.

We want a combination of universal and means-tested benefits. I do not subscribe to the SSP position that all benefits should be universal. SSP members are living in cloud-cuckoo-land. I call on members to support this very necessary change to legislation.

16:21

Mr Brian Monteith (Mid Scotland and Fife) (Con): Conservative members welcome the debate, which might come as a surprise to some, but we see it as another opportunity to argue against Mr Sheridan's proposals to make free school meals a universal benefit. We also welcome the opportunity to expose the scandal of our having to close the loophole. It is important that we have the chance to debate that issue today.

We should examine the history of the issue. This passport benefit, as it is called, has come before us because children of a number of parents have ceased to be eligible for free school meals. I am pleased to inform the minister that the difficulty dates back to 2001, when the Inland Revenue was

aware of it and published a paper in which the subject was discussed. Indeed, by November 2001 the Westminster Government had published its response to that paper. It was decided that the loophole that was created by the introduction of changes to benefits would be closed by amending an education bill. The third reading of the bill that became the Education Act 2002 took place in February 2002.

It is an absolute scandal that no action was taken during the previous session by the Executive to bring the measure before us when we had an opportunity to consider it.

Fiona Hyslop: Does the member agree not only that the Executive should have kept its eye on the ball but that Helen Liddell and the myriad civil servants in the Scotland Office should have considered the matter? Does he agree that, as a result, Helen Liddell's job might be on the line when there is a Cabinet reshuffle next week?

Mr Monteith: I would be delighted if Mrs Liddell had more time to visit the hairdresser, but I am not sure whether the desired result would be achieved by keeping her in post or by removing her from it. However, I take the point that the member makes.

The Executive could certainly have raised the matter during Parliament's consideration of Tommy Sheridan's School Meals (Scotland) Bill, but it did not do so. That was a dereliction of duty by the previous Executive. It is not an acceptable excuse to say that there were no victims because local authorities were told to do running repairs—this is tardy government.

We have, of course, debated universal provision versus means testing or targeting. I want to mention a visit that the Education, Culture and Sport Committee made to Leith Academy when it was taking evidence on Mr Sheridan's bill.

Leith Academy has a salad bar that has all the green produce that anyone would like to see in a salad. It even has red produce, such as red cabbage. It also has a pasta bar that serves spaghetti and macaroni cheese, a baked potato bar that serves wholesome food for the pupils, and a pizza bar. The standards of cuisine and catering at Leith Academy could not be bettered and were superior to those in the MSPs' canteen, which is as it should be. However, when the dinner bell rang and we watched the pupils go for their meals, we found that the majority went outside. Those who went to the canteen to eat school dinners had the ubiquitous chips and cheese.

I asked the dinner ladies who eats those delightful foods and who eats the broccoli. They replied that teachers eat the broccoli. I repeat a point that has been made: we can take a horse to water, but we cannot make it drink. The stigma at schools such as Leith Academy is associated not

with entitlement to free dinners but with having school dinners at all. Going outside is cool and is what pupils want to do.

Mr Mark Ruskell (Mid Scotland and Fife) (Green): Will the member take an intervention?

Mr Monteith: I am sorry; I am in my last minute and I am winding up.

It is clear that there is an argument to be had about the extent to which people should be entitled to free school dinners. It is right for us to review that provision constantly. However, to give everyone free school meals—including the sons or daughters of the top Tory toff, Lord James Douglas-Hamilton—would be a waste of public funds, unless he was on his uppers. To give his brother, the Duke of Hamilton, an entitlement to free school meals for his sons or daughters would be a scandal and the public would think so. We should target that provision and ensure that those who are poor can benefit from it, because that is how to close the poverty gap.

16:27

Brian Adam (Aberdeen North) (SNP): We hold this stage 1 debate against the background of tax changes that have implications for eligibility for free school meals. Implementation of those tax changes started in April and has been shambolic. Many in the chamber have spoken about that and many of our constituents have written to us about it.

As Brian Monteith was right to say, the procedure has been on the go for a long time. It is clear that the mechanisms that should be in place to take care of such disputes or difficulties between Westminster and the Executive did not work. The concordats did not work. What confidence can we have that those mechanisms will take care of such problems in future? I look to the minister for a reply, which I will be delighted to hear in his winding-up speech.

What consultations, if any, took place between the Treasury team and the Finance and Central Services Department? What consultations were held with local authorities? The Executive must have been aware that the changes would have some implications, but the background papers for the bill give no evidence of consultation.

What benefit entitlements, tax credits or other factors has the minister considered or will he consider as grounds for entitlement to free school meals? They could include child benefit—in some cases, people might wish that to be included. The minister was also presented with a range of other benefits that he might wish to consider, such as housing benefit, council tax benefit and disability living allowance. Iain Smith suggested that such

matters were worthy of consideration. In future, the minister might want to make such proposals to the Parliament in a statutory instrument or in a debate.

Christine May also endorsed that view, although she suggested that such a proposal should come from those who seek change rather than from the Government. There is not much difference between the Executive motion and the SNP amendment. The difference is that our amendment proposes that the minister consider the benefits that are the subject of the bill before we get to stage 2.

Iain Smith: Within a week?

Brian Adam: Indeed.

Even if the figures are not available at this stage, I will still be delighted to hear what the minister has to say.

What is the current uptake of entitlement to free school meals? We know that it is only around 70 per cent. Only this week, in the *Evening Express*, we are told that 13 per cent of school pupils in Aberdeen are eligible for free school meals, but that only 9 per cent take up the entitlement. We have the ridiculous situation of Aberdeen City Council trying to encourage people to get involved in increasing uptake on the basis of the previous set of proposals.

In view of the Executive's goal of targeting those in need, what do the ministers propose to do to ensure that a much higher uptake is achieved? We have not yet had the answer to the question that Alex Neil sensibly put to the minister about the gap between the 30 per cent of children in the poverty trap and the 20 per cent of children who may be entitled to free school meals.

The SNP amendment gives the minister an opportunity to address those issues today. However, Tommy Sheridan's amendment does not help, as it closes the door by giving only one option. His amendment does not allow for a range of options to be explored in respect of the overall provision that is required. The route to go down is not to consider school meals only in the context of an anti-poverty strategy or only in terms of nutritional advance and the well-being of our children. As either Tommy Sheridan or Robin Harper rightly said, we need to look at the issue in a more holistic way—if I have misquoted either member, they have my apologies.

We need to address the problem in an overall way. It may well be that the chamber has before it only a technical measure to fix something that should have been fixed—something that the Government had time to fix in the previous session. However, we also have the opportunity to open the door and widen the debate. If the

minister will not support the SNP amendment, how does he plan to allow that opportunity to happen?

The Deputy Presiding Officer: I call Euan Robson to wind up for the Labour party.

Euan Robson: I do not think that I will be winding up for the Labour Party—not today.

The Deputy Presiding Officer: I do apologise. The minister has 10 minutes.

16:33

Euan Robson: This afternoon's debate has been lively and interesting. I am grateful for the speeches that have been made from all parts of the chamber. Members have raised a number of issues and I will try to respond to as many as possible in the short time that is available to me.

I will begin by making a couple of general remarks. The debate has emphasised a number of core issues that are important to all of us. All of us have the health of our children at heart. It is clear that, next to smoking, poor diet is the most significant contributor to Scotland's poor health. Indeed, if the effects on health of poor diet and inactivity are combined, it is likely that they have an impact that is greater than that of smoking.

All of us want to ensure that the children who are most in need receive the assistance to which they are entitled. That goal is at the heart of the technical, fast-track amendment to section 53 of the Education (Scotland) Act 1980 that we are debating this afternoon. The purpose of the amendment is to protect the interests of our most vulnerable children and ensure that they continue to have an entitlement to free school meals.

Brian Monteith, Brian Adam and Iain Smith mentioned the timing of the changes—indeed, Brian Monteith went into considerable detail on the subject. Although I do not dissent from any of the points that were made, Brian Monteith and Brian Adam missed the point that the current financial year, 2003-04, is a transitional year and that the change becomes compulsory from next April. In February and March of this year, administrative arrangements were put in place to ensure that no one lost out. There is now a legislative opportunity to deal with the matter and it is not a question of tardy government or making running repairs—we have a responsible Government that is dealing with the matter in a coherent manner.

I thank Lord James for his support of the bill, but I suggest that he talk to Brian Monteith about finding a better description of his good self.

Lord James Douglas-Hamilton: Does the minister accept that Brian Monteith was also speaking for himself?

Will the minister enlighten us as to why, if the matter was known about in March, the Executive did not introduce the bill before the election?

Euan Robson: As Lord James will remember, we were busy dealing with legislation for much of the last month of the previous session.

Fiona Hyslop made an important point about how we would advise about the proposed changes and how councils would know who is to be entitled to free school meals. We have given councils detailed advice in the guidance circular. There are plans to ensure that parents as well as benefits offices, citizens advice bureaux and local authority welfare officers are made aware of eligibility criteria. In addition, parents will present a certificate from the Inland Revenue as evidence to the council. That will be the mechanism by which the entitlement is demonstrated.

Fiona Hyslop: My colleague Brian Adam made the point that there are problems with the tax credit itself. Therefore, parents might not have the Inland Revenue certificate that would ensure that their children got free school meals. How is that being dealt with?

Euan Robson: We need to examine that point in detail and I will come back to the member about it, if I may. Murdo Fraser made a general point about the way in which progress is being made and about difficulties that are being experienced with the Inland Revenue. I am sure that his comments can be passed through the appropriate channels to the Inland Revenue in London.

I congratulate Christine May, Frances Curran, Eleanor Scott and Rosie Kane on their maiden speeches. I also congratulate John Swinburne, who will gain many brownie points for his brevity if he continues in that vein.

Eleanor Scott's experiences as a school doctor were interesting and illustrative, but I advise her of the existence of the Food Standards Agency, which monitors the quality of food. Without doubt, she will be aware of that.

I am sorry that Alex Neil is not in the chamber. He made a point about the take-up of free school meals. At present, about 50 per cent of pupils throughout Scotland take up a school meal—whether free or paid for—although there are variations from council to council. It is part of the Executive's policy to try to ensure that there is a greater take-up. That is why, as I explained in my opening speech, we have made progress on the distribution of resources to local authorities to ensure that there is greater take-up. A range of measures has been introduced, some of which members mentioned.

Another question was asked about the proportion of those entitled to free school meals

who take up their entitlement. The answer is 75 per cent. We must address that point to ensure that more of those who are entitled to free school meals take them up.

Tommy Sheridan: Does the minister agree with the Child Poverty Action Group that 100,000 children do not receive free school meals despite coming from poor households? If not, what does he think is the correct figure? Does he think that he should try to get 100 per cent take-up of free school meals? Is that a visionary statement and something that the Executive should be trying to achieve?

Euan Robson: I do not think that it would ever be possible to get 100 per cent take-up of free school meals. However, we should be trying to ensure that there is a greater take-up of free school meals by implementing the recommendations of the expert group, particularly if we can increase nutritional standards.

I hope that Tommy Sheridan will forgive me if I did not pick up correctly what he said earlier in the debate. He raised a point about the number of children in poverty who are not taking up or are not entitled to free school meals. The figures are as follows. There are currently 139,000 children who are entitled to free school meals, out of a total number attending school of 740,000. As Mr Sheridan heard during the debate, another 7,000 will be added to that 139,000. The Executive's policy is to target free school meals at those most in need—at the poorest—and how many others one might want to include will depend on one's definitions of poor and low income.

I recognise the figure of 100,000 as one that the Child Poverty Action Group has used in the past, and I accept the sincerity of that organisation's views and those of Mr Sheridan. However, we must always be mindful of the resources that are available to us. The total amount that would be expended if we introduced free school meals universally is not now £170 million. The net figure has gone up and would now be some £230 million plus the capital costs of providing such a service. As has rightly been said, the capital costs would be one-off, non-recurring costs, but they would nevertheless be there.

Fiona Hyslop: The minister said in his introduction that the Government would use regulatory powers to put a limit on child tax credit salaries for eligibility for free school meals, and it has arbitrarily chosen £13,500 as the cut-off level. Does he think that that is adequate, or will he use the space and time available to him in the next week to revise that figure upwards and close the gap between the 30 per cent of children who live in poverty and the 20 per cent who have access to free school meals?

Euan Robson: I will not take the opportunity to do that in the next week. The bill will mean that, when secondary legislation is available to this Executive and to future Executives, changes that are deemed necessary and voted for by Parliament can be implemented much more speedily and effectively. However, I have no proposals to bring to the chamber for next week, and I shall be urging members to vote against the SNP's amendment.

The bill is essentially a technical measure, as has been recognised by members around the chamber. I am quite sure that there will be an opportunity in future weeks to debate more extensively the issue of free school meals, as I understand that a member's bill is to be introduced. However, we must act now to safeguard the status quo and to secure the additional benefit of bringing another 7,000 people into the free school meals ambit.

Education (School Meals) (Scotland) Bill: Financial Resolution

16:43

The Deputy Presiding Officer (Trish Godman): The next item of business is consideration of a financial resolution, and I invite Tavish Scott to move motion S2M-97, on the financial resolution in respect of the Education (School Meals) (Scotland) Bill.

Motion moved,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Education (School Meals) (Scotland) Bill, agrees to any increase attributable to that Act in expenditure payable out of the Scottish Consolidated Fund by or under any other Act.—[*Tavish Scott.*]

The Deputy Presiding Officer: The question on that motion will be put at decision time.

Parliamentary Bureau Motion

The Deputy Presiding Officer (Trish Godman): The next item of business is consideration of a parliamentary bureau motion, on the establishment and membership of parliamentary committees, and one amendment to that motion.

16:44

The Minister for Parliamentary Business (Patricia Ferguson): Before I move the motion that is before Parliament today, I would like to take the opportunity to outline some of the guiding principles behind it.

We are following on from the first session of the Parliament. During the past four years, the Parliament's committee structure—and the work of its committees—became one of the jewels of devolution and one of the things for which this Parliament was most noted and which was treasured most by the wider public and civic Scotland. It is important that, in the new session, the new committees begin their work and build on the achievements of the first session. Therefore, we are pleased to have been able to lodge this motion at this particular time.

It is suggested that the Parliament's structure should be streamlined and that the number of committees should be reduced from 17 to 16. We have aligned the committees' remits a little more with ministerial portfolios for the ease of committees that do scrutiny work and to ensure that ministers can attend meetings and be fully held to account. The revised structure and make-up of committees will give them more balanced and meaningful remits, which should in turn help with the job of scrutiny and should enhance the opportunity for scrutiny.

Following the election, the new Parliament is more diverse than it was before and the Parliamentary Bureau's challenge has been to try to reflect that diversity. That there has been a high level of co-operation across the parties to try to achieve that objective is pleasing. At this stage, we have been able to identify 15 places for those members who are not in the four major parliamentary parties—those committee places were identified as available for allocation at a meeting of the bureau last Tuesday. I understand that all but one of those places has now been taken up, and the motion reflects that.

I move,

That the Parliament shall establish committees of the Parliament as follows—

Name of Committee: Audit

Remit: Set out in Rule 6.7

Number of members: 7

Convenership: The Convener will be a member of the Scottish Conservative and Unionist Party and the Deputy Convener will be a member of the Scottish National Party.

Membership: Rhona Brankin, Susan Deacon, Robin Harper, Margaret Jamieson, George Lyon, Mr Kenny MacAskill, Mr Brian Monteith

Name of Committee: Equal Opportunities

Remit: Set out in Rule 6.9

Number of members: 9

Convenership: The Convener will be a member of the Labour Party and the Deputy Convener will be a member of the Scottish Liberal Democrat Party.

Membership: Shiona Baird, Frances Curran, Marlyn Glen, Marilyn Livingstone, Campbell Martin, Mrs Nanette Milne, Cathy Peattie, Mr Keith Raffan, Elaine Smith

Name of Committee: European and External Relations

Remit: Set out in Rule 6.8

Number of members: 9

Convenership: The Convener will be a member of the Scottish National Party and the Deputy Convener will be a member of the Labour Party.

Membership: Dennis Canavan, Mrs Margaret Ewing, Phil Gallie, Mr John Home Robertson, Gordon Jackson, Richard Lochhead, Mr Alasdair Morrison, Irene Oldfather, Mr Keith Raffan

Name of Committee: Finance

Remit: Set out in Rule 6.6

Number of members: 9

Convenership: The Convener will be a member of the Labour Party and the Deputy Convener will be a member of the Scottish National Party.

Membership: Ms Wendy Alexander, Mr Ted Brocklebank, Fergus Ewing, Kate Maclean, Des McNulty, Mr Jim Mather, Dr Elaine Murray, Mr Jeremy Purvis, John Swinburne

Name of Committee: Public Petitions

Remit: Set out in Rule 6.10

Number of members: 9

Convenership: The Convener will be a member of the Labour Party and the Deputy Convener will be a member of the Scottish Conservative and Unionist Party.

Membership: Jackie Baillie, Helen Eadie, Linda Fabiani, Carolyn Leckie, Michael McMahon, John Farquhar Munro, John Scott, Mike Watson, Ms Sandra White

Name of Committee: Procedures

Remit: Set out in Rule 6.4

Number of members: 7

Convenership: The Convener will be a member of the Scottish Liberal Democrat Party and the Deputy Convener will be a member of the Labour Party.

Membership: Mr Richard Baker, Mark Ballard, Bruce Crawford, Cathie Craigie, Karen Gillon, Mr Jamie McGrigor, Iain Smith

Name of Committee: Standards

Remit: Set out in Rule 6.5

Number of members: 7

Convenership: The Convener will be a member of the Scottish National Party and the Deputy Convener will be a member of the Labour Party.

Membership: Bill Butler, Alex Fergusson, Donald Gorrie, Mr Kenneth Macintosh, Tricia Marwick, Alex Neil, Karen Whitefield

Name of Committee: Subordinate Legislation

Remit: Set out in Rule 6.11

Number of members: 7

Convenership: The Convener will be a member of the Labour Party and the Deputy Convener will be a member of the Scottish Socialist Party.

Membership: Gordon Jackson, Dr Sylvia Jackson, Mr Stewart Maxwell, Christine May, Mike Pringle, Murray Tosh

Name of Committee: Communities

Remit: To consider and report on matters relating to anti-social behaviour, housing and area regeneration, poverty, voluntary sector issues, charity law and religious and faith organisations and matters relating to the land use planning system and building standards and such other matters as fall within the responsibility of the Minister for Communities.

Number of members: 9

Convenership: The Convener will be a member of the Labour Party and the Deputy Convener will be a member of the Scottish Liberal Democrat Party.

Membership: Cathie Craigie, Donald Gorrie, Patrick Harvie, Johann Lamont, Maureen Macmillan, Campbell Martin, Mary Scanlon, Elaine Smith, Stewart Stevenson

Name of Committee: Education

Remit: To consider and report on matters relating to school and pre-school education and social work and such other matters relating to young people as fall within the responsibility of the Minister for Education and Young People.

Number of members: 9

Convenership: The Convener will be a member of the Scottish Liberal Democrat Party and the Deputy Convener will be a member of the Scottish Conservative and Unionist Party.

Membership: Ms Wendy Alexander, Rhona Brankin, Robert Brown, Ms Rosemary Byrne, Lord James Douglas-Hamilton, Fiona Hyslop, Mr Adam Ingram, Mr Kenneth Macintosh, Dr Elaine Murray

Name of Committee: Enterprise and Culture

Remit: To consider and report on matters relating to the Scottish economy, business and industry, energy, training, further and higher education, lifelong learning and such other matters as fall within the responsibility of the Minister for Enterprise and Lifelong Learning; and matters relating to tourism, culture and sport and such other matters as fall within the responsibility of the Minister for Tourism, Culture and Sport.

Number of members: 9

Convenership: The Convener will be a member of the Scottish National Party and the Deputy Convener will be a member of the Labour Party.

Membership: Brian Adam, Mr Richard Baker, Chris Ballance, Susan Deacon, Murdo Fraser, Christine May, Alasdair Morgan, Mr Jamie Stone, Mike Watson

Name of Committee: Environment and Rural Development

Remit: To consider and report on matters relating to rural development, environment and natural heritage, agriculture and fisheries and such other matters as fall within the responsibility of the Minister for Environment and Rural Development.

Number of members: 9

Convenership: The Convener will be a member of the Labour Party and the Deputy Convener will be a member of the Scottish Green Party.

Membership: Sarah Boyack, Roseanna Cunningham, Mr Rob Gibson, Karen Gillon, Alex Johnstone, Maureen Macmillan, Mr Alasdair Morrison, Nora Radcliffe, Eleanor Scott

Name of Committee: Health

Remit: To consider and report on matters relating to health policy and the National Health Service in Scotland and such other matters as fall within the responsibility of the Minister for Health and Community Care.

Number of members: 9

Convenership: The Convener will be a member of the Scottish National Party and the Deputy Convener will be a member of the Labour Party.

Membership: Mr David Davidson, Helen Eadie, Christine Grahame, Janis Hughes, Kate Maclean, Mr Duncan McNeil, Shona Robison, Mike Rumbles, Dr Jean Turner

Name of Committee: Justice 1

Remit: To consider and report on matters relating to the administration of civil and criminal justice, the reform of the civil and criminal law and such other matters as fall within the responsibility of the Minister for Justice, and the functions of the Lord Advocate other than as head of the systems of criminal prosecution and investigations of deaths in Scotland.

Number of members: 7

Convenership: The Convener will be a member of the Labour Party and the Deputy Convener will be a member of the Scottish National Party.

Membership: Bill Butler, Marlyn Glen, Pauline McNeill, Michael Matheson, Margaret Mitchell, Mr Stewart Maxwell, Mrs Margaret Smith

Name of Committee: Justice 2

Remit: To consider and report on matters relating to the administration of civil and criminal justice, the reform of the civil and criminal law and such other matters as fall within the responsibility of the Minister for Justice, and the functions of the Lord Advocate other than as head of the systems of criminal prosecution and investigations of deaths in Scotland.

Number of members: 7

Convenership: The Convener will be a member of the Scottish Conservative and Unionist Party and the Deputy Convener will be a member of the Labour Party.

Membership: Jackie Baillie, Scott Barrie, Colin Fox, Miss Annabel Goldie, Mike Pringle, Nicola Sturgeon, Karen Whitefield

Name of Committee: Local Government and Transport

Remit: To consider and report on matters relating to local government (including local government finance), cities and community planning and such other matters (excluding finance other than local government finance) which fall within the responsibility of the Minister for Finance and Public Services; and matters relating to transport which fall within the responsibility of the Minister for Transport.

Number of members: 9

Convenership: The Convener will be a member of the Labour Party and the Deputy Convener will be a member of the Scottish National Party.

Membership: Dr Sylvia Jackson, Rosie Kane, Michael McMahon, Mr Bruce McFee, Paul Martin, Bristow Muldoon, David Mundell, Iain Smith, Mr Andrew Welsh

The Communities, Education, Enterprise and Culture, Environment and Rural Development, Justice 1, Justice 2, Health and Local Government and Transport Committees shall be established for the whole session of the Parliament.

16:46

Tommy Sheridan (Glasgow) (SSP): Control has been the Executive's guiding principle in the discussions on committee membership. The Executive wants to ensure that it has a voting majority on all committees. It is absolutely ridiculous that the membership of the committee with responsibility for health is to be reduced from 11 members to nine members, given the importance of health and the responsibility that the Parliament must assume in respect of health in the next four years. The membership of a committee with responsibility for health should be increased instead of reduced. At the very least, keeping the membership the same would allow Dr Jean Turner—

Patricia Ferguson: Will the member give way?

Tommy Sheridan: I am sorry, but I would like to finish on the point that I am making.

Dr Jean Turner is a unique MSP. She was elected on the basis of a specific health-related issue in Scotland and deserves to be a member of the Health Committee to represent that view. However, she will be allowed on that committee only if members of other parties that significantly increased their representation in the Parliament agree to stand down—namely, members of the Scottish Green Party and the Scottish Socialist Party. In other words, there has been an attempt to gerrymander the committee. My amendment proposes to increase the size of the committee in order to accommodate Carolyn Leckie, who is the only practising health professional to have been elected to the Parliament, and Dr Jean Turner. Is that too much to ask? I ask members to vote for the amendment.

I move amendment S2M-107.1, to leave out from "9" to "Turner" and insert:

"11

Convenership: The Convener will be a member of the Scottish National Party and the Deputy Convener will be a member of the Labour Party.

Membership: Mr David Davidson, Helen Eadie, Christine Grahame, Janis Hughes, Kate Maclean, Mr Duncan McNeil, Shona Robison, Mike Rumbles, Dr Jean Turner, Carolyn Leckie".

16:48

Donald Gorrie (Central Scotland) (LD): For my satisfaction, will the minister explain two things to enable me to vote for the motion? The motion states:

"The Communities, Education, Enterprise and Culture, Environment and Rural Development, Justice 1, Justice 2, Health and Local Government and Transport Committees shall be established for the whole session of the Parliament."

Is that a sinister remark? Will the other committees not be established for that time? What is the background to that statement? I hope that there is nothing sinister in it.

There is an almost complete change of personnel in many committees from the last time round. Will the bureau consider a satisfactory way in which the new committees can benefit from the knowledge that was built up by the previous committees? It would be a pity if such knowledge went to waste.

16:49

Mark Ballard (Lothians) (Green): On behalf of the Scottish Green Party, I would like to say that we were disappointed by several aspects of the proposed committee arrangements.

We think that it was a fundamental mistake effectively to abolish the Transport and the Environment Committee and to split its work between a local government committee and a rural development committee. We feel that a combined Environment and Rural Development Committee will find it hard to scrutinise properly the Executive's proposed green agenda—the so-called green thread.

In addition, we are concerned that many urban environmental issues might not receive proper attention in the Environment and Rural Development Committee. Equally, rural Scotland is still in crisis and our agriculture and fishing sectors need proper attention. We do not believe that the combined Environment and Rural Development Committee will be able to provide that properly.

The committee faces a work load of at least eight bills, excluding member's bills. It will have to deal with three big environment bills—on strategic environmental assessment, nature conservation and water services—two rural development bills,

on crofting and the protection of animals, and I believe that there may be further bills on fishing issues. That is a huge work load for one committee, and will leave it with little time to consider anything other than legislation.

We also think that it is unfortunate that restricting the committee size to nine members will not allow more than one Green, socialist or independent the chance to sit on a committee. In the case of the Health Committee, that means that three of the members with the most practical knowledge of health issues—Eleanor Scott, who, as she has mentioned, is a practising health professional, Carolyn Leckie and Jean Turner—are not all able to go on that committee.

Members: What about Janis Hughes?

Mark Ballard: Yes. I defer to members on that point.

Unfortunately, our protestations on those issues have fallen on deaf ears. Therefore, we go forward with the proposal in the motion under protest.

16:51

Bill Aitken (Glasgow) (Con): Many of us had reservations about the proposal in the motion; I raised some reservations at the bureau. For example, I think that we could well have got by with one justice committee. I think that the role of the enterprise et al committee—as I call it—is far too comprehensive and all-encompassing; especially as the Executive promises to do a lot for enterprise. However, what was finally agreed is a fair resolution to those problems.

The fact is that in any negotiation in an organisation one cannot always get what one wants. There are lawyers in the Parliament who have never been on a justice committee, farmers who have never been on a rural affairs committee and members who have been in local government who have never been on a local government committee. Carolyn Leckie may well have a degree of expertise that she could bring to the Health Committee, but at the end of the day she is in the same position as many other members, in that their particular line of expertise has not enabled them to be on a certain committee.

I raised another issue yesterday in a perhaps uncharacteristic effort to be conciliatory. It is open to any member, under important provisions in the standing orders, to attend a committee and to participate in the work of that committee. I know that Mr Sheridan, properly, on several occasions, has gone to committees and participated in the questioning of witnesses.

We cannot all get what we want out of this life. I have spent much of my political career as a minority and I, for one, would always attempt to

support the rights of minorities. The socialists, the Greens and the independents have come out of this with a pretty fair deal.

16:54

Janis Hughes (Glasgow Rutherglen) (Lab): I speak against the amendment in Tommy Sheridan's name. I do so as a member who came to this Parliament four years ago with 20 years' experience as a health service professional. Although in 1999 the Health and Community Care Committee was my first choice of committee, I was placed on the Transport and the Environment Committee. Did I complain about that decision or question it? No.

Members: Yes you did.

Janis Hughes: Perhaps I did privately, but did I bring the matter to the chamber for discussion? No, because I did not believe that it was my right to be a member of the Health and Community Care Committee because I came from a health background. I knew that I was elected to the Parliament to represent my constituents' views on many different areas and that I could do that on whichever committee I was placed.

It is also worth remembering that the committee that we are talking about deals not just with health issues per se, but has a wide-ranging remit in areas connected to care. Therefore, the committee benefits from the wide range of knowledge and experience that members can bring to bear. That is why I think that the mix of committee members that the motion proposes is appropriate. Therefore, I oppose the amendment that is in Mr Sheridan's name.

16:55

Carolyn Leckie (Central Scotland) (SSP): This is quite an embarrassing situation. The issue is not about the expertise of individuals but about what certain parties and independents represent. It is unfortunate that the Parliament has not taken the opportunity to demonstrate that it is willing to go that wee bit further to maintain what is the status quo, as far as I know, of having 11 members on the Health Committee. That would ensure that Dr Jean Turner, who won her seat on the first-past-the-post vote, on a specific health issue, in the biggest swing ever, is included by right on the Health Committee. *[Interruption.]*

Will members let me finish? Certain members in the chamber have complained about bad behaviour and rude manners, but I have never met such a bunch of rude and badly behaved people in all my life.

Patricia Ferguson: Will the member take an intervention?

Carolyn Leckie: No. My time is limited. I will let Patricia Ferguson in in a minute, but I want to finish my point first.

Dr Jean Turner, who had the biggest swing, should, by right, be on the Health Committee. I do not think that my expertise as a professional midwife should guarantee me a place on the Health Committee; however, I have been involved at the heart of 62 days of strike action on behalf of low-paid health workers and I have represented directly 5,000 health workers across the spectrum. Those people expect me, on behalf of the Scottish Socialist Party, to have a voice on the Health Committee.

I do not think that I am better than anyone else. The issue is proportionality, representation and inclusiveness. Why not have one more position for the SSP or the Greens on the Health Committee? I am told that the Health Committee is a popular committee. I am sure that many members on the Labour benches would be more than willing for there to be an extra place on the Health Committee. I think that the onus is on the Executive. Why should there not be that extra place? What is the problem?

Patricia Ferguson: Will the member take an intervention?

Carolyn Leckie: I am finished.

16:57

The Deputy Minister for Parliamentary Business (Tavish Scott): Fiona Hyslop and Bill Aitken took a positive approach to resolving the issues in what I think is a fair manner, particularly for the minor parties. Members can imagine the howls of righteous indignation had the major parties done what they could have done under the d'Hondt system and ensured that only on the 15th pick did one Green get the place on one committee, and that was it. However, we did not do that. The four main parties worked together to give places to the minor parties. *[Applause.]*

I agree with Bill Aitken's point that any member is able to attend any committee, which firmly deals with Carolyn Leckie's point. In Patricia Ferguson's motion, the name of Dr Jean Turner appears under the membership of the Health Committee. She will be on the Health Committee—let there be no doubt about that. It is curious that the SSP has made a song and dance about the issue—irrespective of its need to make a song and dance about everything—although I can well envisage what the SSP might have done had we not made places available in the way that we have.

I take Bill Aitken's point about the justice committees, because the preferred solution would have been to have one justice committee.

However, even a passing reference to the partnership agreement shows the weight of legislation that will come through, which Mr Aitken would acknowledge. That legislation necessitates having two justice committees. It will be essential to have them.

On the rural and environment areas, there is no perfect model. I inform Mr Ballard that there was no stand-alone environment committee in the last session. I think that he made the relevant point himself, which is that nature conservation, water services and strategic environmental assessment are three significant areas for environmental legislation. I am sure that he and members of his party—including Eleanor Scott, who, if the motion is passed, will be deputy convener of the Environment and Rural Development Committee, a position which Patricia Ferguson gave up to allow the Greens that role—will have the opportunity to play a full role in such legislation. Further, the committee will have in Sarah Boyack a member and a convener—if that is confirmed—who is committed to the environment. The suggestion that the Executive is not taking the environment seriously is wide of the mark.

On conveners and deputy conveners, it is important to recognise that the result that we have before us today was arrived at using the d'Hondt system in the same way as it was used four years ago on the basis that that was the fairest way to proceed at the time.

Those who complain about the system should bear in mind the fact that Patricia Ferguson gave up two deputy convenerships that would otherwise have been given to Labour. I notice that the SSP has not chosen to take up the one that it was offered—I wonder why. Further, they might wish to observe that having the 15th pick out of 16 convenerships might have been rather worse for the minor parties than the situation that we have before us.

The motion is fair and reflects the considerable efforts that have been made to accommodate the minor parties. I commend it to the Parliament.

Decision Time

17:01

The Presiding Officer (Mr George Reid):

There are six questions to be put as a result of today's business. The first question is, that amendment S2M-84.1.1, in the name of Tommy Sheridan, which seeks to amend amendment S2M-84.1, in the name of Fiona Hyslop, on the general principles of the Education (School Meals) (Scotland) Bill, be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

FOR

Baird, Shiona (North East Scotland) (Green)
Ballance, Chris (South of Scotland) (Green)
Ballard, Mark (Lothians) (Green)
Byrne, Ms Rosemary (South of Scotland) (SSP)
Canavan, Dennis (Falkirk West)
Curran, Frances (West of Scotland) (SSP)
Fox, Colin (Lothians) (SSP)
Harper, Robin (Lothians) (Green)
Harvie, Patrick (Glasgow) (Green)
Kane, Rosie (Glasgow) (SSP)
Leckie, Carolyn (Central Scotland) (SSP)
Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
Scott, Eleanor (Highlands and Islands) (Green)
Sheridan, Tommy (Glasgow) (SSP)
Swinburne, John (Central Scotland) (SSCUP)
Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)

AGAINST

Aitken, Bill (Glasgow) (Con)
Alexander, Ms Wendy (Paisley North) (Lab)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Mr Richard (North East Scotland) (Lab)
Barrie, Scott (Dunfermline West) (Lab)
Boyack, Sarah (Edinburgh Central) (Lab)
Brankin, Rhona (Midlothian) (Lab)
Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
Brown, Robert (Glasgow) (LD)
Butler, Bill (Glasgow Anniesland) (Lab)
Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
Curran, Ms Margaret (Glasgow Baillieston) (Lab)
Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
Douglas-Hamilton, Lord James (Lothians) (Con)
Eadie, Helen (Dunfermline East) (Lab)
Ferguson, Patricia (Glasgow Maryhill) (Lab)
Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
Finnie, Ross (West of Scotland) (LD)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallie, Phil (South of Scotland) (Con)
Gillon, Karen (Clydesdale) (Lab)
Glen, Marilyn (North East Scotland) (Lab)
Godman, Trish (West Renfrewshire) (Lab)
Gorrie, Donald (Central Scotland) (LD)
Henry, Hugh (Paisley South) (Lab)
Home Robertson, Mr John (East Lothian) (Lab)
Hughes, Janis (Glasgow Rutherglen) (Lab)
Jackson, Dr Sylvia (Stirling) (Lab)
Jackson, Gordon (Glasgow Govan) (Lab)
Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)

Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
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)
Maclean, Kate (Dundee West) (Lab)
Macmillan, Maureen (Highlands and Islands) (Lab)
Martin, Paul (Glasgow Springburn) (Lab)
May, Christine (Central Fife) (Lab)
McAveety, Mr Frank (Glasgow Shettleston) (Lab)
McCabe, Mr Tom (Hamilton South) (Lab)
McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
McGrigor, Mr Jamie (Highlands and Islands) (Con)
McMahon, Michael (Hamilton North and Bellshill) (Lab)
McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
McNeill, Pauline (Glasgow Kelvin) (Lab)
McNulty, Des (Clydebank and Milngavie) (Lab)
Milne, Mrs Nanette (North East Scotland) (Con)
Mitchell, Margaret (Central Scotland) (Con)
Monteith, Mr Brian (Mid Scotland and Fife) (Con)
Morrison, Mr Alasdair (Western Isles) (Lab)
Muldoon, Bristow (Livingston) (Lab)
Mulligan, Mrs Mary (Linlithgow) (Lab)
Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
Murray, Dr Elaine (Dumfries) (Lab)
Oldfather, Irene (Cunninghame South) (Lab)
Peacock, Peter (Highlands and Islands) (Lab)
Peattie, Cathy (Falkirk East) (Lab)
Pringle, Mike (Edinburgh South) (LD)
Purvis, Mr Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
Radcliffe, Nora (Gordon) (LD)
Raffan, Mr Keith (Mid Scotland and Fife) (LD)
Robson, Euan (Roxburgh and Berwickshire) (LD)
Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
Scanlon, Mary (Highlands and Islands) (Con)
Scott, John (Ayr) (Con)
Scott, Tavish (Shetland) (LD)
Smith, Iain (North East Fife) (LD)
Smith, Mrs Margaret (Edinburgh West) (LD)
Stephen, Nicol (Aberdeen South) (LD)
Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
Wallace, Mr Jim (Orkney) (LD)
Watson, Mike (Glasgow Cathcart) (Lab)
Whitefield, Karen (Airdrie and Shotts) (Lab)
Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS

Adam, Brian (Aberdeen North) (SNP)
Crawford, Bruce (Mid Scotland and Fife) (SNP)
Cunningham, Roseanna (Perth) (SNP)
Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
Ewing, Mrs Margaret (Moray) (SNP)
Fabiani, Linda (Central Scotland) (SNP)
Gibson, Mr Rob (Highlands and Islands) (SNP)
Grahame, Christine (South of Scotland) (SNP)
Hyslop, Fiona (Lothians) (SNP)
Ingram, Mr Adam (South of Scotland) (SNP)
MacAskill, Mr Kenny (Lothians) (SNP)
Martin, Campbell (West of Scotland) (SNP)
Marwick, Tricia (Mid Scotland and Fife) (SNP)
Mather, Mr Jim (Highlands and Islands) (SNP)
Matheson, Michael (Central Scotland) (SNP)
Maxwell, Mr Stewart (West of Scotland) (SNP)
McFee, Mr Bruce (West of Scotland) (SNP)
Morgan, Alasdair (South of Scotland) (SNP)
Neil, Alex (Central Scotland) (SNP)

Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

The Presiding Officer: The result of the division is: For 16, Against 79, Abstentions 24.

Amendment disagreed to.

The Presiding Officer: The second question is, that amendment S2M-84.1, in the name of Fiona Hyslop, which seeks to amend motion S2M-84, in the name of Peter Peacock, on the general principles of the Education (School Meals) (Scotland) Bill, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
 Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Byrne, Ms Rosemary (South of Scotland) (SSP)
 Canavan, Dennis (Falkirk West)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fox, Colin (Lothians) (SSP)
 Gibson, Mr Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Kane, Rosie (Glasgow) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Martin, Campbell (West of Scotland) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Mr Jim (Highlands and Islands) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)
 Sheridan, Tommy (Glasgow) (SSP)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinburne, John (Central Scotland) (SSCUP)
 Swinney, Mr John (North Tayside) (SNP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Mr Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)

Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 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)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McFee, Mr Bruce (West of Scotland) (SNP)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Mr Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)

Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

The Presiding Officer: The result of the division is: For 39, Against 80, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The third question is, that motion S2M-84, in the name of Peter Peacock, on the general principles of the Education (School Meals) (Scotland) Bill, be agreed to.

Motion agreed to.

That the Parliament agrees to the general principles of the Education (School Meals) (Scotland) Bill

The Presiding Officer: The fourth question is, that motion S2M-97, in the name of Andy Kerr, on the financial resolution relating to the Education (School Meals) (Scotland) Bill, be agreed to.

Motion agreed to.

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Education (School Meals) (Scotland) Bill, agrees to any increase attributable to that Act in expenditure payable out of the Scottish Consolidated Fund by or under any other Act.

The Presiding Officer: The fifth question is, that amendment S2M-107.1, in the name of Tommy Sheridan, which seeks to amend motion S2M-107, in the name of Patricia Ferguson, on the establishment of committees, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Byrne, Ms Rosemary (South of Scotland) (SSP)
 Canavan, Dennis (Falkirk West)
 Curran, Frances (West of Scotland) (SSP)
 Fox, Colin (Lothians) (SSP)
 Kane, Rosie (Glasgow) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Sheridan, Tommy (Glasgow) (SSP)
 Swinburne, John (Central Scotland) (SSCUP)
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)

AGAINST

Adam, Brian (Aberdeen North) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Mr Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)

Davidson, Mr David (North East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Mr Rob (Highlands and Islands) (SNP)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 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)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Campbell (West of Scotland) (SNP)
 Martin, Paul (Glasgow Springburn) (Lab)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 Mather, Mr Jim (Highlands and Islands) (SNP)
 Matheson, Michael (Central Scotland) (SNP)
 Maxwell, Mr Stewart (West of Scotland) (SNP)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McFee, Mr Bruce (West of Scotland) (SNP)
 McGregor, Mr Jamie (Highlands and Islands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 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)
 Neil, Alex (Central Scotland) (SNP)
 Oldfather, Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Mr Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Radcliffe, Nora (Gordon) (LD)

Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Smith, Iain (North East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS

Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scott, Eleanor (Highlands and Islands) (Green)

The Presiding Officer: The result of the division is: For 9, Against 104, Abstentions 7.

Amendment disagreed to.

The Presiding Officer: The sixth and final question is, that motion S2M-107, in the name of Patricia Ferguson, on the establishment and membership of committees, be agreed to.

Motion agreed to.

That the Parliament shall establish committees of the Parliament as follows—

Name of Committee: Audit

Remit: Set out in Rule 6.7

Number of members: 7

Convenership: The Convener will be a member of the Scottish Conservative and Unionist Party and the Deputy Convener will be a member of the Scottish National Party.

Membership: Rhona Brankin, Susan Deacon, Robin Harper, Margaret Jamieson, George Lyon, Mr Kenny MacAskill, Mr Brian Monteith

Name of Committee: Equal Opportunities

Remit: Set out in Rule 6.9

Number of members: 9

Convenership: The Convener will be a member of the Labour Party and the Deputy Convener will be a member of the Scottish Liberal Democrat Party.

Membership: Shiona Baird, Frances Curran, Marlyn Glen, Marilyn Livingstone, Campbell Martin, Mrs Nanette Milne, Cathy Peattie, Mr Keith Raffan, Elaine Smith

Name of Committee: European and External Relations

Remit: Set out in Rule 6.8

Number of members: 9

Convenership: The Convener will be a member of the Scottish National Party and the Deputy Convener will be a member of the Labour Party.

Membership: Dennis Canavan, Mrs Margaret Ewing, Phil Gallie, Mr John Home Robertson, Gordon Jackson, Richard Lochhead, Mr Alasdair Morrison, Irene Oldfather, Mr Keith Raffan

Name of Committee: Finance

Remit: Set out in Rule 6.6

Number of members: 9

Convenership: The Convener will be a member of the Labour Party and the Deputy Convener will be a member of the Scottish National Party.

Membership: Ms Wendy Alexander, Mr Ted Brocklebank, Fergus Ewing, Kate Maclean, Des McNulty, Mr Jim Mather, Dr Elaine Murray, Mr Jeremy Purvis, John Swinburne

Name of Committee: Public Petitions

Remit: Set out in Rule 6.10

Number of members: 9

Convenership: The Convener will be a member of the Labour Party and the Deputy Convener will be a member of the Scottish Conservative and Unionist Party.

Membership: Jackie Baillie, Helen Eadie, Linda Fabiani, Carolyn Leckie, Michael McMahon, John Farquhar Munro, John Scott, Mike Watson, Ms Sandra White

Name of Committee: Procedures

Remit: Set out in Rule 6.4

Number of members: 7

Convenership: The Convener will be a member of the Scottish Liberal Democrat Party and the Deputy Convener will be a member of the Labour Party.

Membership: Mr Richard Baker, Mark Ballard, Bruce Crawford, Cathie Craigie, Karen Gillon, Mr Jamie McGrigor, Iain Smith

Name of Committee: Standards

Remit: Set out in Rule 6.5

Number of members: 7

Convenership: The Convener will be a member of the Scottish National Party and the Deputy Convener will be a member of the Labour Party.

Membership: Bill Butler, Alex Fergusson, Donald Gorrie, Mr Kenneth Macintosh, Tricia Marwick, Alex Neil, Karen Whitefield

Name of Committee: Subordinate Legislation

Remit: Set out in Rule 6.11

Number of members: 7

Convenership: The Convener will be a member of the Labour Party and the Deputy Convener will be a member of the Scottish Socialist Party.

Membership: Gordon Jackson, Dr Sylvia Jackson, Mr Stewart Maxwell, Christine May, Mike Pringle, Murray Tosh

Name of Committee: Communities

Remit: To consider and report on matters relating to anti-

social behaviour, housing and area regeneration, poverty, voluntary sector issues, charity law and religious and faith organisations and matters relating to the land use planning system and building standards and such other matters as fall within the responsibility of the Minister for Communities.

Number of members: 9

Convenership: The Convener will be a member of the Labour Party and the Deputy Convener will be a member of the Scottish Liberal Democrat Party.

Membership: Cathie Craigie, Donald Gorrie, Patrick Harvie, Johann Lamont, Maureen Macmillan, Campbell Martin, Mary Scanlon, Elaine Smith, Stewart Stevenson

Name of Committee: Education

Remit: To consider and report on matters relating to school and pre-school education and social work and such other matters relating to young people as fall within the responsibility of the Minister for Education and Young People.

Number of members: 9

Convenership: The Convener will be a member of the Scottish Liberal Democrat Party and the Deputy Convener will be a member of the Scottish Conservative and Unionist Party.

Membership: Ms Wendy Alexander, Rhona Brankin, Robert Brown, Ms Rosemary Byrne, Lord James Douglas-Hamilton, Fiona Hyslop, Mr Adam Ingram, Mr Kenneth Macintosh, Dr Elaine Murray

Name of Committee: Enterprise and Culture

Remit: To consider and report on matters relating to the Scottish economy, business and industry, energy, training, further and higher education, lifelong learning and such other matters as fall within the responsibility of the Minister for Enterprise and Lifelong Learning; and matters relating to tourism, culture and sport and such other matters as fall within the responsibility of the Minister for Tourism, Culture and Sport.

Number of members: 9

Convenership: The Convener will be a member of the Scottish National Party and the Deputy Convener will be a member of the Labour Party.

Membership: Brian Adam, Mr Richard Baker, Chris Ballance, Susan Deacon, Murdo Fraser, Christine May, Alasdair Morgan, Mr Jamie Stone, Mike Watson

Name of Committee: Environment and Rural Development

Remit: To consider and report on matters relating to rural development, environment and natural heritage, agriculture and fisheries and such other matters as fall within the responsibility of the Minister for Environment and Rural Development.

Number of members: 9

Convenership: The Convener will be a member of the Labour Party and the Deputy Convener will be a member of the Scottish Green Party.

Membership: Sarah Boyack, Roseanna Cunningham, Mr Rob Gibson, Karen Gillon, Alex Johnstone, Maureen Macmillan, Mr Alasdair Morrison, Nora Radcliffe, Eleanor Scott

Name of Committee: Health

Remit: To consider and report on matters relating to

health policy and the National Health Service in Scotland and such other matters as fall within the responsibility of the Minister for Health and Community Care.

Number of members: 9

Convenership: The Convener will be a member of the Scottish National Party and the Deputy Convener will be a member of the Labour Party.

Membership: Mr David Davidson, Helen Eadie, Christine Grahame, Janis Hughes, Kate Maclean, Mr Duncan McNeil, Shona Robison, Mike Rumbles, Dr Jean Turner

Name of Committee: Justice 1

Remit: To consider and report on matters relating to the administration of civil and criminal justice, the reform of the civil and criminal law and such other matters as fall within the responsibility of the Minister for Justice, and the functions of the Lord Advocate other than as head of the systems of criminal prosecution and investigations of deaths in Scotland.

Number of members: 7

Convenership: The Convener will be a member of the Labour Party and the Deputy Convener will be a member of the Scottish National Party.

Membership: Bill Butler, Marlyn Glen, Pauline McNeill, Michael Matheson, Margaret Mitchell, Mr Stewart Maxwell, Mrs Margaret Smith

Name of Committee: Justice 2

Remit: To consider and report on matters relating to the administration of civil and criminal justice, the reform of the civil and criminal law and such other matters as fall within the responsibility of the Minister for Justice, and the functions of the Lord Advocate other than as head of the systems of criminal prosecution and investigations of deaths in Scotland.

Number of members: 7

Convenership: The Convener will be a member of the Scottish Conservative and Unionist Party and the Deputy Convener will be a member of the Labour Party.

Membership: Jackie Baillie, Scott Barrie, Colin Fox, Miss Annabel Goldie, Mike Pringle, Nicola Sturgeon, Karen Whitefield

Name of Committee: Local Government and Transport

Remit: To consider and report on matters relating to local government (including local government finance), cities and community planning and such other matters (excluding finance other than local government finance) which fall within the responsibility of the Minister for Finance and Public Services; and matters relating to transport which fall within the responsibility of the Minister for Transport.

Number of members: 9

Convenership: The Convener will be a member of the Labour Party and the Deputy Convener will be a member of the Scottish National Party.

Membership: Dr Sylvia Jackson, Rosie Kane, Michael McMahon, Mr Bruce McFee, Paul Martin, Bristow Muldoon, David Mundell, Iain Smith, Mr Andrew Welsh

The Communities, Education, Enterprise and Culture, Environment and Rural Development, Justice 1, Justice 2, Health and Local Government and Transport Committees shall be established for the whole session of the Parliament.

Schools (North-east Fife)

The Deputy Presiding Officer (Trish Godman): The final item of business today is a members' business debate on motion S2M-47, in the name of Mr Ted Brocklebank, on the need for a new secondary school in north-east Fife at the Tay bridgehead.

Motion debated,

That the Parliament notes the longstanding need for a new secondary school at the Tay Bridgehead in north-east Fife; is aware of widespread local community support in the area for such a school; believes that the school is vital to relieve pressure on Madras College, St Andrews, which is the second largest secondary school in Scotland with a pupil roll of 1,850 and on Bell Baxter High School, Cupar, and further notes that the relocation of an additional squadron to RAF Leuchars will increase the pressure on the existing secondary schools and exacerbate the current situation.

17:08

Mr Ted Brocklebank (Mid Scotland and Fife) (Con): Members may or may not be aware that the largest secondary school in Scotland is Holyrood Secondary School in Glasgow. It has more than 2,000 pupils, which, I am sure members will agree, is far too large by modern standards. However, do members have any idea where the five next-largest schools in Scotland—the second, third, fourth, fifth and sixth largest—are? Are they in Glasgow, which is a big city, Edinburgh, Aberdeen or Dundee? No—they are all in Fife. Two of them—Madras College in St Andrews and Bell Baxter High School in Cupar—are in the rural, north-east corner of the kingdom of Fife. Indeed, Madras College, which has 1,800 pupils, vies with Dunfermline High School for the position of second-biggest secondary school in Scotland.

Members may wonder why Fife, uniquely, has so many overcrowded schools. They might further ask what combination of circumstances has led to such jam-packed schools in rural, north-east Fife. The answer is pretty clear: the Labour-controlled Fife Council is responsible for education matters in the kingdom of Fife, so there is no great mystery about the general lack of investment in education. The county that produced Adam Smith, the Chancellor, Gordon Brown, and, for that matter, the recently departed previous First Minister, has shown lamentably little zeal in tackling the council's record on education matters. However, the key to the problem in the easterly part of the county is that no member of the Labour party there has held local or national public office in living memory. At Fife Council, which has been a Labour fiefdom for generations, education policy has been decided not by those elected from the north-east part of the county, but by the Labour majority. Some might call that local democracy.

Scott Barrie (Dunfermline West) (Lab): Does the member agree that, as recently as 30 years ago, the Conservatives were the major political party in the county of Fife, and were therefore responsible for education then?

Mr Brocklebank: Indeed, but 30 years ago is not in the last two decades, when the major problem has come to the surface.

I had the privilege of being educated at Madras College—I admit that that was neither yesterday nor today. When I was there, there were 600 pupils. Even in those days, we spilled out into prefabricated buildings and sheds all over the school area. As happens today, pupils were bused from the extremities of the kingdom. It still takes more than an hour each way to reach the school from such exotic places as Balmerino and Gauldry. About 58 per cent of the pupils who attend Madras College face similarly lengthy bus journeys to and from St Andrews for their secondary education. Members can imagine the effect that that extension to the school day has on pupils' education, as well as the impact that it has on extra-curricular activities, including sport.

As far back as 1965, an attempt was made to secure a new secondary school near the Tay bridgehead to relieve the pressure on Madras College and Bell Baxter High School. Plans were drawn up and a site was identified, but the initiative was kicked into the political long grass of Glenrothes—the headquarters of Fife Council.

Scott Barrie: They were in Cupar.

Mr Brocklebank: The member is absolutely right; the council's headquarters were not located there then. In fact, they were partly located in Kirkcaldy, but never mind.

Now—nearly four decades later—14 double-decker buses still ply their way along the highways and byways of north-east Fife every day, transporting almost 1,000 pupils to Madras College. The cost to Fife Council is estimated at £750,000 a year. The appalling cost in educational terms and the cost to the academic future of pupils can only be guessed at. There are 7,500 wasted pupil journey hours each week, just for getting to school. Because Madras College is a split-site school, pupils are also bused backwards and forwards between different buildings throughout St Andrews. Those weekly travel costs are estimated to equate to seven teacher salaries, yet the prospects of a new school to relieve the pressure on Madras College seem as far away as ever.

The newly elected Fife Council, which is once again controlled by Labour, is behaving true to form. Supported this time by the Scottish National Party, the council has turned down the latest attempt to secure a commitment on a new school. This time, the excuse is that the council is awaiting

a Fife-wide review of all secondary schools. That is Labourspeak for “How can we bury it in the long grass this time?”

How many reviews does Fife Council need? The situation at Madras College has now been under review for four decades. How much longer will it take? The council claims that, in some Fife schools, the rolls are getting shorter, rather than longer. However there is absolutely no evidence that that is the case in north-east Fife. Indeed, everything suggests that more and more people are choosing to make their homes there.

Tricia Marwick (Mid Scotland and Fife) (SNP):

Does the member accept that one reason why some school rolls in north-east Fife are getting longer is that some parents of pupils attending such schools as Buckhaven High School, which has low academic attainment, are choosing to send their children to school in north-east Fife instead? They are thereby reducing the number of teachers at Buckhaven and are ensuring that the system keeps revolving.

Does the member also accept the argument that we need to ensure that the necessary resources are available throughout Fife—including at Buckhaven—to raise the level of academic attainment and to stop as far as possible the exercising of parental choice whereby parents opt for Madras College, Waid Academy and other colleges?

Mr Brocklebank: I hope to address that point later in my speech.

The arrival of a new squadron at RAF Leuchars, with upwards of 500 personnel, means that the situation in north-east Fife will only get worse. Even if a decision were taken tomorrow to build a new school, it could still take about five years for that school to get up and running. Meanwhile, youngsters in north-east Fife are sentenced to being bused back and forward in perpetuity, like so many soccer supporters doomed never to get to the game.

The leader of the SNP group on Fife Council claimed that attainment levels at Madras College were still high, despite the cramped conditions. He compared educational standards in that part of the country favourably with those elsewhere in Fife—as did Tricia Marwick. However, that is a classic example of the skewed political thinking that emanates from Fife House. Instead of praise for the teachers and the pupils at Madras College for keeping academic standards high—despite chronic overcrowding—we hear the tired old whine about not investing in the well-off north-east part of the county in case it penalises youngsters in the socialists’ heartland of central and west Fife. Such class-ridden dogma has kept north-east Fife a Labour-free zone for more than half a century, but

it is also a convenient smokescreen for Fife Council to avoid taking action on the proposed school for the bridgehead. The truth is that youngsters elsewhere in the county are already being penalised by the abysmal failure of Fife Council to embark on a meaningful school-building programme.

The quality of education for Fife’s young people can no longer be left to the political whim of the ruling group on Fife Council. That is why the first question that I asked when I came into the Parliament was addressed to the then Deputy Minister for Education and Young People, Nicol Stephen. I asked him to intervene with Fife Council and bring pressure to bear to provide a new school for the north-east part of the county. Doubtless with an eye to his new brief in the coalition, the then minister informed me helpfully that education was a matter for Fife Council. I had realised that, but far from being the solution to the problem, Fife Council is the problem. That is why I believe that the Parliament must act now to ensure that another four decades do not elapse while Madras College’s present generation of travelling pupils grow into elderly men and women whose children and grandchildren have become the latest victims of a discriminatory, politically biased local authority.

How should a new school be funded? Costs have been estimated variously between £10 million and £15 million. Frankly, I do not care whether Fife Council chooses to go for a public-private partnership or to fund the building directly. It does not take a mathematician to work out that, in savings on buses alone, the cost of the school might be recovered in as little as 20 years. Surely one of the things that this Parliament was supposed to be about was providing a platform for the disenfranchised who feel that they are being steam-rollered by the normal democratic processes. That is exactly how the parents, teachers and pupils of north-east Fife feel.

17:17

Iain Smith (North East Fife) (LD): It is customary on these occasions to congratulate the member on securing the members’ business debate and I shall certainly congratulate Ted Brocklebank. I lodged a motion on the subject in the first parliamentary session, but time ran out before it was possible to have the debate. I welcome the opportunity to talk early in this session about what is an important matter in my constituency.

I certainly do not need Ted Brocklebank to tell me about the need for a new school for north Fife, as I have been campaigning for one for many years. When I was a member of Fife Council—Christine May might remember this—I proposed

that the council conduct a comprehensive review of secondary education in north-east Fife, because the three secondary schools there all have accommodation and development pressures. One of those schools is Bell Baxter High School, which is the school that I went to. When the Parliament met in Glasgow, we had a debate on Bell Baxter and the need to complete the project that is being carried out there—I am thankful that that project is now nearly complete. Bell Baxter is a split-site school, with many of the problems that Ted Brocklebank referred to in relation to Madras College. Given that I was a pupil at Bell Baxter, I am well aware of the problems that were caused.

Madras College suffers from being on a split site, as the sites are some distance apart in St Andrews. Problems are caused for the management, as they have to split the school into two: a junior school for the first three years and a senior school in the South Street building for senior pupils. That causes difficulties in managing the school's resources—there is duplication of resources and facilities to ensure that both sites have all the science laboratories, for example, that are required. The management also have to ensure that there are sufficient staff for both schools and that staff have sufficient travelling time if they have to teach in one school at one point in the day and in the other school at another point in the day.

Both sites require significant investment; neither is of a satisfactory standard. The South Street school is an old building and all sorts of extensions and bits and pieces have been tacked on to it over many years. The Kilrymont Road school has probably reached the end of its design life and needs significant refurbishment, which would cost several million pounds. It would be logical to consider the school accommodation in St Andrews. Given that Madras College is one of the largest secondary schools in Scotland, Ted Brocklebank rightly asked whether it is the right secondary education environment for the area. The population in north Fife is growing and we clearly have an opportunity to seek an imaginative solution that will benefit pupils not only in St Andrews but in the other parts of north Fife that Madras College serves. We should consider a new secondary school for north Fife.

Ted Brocklebank, again rightly, pointed out the financial costs of busing children from north Fife into St Andrews. There are other costs, too, including environmental ones. There is significant chaos in St Andrews in the evening when the buses come to take children back home. There are also social implications. Many children cannot benefit from all the school's resources. When I was a child at Bell Baxter, I lived 13 miles away and had to be bused there. It took half an hour every day and I could not take advantage of extra-

curricular activities. There were problems for people who wanted to take part in competitive sports on Saturdays. We had to find ways of getting to and from the school in order to participate. Many of the kids in the smaller communities that Ted Brocklebank mentioned have long bus journeys and do not have alternative buses to use.

The Liberal Democrat group on Fife Council has tried to bring the issue to a head. When it recently introduced a motion on the subject, the council's response was that it was conducting a review of school estates for the Scottish Executive. That has to be done by the end of December. I have just written to the head of the education department to ask exactly what the council is doing, what the timetable for the review is, what efforts the council is making to consult local schools and communities, when the council will produce proposals and who will be involved in making the decisions. We need answers to those questions. By the end of the year, we must have a commitment from Fife Council to redevelop Madras College and to build a new secondary school in north Fife.

17:22

Tricia Marwick (Mid Scotland and Fife) (SNP):

I sincerely congratulate Ted Brocklebank on securing this debate. It is important to note that there have been two parliamentary debates on schools in north-east Fife—one in this session and one in the previous session. Today's debate is being led by Ted Brocklebank and the other—on Bell Baxter—was led by Keith Harding. Despite Iain Smith's late attempt, he has never led a debate on the subject.

The debate gives me the opportunity to set the position of SNP and Labour councillors on Fife Council straight, rather than accepting the distortions that Iain Smith perpetuated in his amendment to Ted Brocklebank's motion. I note that he has now withdrawn that amendment.

Iain Smith: The wording of the motion that we are debating is not the original wording. I withdrew my amendment because Ted Brocklebank agreed to amend the wording of his motion for this debate.

Tricia Marwick: Okay.

The debate also gives me the opportunity to highlight the sheer political opportunism of the Liberal Democrat group on Fife Council. At the council's first meeting following the elections, the Liberal Democrats proposed a motion asking Fife Council to agree immediately to build a new school in north Fife. Quite rightly, the SNP and the Labour administration felt that so important a decision could not be made in a motion of three or four lines, but would need a far greater review of the issues.

The school refurbishment bill for the whole of Fife is about £60 million. To attempt to commit Fife Council and its budgets to a new school in Fife overnight was simply a piece of political posturing by the Liberal Democrats. That is why the SNP and the Labour administration opposed the motion.

It has always been my view that we need a new school in north-east Fife, but I believe that educational attainment for all the pupils in Fife is equally important. Ted Brocklebank said that I had never congratulated Madras College and Bell Baxter and their teachers on their attainment levels. That is simply not true. They are doing a wonderful job in appalling conditions. I refer Mr Brocklebank to my comments during the debate on Bell Baxter that we had in Glasgow.

I find unacceptable the suggestion that money should be spent in north Fife alone, to the detriment of the rest of Fife. It is unacceptable that we have low levels of attainment in Buckhaven and elsewhere. We need to stop pupils in such areas going to the north-east Fife schools because their parents believe that they will get a better education there. We must ensure that resources are spread evenly.

Ted Brocklebank made a great case for proportional representation in local government. He mentioned that there has never been a Labour councillor in north-east Fife and that the Labour party has never had any political representation in that area. For a long time, the Conservatives provided that representation and now the Liberal Democrats are there. If we had PR in local government, north-east Fife would have some Labour councillors.

I suggest that the quality of the representation by the Conservatives and the Liberals for generations in north-east Fife has contributed to the lack of consideration of the needs of north-east Fife. If the Liberal Democrats had been a bit more proactive recently, they might have been able to convince the Labour administration and others in north-east Fife that we needed a school.

Many issues need to be considered. I welcome the review that Fife Council is carrying out. It is important that that review is conducted fairly and that the council looks at the whole of Fife and at the places where the population is increasing. A case has already been made for a new school in north-east Fife, but there are similar cases elsewhere in Fife. We must look passionately, compassionately and dispassionately at all areas of Fife. We need to ensure that, regardless of where our children live in Fife, they have access to the best schools and the best education. That requires money. We all have a job to convince the Executive to open the purse-strings a bit more.

17:28

Christine May (Central Fife) (Lab): I have three points to make. First, Mr Brocklebank would have had much more credibility if he had addressed the chamber in his proper capacity as a list MSP for Mid Scotland and Fife and had presented his arguments on the basis of a clearly laid out and quantified exposition of the comparative reasons why north-east Fife's position is more worthy of immediate action than that of the remainder of Fife. For example, if he had described to us the condition of the school estate across Fife, the number of pupils at each school, the population projections for each catchment area and the impact on the quality of learning and teaching that the condition, layout and structure of the school or its size of roll was having, or if he had cited any current evidence on the optimum size of roll for ensuring maximum breadth of curriculum with minimum class sizes, his arguments would have had some credibility.

Instead, we got what I would describe as the Violet Elizabeth Bott approach to achieving one's objectives—he screamed and screamed and screamed until he was sick. I suggest that he was behaving much more like someone who had their eye on the main chance in a first-past-the-post electoral contest in St Andrews than like someone who was concerned to fulfil their proper role as a list MSP with responsibility for an electoral region. I hope that the Tory voters in the rest of Fife are not waiting for Ted Brocklebank to take up their cause, because they will need to keep waiting.

Secondly, the matter is for the local authority. It is not the Parliament's job to tell Fife Council in which locations its resources should be spent. It is for the Parliament to ensure that any such decision by Fife Council is made on the basis of sound evidence and that that decision assists the council in achieving the educational objectives that the Parliament has set down.

Finally, there is a need to take action about the split site of Madras College. I agree with Tricia Marwick and Ted Brocklebank that the teachers and pupils there do a magnificent and superb job. That has been recognised on numerous occasions by Fife Council and by elected representatives of all political persuasions. Fife Council, of which I was leader until April of this year, has had discussions with the school board and the senior staff of Madras College, so that it could hear what the specific issues are. I know that those issues are being taken into account in the current review of the school estate.

However, there is also a need for investment in other schools in Fife, such as Buckhaven High School, Glenwood High School and Auchmuty High School, which is in my constituency. I am sure that other members will refer to other schools

and make similar arguments about the need to find money for schools in their constituencies.

Mr Brocklebank: Leaving aside whether I am qualified to speak as a list MSP for something in the Mid Scotland and Fife area, I think that it is a bit rich for Christine May to lecture me about the wonderful record of Fife Council. As she admits, until some months ago she was leader of the Labour group on Fife Council. Over the past year, Fife Council achieved probably the worst reputation for efficiency—if not the worst record—of any council in Scotland. Furthermore, Christine May holds her seat as a direct result of the resignation of her predecessor Henry McLeish. He is no longer a member of this body because of the various things to which I have referred that are connected with Fife Council's lack of efficiency.

Christine May: I am not sure about that, but the people still elected me in a proper and well-fought contest.

Fife Council has taken advantage of the increased capital resources that were made available under the Chancellor of the Exchequer's comprehensive spending review and from the previous Executive. The council has also taken advantage of the opportunities afforded by PPP moneys to make unprecedented investment in Fife's school estate. As a result of the school estate review, the council will look to increase investment in future years.

I am quite sure that that investment will include new provision in north-east Fife, but whether that will be in Tayport—which seems to be the suggested location—or elsewhere remains to be determined. Whether the first investment will be in north-east Fife or elsewhere also remains to be determined, but it will be determined fairly, not on the basis of criteria that are drawn up solely to advantage one political party's area over that of another.

The decision will also need to take account of the attainment needs across Fife and of the needs for proper accommodation for children across Fife. Moreover, the affordability of any such proposals for Fife's council tax payers will need to be considered—I recall that many council tax payers in the St Andrews area wrote to me to complain about this year's relatively modest increase.

I say to Mr Brocklebank that, although there are many ways of achieving one's objectives, screaming and screaming and screaming until one is sick is not one of them.

17:34

Mr Brian Monteith (Mid Scotland and Fife) (Con): I do not wish to patronise the new member, who patronises us with advice about how to obtain

results through debate in the chamber, but there is absolutely no coincidence that we have seen movement on the matter of Bell Baxter High School only after the issue was highlighted—to the severe embarrassment of the Executive partners—by Keith Harding when he was a Conservative.

Mr Keith Raffan (Mid Scotland and Fife) (LD): Will the member give way?

Iain Smith: Will the member give way?

Mr Monteith: I give way to Iain Smith.

Iain Smith: First, there was absolutely no embarrassment on behalf of the partners in the Executive. The reason why I did not lodge a motion for members' business was that I was a minister at the time and was not, therefore, allowed to lodge members' business motions on such an issue, but that is by the way.

The result on Bell Baxter High School was achieved by the community in north-east Fife, by the school board, by councillors and by MSPs and MPs in north-east Fife campaigning bloody hard for it. It was nothing to do with Keith Harding's debate.

Mr Monteith: When Keith Harding had his debate, he outlined a number of complaints that had been put to him to the effect that the member for North East Fife was not taking the issue as seriously as was the Conservative list member.

Tricia Marwick: It is true that Iain Smith was a minister for a very short time, but when we had that debate, I recall that Iain Smith spoke in it.

Iain Smith *indicated agreement.*

Tricia Marwick: He could not lodge a motion, but somehow he was allowed to speak on the issue as a constituency MSP. That seems to be a bit strange to me.

Mr Monteith: I should move on. I went to Portobello High School which, at the time, was in "The Guinness Book of Records" for being the largest school not in Scotland but in the UK; 2,500 pupils attended a school that was designed for only 1,200 pupils. I remember that well, because I remember the conditions in which we used to work, the job that teachers had, and the contribution that that made to difficulties with discipline. It made the task much harder.

Scott Barrie: Will the member give way?

Mr Monteith: No, it is about time that I made some points. I am sure that Scott Barrie will speak later.

I also recall that at that time—1974—new regional councils were created, which had responsibility for delivering education. I might be

wrong, but I do not remember any years since the former Fife Regional Council was created and given responsibility for education when it was Conservative controlled. The problem to do with Madras College has grown and grown: I has got worse, and that happened under the control of the—

Scott Barrie: Conservative Government.

Mr Monteith: Iain Smith said, "Conservative Government" as if that is the problem—*[Interruption.]* Sorry, it was Scott Barrie. What is the difference? Their parties are the same, anyway.

I recall the similar example of Balfron High School in Stirling. Time and again, the Conservatives offered money for a new school to be built, but Labour-controlled former Central Regional Council continually refused. Then what happened? Michael Forsyth eventually lost the seat, which became a Labour seat and—lo and behold—Stirling Council, which by then was in charge of education, thought that it should apply for private finance initiative funding and build a new school. Many of the very same members who had served on the then Central Regional Council, and who had opposed a new school, suddenly thought that such a school was necessary, and even did a volte face by using PFI to build it.

I have no doubt that by kicking and screaming, by pointing out the iniquity and by showing who is at fault, there is every possibility that this debate will start a process by which people in Fife Council take a serious look at themselves and say, "We must correct this wrong." There is nothing like the threat of losing an election to motivate politicians to act. The fact that Ted Brocklebank has raised the matter so that it has seen the light of day—even though we in this Parliament cannot act—will make people sit up. For that reason, I welcome the fact that he secured this debate.

17:39

Mr Keith Raffan (Mid Scotland and Fife) (LD):

I had not intended to speak in the debate, and I am not sure that it is a wise move to do so. However, I was provoked as usual by Mrs Marwick, lost as she was in her labyrinth of party-political point scoring, which became her trademark in the last session of Parliament. We can always rely on her to lose the issue at hand, and to concentrate merely on trying to score party-political points. It did not win her Central Fife and she would win back a lot of respect around the chamber if she learned that lesson. It rebounded on her, and she would do better if she concentrated on the issues.

What rich fare indeed we had from Mr Monteith, given that Mr Harding actually blames Mr Monteith

for getting him shoved down the Tory list to an unelected position. Now Mr Monteith is singing Mr Harding's praises. I wish that he had done so when Keith Harding was still here, instead of sabotaging him and stabbing him in the back. Now Mr Brocklebank has taken his place.

Let me return to the main point that we are debating, because I could easily get lost in Tory infighting, endless and eternal as it is. Mr Brocklebank should watch his back; Mr Monteith is behind him, so he will never know what will happen to him next. Keith Harding's trademark was that he did not do what the Tories are doing now. I praise Keith, because he was a good colleague and we worked together, albeit that we were in different parties. Mr Brocklebank would be wise to follow Keith Harding's *modus operandi*.

Keith Harding was concerned about issues rather than about party-political point scoring—Christine May might agree that that was one of the reasons why we made progress on Bell Baxter High School. The campaign on Bell Baxter was an all-party, non-party-political campaign to end the split-site school and the use of those dreadful portakabins, some of which were almost as old as I am, but in much worse condition. They were hot and humid in summer and freezing in winter—an absolute nightmare.

Our achievements at Bell Baxter resulted from a non-party-political campaign that crossed all parties, but today we have had a very patchy debate. I am sorry that, in his first members' business debate, Mr Brocklebank set such an unfortunate tone. I hope that he will learn and become more statesmanlike. He looks statesmanlike with all that white hair, so perhaps in future he will live up to his appearance and concentrate on the issue that is being debated.

I agree that it is not desirable for students to be bused in to Madras College in the way in which the member described—not least because of after-school activities, to which Christine May referred. It is tremendously important that all pupils be able to participate after school in activities such as music and drama, which should be part of the school's community life. They might not be related directly to pupils' subjects and exams but—as Charles Clarke has shown down south—we are, perhaps, too regulated. Perhaps we concentrate too much on targets and outcomes rather than on the broad nature of education. It is important that schools be seen as communities, but that is very difficult if children have to be bused long distances.

I support strongly what my colleague Iain Smith said. I do not understand the point that was made about an election—I thought that we had just had one and that Iain Smith won it with an increased percentage share of the vote. However, never

mind about that—let us all work together and be as successful in getting a new school in north Fife as we were on the issue of Bell Baxter High School.

Some of the arguments that Mr Brocklebank deployed were absolutely valid and I agree with them. I hate being called a list member, but I take the point that Christine May made—we have a regional, strategic responsibility. The Executive must face the huge backlog in school building maintenance, which did not start suddenly in May 1997. I will not go beyond that, because I am trying to be non-party political. However, there is a problem with providing new schools.

I confess that I am not a great devotee of PPP/PFI, but if we have to use it, let us do so. SNP members preach against it in the chamber, but build wonderful council buildings for themselves using PPP/PFI. Let us use it constructively and in the interests of pupils and teachers. The pupils and teachers at Madras, at Bell Baxter and throughout Fife do a damned good job in difficult circumstances. Ultimately, it is the quality of the teaching rather than class sizes or the size of the school that counts. We must support teachers and get together to ensure that they have the best possible accommodation.

17:43

Scott Barrie (Dunfermline West) (Lab): I speak in this debate not as someone who has a direct constituency interest in North East Fife—I certainly do not want to intrude on the petty squabbling that appears to be taking place between two of the parties that claim to represent the area—but as someone who is proud to have been educated in Fife and who has spent almost his entire adult life in Fife.

The primary school that I attended had a roll of approximately 550. The high school that I attended had a roll that exceeded the current roll of Madras College, so we should not be too hide-bound by that issue.

I want to pick up points that some other members made—although not necessarily Mr Brocklebank. Most people accept that we must do something not just about the situation in North East Fife, but about the situation in other parts of Fife that face exactly the same problem—not least my constituency of Dunfermline West. Some schools in Dunfermline—in particular, Dunfermline High School—are grossly over capacity.

What we must consider—and what Tricia Marwick was right about in her exposition of what Fife councillors have decided—is that the debate is for Fife Council to have in the council chamber and should be part of the school estate review. The debate is not about whether Tay bridgehead

requires a new school more than any other part of Fife, but about the state of the school estate in Fife and where we need new schools. If we have schools that are under capacity, we need to debate doing something about catchment areas. I take on board Tricia Marwick's point that parental choice has added to the existing problem.

Fife has had a tradition of split school sites in several places. Kirkcaldy High School was on two sites and Cowdenbeath had two schools on two sites. We had junior high schools until the late 1980s at Auchterderran and Balingry before the new Lochgelly High School was built. The issue was tackled by Fife Regional Council over the years, but the two Conservative members who spoke did not acknowledge that.

We must consider other solutions. I appreciate that parents and pupils who live in the bridgehead would rather have a school that was more local than Madras College is, but we should not forget that attending Madras College brings great prestige. If people were concerned only about the distance that pupils must travel, pupils from the Tay bridgehead would travel 2 miles across the Tay bridge into Dundee, which has much excess capacity. Dundee City Council has undertaken a great rationalisation process, which included the closure of two high schools, and the council might yet revisit whether it has too many high schools. If a new school were required only because of distance, a solution would be available to people should they choose to take it.

I will paraphrase Brian Monteith, because I omitted to write down what he said. He suggested that there was nothing like the prospect of losing an election to galvanise people. I ask him which political party lost a council ward in St Andrews at the local council elections. Could it have been the Conservatives that lost a ward to the Liberal Democrats? Brian Monteith's claims were overstated, as usual.

Those of us who have the privilege of representing Fife, whether as constituency members or regional list members, must work together to achieve what is best for all the young people of Fife and not just those in one geographical region that one political party wants to use to indulge in petty political point scoring.

The Deputy Presiding Officer: I call Euan Robson to sum up for the Executive.

17:48

The Deputy Minister for Education and Young People (Euan Robson): It is indeed for the Executive.

As is traditional, I congratulate Ted Brocklebank on securing the debate. I do not know whether he has just made his maiden speech. If he did, I

congratulate him on it; if he did not, I congratulate him on securing the debate. He will have heard the strictures of constituency members about the role of regional members and I am sure that he will learn to live with those. The name Violet Elizabeth Brocklebank has a ring to it, so he should beware.

I acknowledge the long-standing interest that my colleague Iain Smith, the constituency MSP for North East Fife, has taken in the issue and other education issues in the area. In the previous parliamentary session, he spoke regularly on the matter, but he does not hold the record for bending my ear on the subject. My old friend Councillor Eleanor Gunstone did that before the Parliament was established. She also told me never to refer to "Gauldry" but to "the Gauldry". Perhaps that is another small point to arise from the debate.

I listened with great interest to all that was said. I appreciate the genuine concerns about the issue from all quarters. Despite the fact that Tricia Marwick has left the chamber, I include her in that remark.

I appreciate the particular concern about the buildings at Madras College; the Executive is clear about those concerns. However, members will understand that responsibility for the detailed decisions on school buildings lies with Fife Council, as it does for other councils in other areas. Mr Brocklebank mentioned the reply that he had received from my predecessor, Nicol Stephen. Had I been in that position at the time, Mr Brocklebank would have received the same reply from me.

Although it is perfectly acceptable to debate the issues in the Parliament, I emphasise the fact that we are talking about decisions that are not for the Executive or the Parliament to take. It would be quite wrong for ministers to intervene in the situation in north-east Fife in the way that has been suggested. It would be wrong because it is the local authority that is subject to the statutory duty for the provision of adequate and efficient school education in its area. The local authority also has the best knowledge of the local factors that are involved. I have always been a strong supporter of local democracy; I believe that such decisions should be taken at the level that is closest to the citizen, which is of course at the local council level.

As Iain Smith said, Fife Council has considered the issue recently—Christine May also referred to that. Although I acknowledge that a degree of public support exists for new schools, Fife Council appears to have concluded that it would be premature to give commitments at this stage to building a new school in the Tay bridgehead area in advance of completion of the school estate management plan.

I listened carefully to what Christine May had to say and I associate the Executive with her comments on the achievements of the staff and students at Madras College. Some years ago I taught—albeit not for a long time—at a split-site school. I understand some of the difficulties that are involved in such schools. I was interested to hear Scott Barrie's references to the history of split-site schools in Fife.

I noted what Christine May said about the likelihood—I think that that was the word that she used—of a new school in north-east Fife. We look forward to hearing how Fife Council's plan progresses in that respect. The preparation of the school estate management plan flows from the school estate strategy, which the Executive developed in partnership with the Convention of Scottish Local Authorities.

As members who were present in the first session of the Parliament will recall, the strategy was launched in February of this year. The strategy is important because investment in school buildings requires careful planning and forethought. The strategy makes it clear that there can be no single blueprint. The right solution for each school must reflect the particular needs and aspirations of that school's pupils, staff, parents and communities. As members know, all councils have to submit plans to the Scottish Executive by the end of this year. The plans will be valuable management tools for local authorities, which are the custodians of the significant asset that the school building stock represents in each area.

The plans will draw together information that will allow authorities to plan, monitor and evaluate progress in improving the school estate. They will allow authorities to develop a school estate that meets our aspirations, responds to evolving needs and is effectively managed and maintained over the long term. However, I note the point that members have made about maintenance. I am sure that Fife Council's plan will address that issue.

The availability of resources plays a part in the detailed decisions that local authorities take on their capital programmes. The role of the Executive is to ensure that councils have a reasonable level of resources to deal with the priorities that they wish to address. We have greatly increased those resources by various means. Between 2000-01 and 2003-04, Fife Council had an increase of 39 per cent in its capital allocation, with the allocation for 2003-04 standing at £18.9 million. From 2004-05, we are moving to alternative arrangements to give councils even greater flexibility in their capital spending.

It is worth recording that, between 1997-98 and 2001-02, an extra £115 million was made

available specifically for school buildings under the new deal for schools capital grants. That was boosted by a further £38.7 million over the two years 2001-02 and 2002-03 by the school buildings improvement fund. In March this year, we announced the new schools fund for work on school buildings, which will see capital grant over the next three years of £180.1 million. Incidentally, Fife's share of that is almost £10 million.

On top of all that additional spending power, we have provided for significant capital investment in schools throughout Scotland through PPPs. We announced £1.2 billion last June and a further £750 million in March this year. That, in turn, is on top of the £530 million spent on schools under the previous round of PPP.

As members in the chamber will probably know better than I do, Fife was successful in that early round and two new secondary schools and a new primary school will be ready for occupation after the summer holidays to replace previous unsatisfactory accommodation. Fife is now taking forward the preparatory work on its second PPP following our announcement last June. In accordance with the principle of local democracy that I mentioned, it is for Fife to decide which schools are the priority for the second PPP.

Fife will now be considering its longer-term strategy through the estate management process that I described. That should take account of the school estate as it is at present as well as the population trends and future projections of school rolls. I am confident that all those factors, along with local community issues, will figure in the council's careful deliberations in planning school provision that meets local needs in relation to education as well as to just the location of buildings.

Iain Smith: The school estate review strategy requires the council to take account of matters such as the sufficiency, condition and suitability of schools. The child is at the centre of education and the school is at the heart of the community. Taking all those matters into account, is the minister willing to visit north-east Fife and the schools in St Andrews to decide whether they meet those key objectives?

Euan Robson: I thank the member for his invitation. I am prepared to visit schools in Fife in general. There are several new and interesting developments in Fife and, if the local authority were so minded, I would be grateful to witness the changes and new investment that have been made. If that includes north-east Fife, I would be only too delighted.

Education remains one of the Executive's top priorities. Young people need to be in school buildings that reflect and support excellent

standards of teaching and learning. School has a big impact on a child's development and we want it to be a modern, safe and secure environment where children are happy and where they can learn and grow. Excellent school buildings with the most modern equipment are the most visible sign of the high standards of education that we must have in the future.

I am well aware of the contrast between the environment in new schools and the environment in schools that need to be replaced or refurbished. With the additional resources that we are making available, we are helping authorities to close that gap. That is part of our overall objective to deliver better education opportunities for all our children and I am sure that this debate will have contributed to that process in Fife.

Meeting closed at 17:58.

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