

# **MEETING OF THE PARLIAMENT**

Thursday 27 November 2003

Session 2

£5.00

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## Scottish Parliament

*Thursday 27 November 2003*

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

### Violence Against Women

**The Presiding Officer (Mr George Reid):** Good morning. The first item of business today is a debate on motion S2M-660, in the name of Margaret Curran, on violence against women, and three amendments to the motion.

09:30

**The Minister for Communities (Ms Margaret Curran):** I am sure that members of all parties share my disappointment that we are here to discuss again the persistent problem of domestic abuse and violence against women and that we are still dealing with rising figures. However, this debate gives us the opportunity to demonstrate our commitment to recognising the importance of domestic abuse and violence against women in Scotland and to outline what we are doing about it. I know that Parliament shares that commitment and I want to reassure Parliament about the absolute commitment of the Scottish Executive and to inform members of the ways in which we have continued to pursue the problem.

We have promised to implement the “National Strategy to Address Domestic Abuse in Scotland”, which is a systematic plan of action that was approved by Parliament in November 2000 and which spells out action on a number of fronts. First, it says that we should inform ourselves about the nature and the scale of domestic abuse in Scotland so that we can form our policies and direct our resources. Secondly, it says that we should raise awareness so that no one in Scotland can turn a blind eye, and that we must create a climate in which violence against women is abhorred and those who perpetrate it shunned by society.

Let us be absolutely clear about the fact that every person has the right to live life free from the fear of violence or abuse. We must ensure that the women and their children who experience abuse have access to appropriate legal protection. Last but not least, we must ensure that there is adequate provision of appropriate refuge and support services.

**Shona Robison (Dundee East) (SNP):** When the minister is considering where to direct resources in relation to refuge places, will she take account of the recent figures that show that

Dundee has the highest rate of domestic abuse recorded by the police in Scotland? Information from Dundee Women’s Aid indicates that of 153 requests for refuge places it was able to provide only 89.

**Ms Curran:** As I go through my speech, I will outline the work that we have done to tackle refuge provision. Examining the situation in detail was a specific task that we undertook as part of the national strategy. I am sure that Dundee has been part of that process, but I will ensure that the information that Shona Robison mentions is considered. Perhaps she can come back to me later if she is not satisfied with what I have to say on the subject.

I would like to focus on the awareness-raising aspect of our work. December 2002 saw the launch of our new advertising campaign, “doll’s house”. I am sure that many members will have seen that powerful advert, which makes it clear how domestic abuse affects children. Scottish Women’s Aid estimates that there are 100,000 children and young people in Scotland living with domestic abuse and that, in 90 per cent of incidents, they are in the same room or the next room when violence occurs. It is therefore extremely important to raise awareness of what domestic abuse can do to children.

As well as the high-profile television advertising campaigns, such as “doll’s house” and, previously, “behind closed doors”, we are progressing our work on research and on specific information that we circulate to groups, which is still in demand.

The awareness-raising strategy has been developed in recent years by the national group to address violence against women. It focuses on, among other things, primary prevention, which aims to stop abuse before it happens by changing the attitudes that excuse or condone it. The working group has circulated a report on the subject.

Our most ambitious project has been the three-year refuge development programme, which is a £10 million programme to build or buy new refuges and to extend and upgrade old ones. We have invited local authorities to identify gaps in refuge provision in their areas and to apply for funding for projects to redress those gaps. We have also commissioned research—by a team that is headed by Dr Suzanne Fitzpatrick of the University of Glasgow—to investigate women’s and children’s experiences, preferences and priorities in relation to refuge provision, and to assess the level and standard of available accommodation. A critical factor is the nature of the refuges that we provide. Housing support must be of the nature that women and children want and need.

**Elaine Smith (Coatbridge and Chryston)**

**(Lab):** Has any further work been done on the issue of women in refuges who are working? Quite often, the cost can be prohibitive either to the women or to Women's Aid, if it is providing the service.

**Ms Curran:** That is the kind of detailed subject that the refuge group was examining and that we want to address as we roll out refuge provision in Scotland. As the minister with responsibility for housing, I know that the core housing agencies have a critical responsibility to ensure that they meet the needs of women who are fleeing domestic violence. The matter is not the responsibility only of Women's Aid or refuges.

The refuge report is a comprehensive study of refuge today and makes a number of recommendations, some for the Executive to address and others for local authorities and Scottish Women's Aid to address. The preferred model of refuge that emerged from the research was that of a cluster of self-contained flats with communal facilities such as a meeting and counselling room, a children's room and an office, although other models, such as dispersed flats, were recognised and will be considered in coming years. This cluster model constitutes a large proportion of the projects that are being developed by the programme. Mary Mulligan has recently visited a number of those new refuges and recognises that they are a developing part of the service.

Those are clear examples of how the lives of women and their children who are fleeing domestic abuse are being improved. The women are less and less likely to have to share a room with their families and kitchens and bathrooms with other families. They have, increasingly, the opportunity to rebuild their lives in privacy and with dignity while still receiving the support and help that they need. The recent announcement of the increase in Scottish Women's Aid funding from £192,000 to £246,000 will help us to develop our policy in that regard. In all, we are funding 27 projects throughout Scotland. When the programme is completed, which we hope will happen by 2005, every local authority area in Scotland will have refuge provision.

Of course, we are aware that there is more to be done to ensure that every woman who needs a place in a refuge can access one; we will reassess the position when the current programme has been completed. As I said in response to Elaine Smith, the development of new refuges in response to the housing needs of women and children who are fleeing abuse will continue as part of the core work of Communities Scotland through the social housing investment programme.

Another big success has been the domestic abuse service development fund. The current phase, which ends in March 2004, is supporting 55 local projects with £3 million a year that is available through Executive funding and matched funding.

The first two years of the fund have been evaluated and we intend to publish the report next month. The evaluation shows that the fund has allowed a lot of work to be undertaken and that it has had a considerable impact on the development of services. It also indicates that the results that have been achieved have been good value for money and gives a strong steer that the funding should continue for the next two years. It is clear that that funding is a vital component of the services that are required and I am pleased to announce that it will run for another two years from 1 April 2004.

The evaluation report identifies some problems and difficulties and makes a number of recommendations for improvement. We are therefore reviewing the rules under which the fund operates and we will issue new guidance within the next two weeks.

The domestic abuse helpline has also been evaluated recently. The evaluation confirms that the helpline is providing a valuable and necessary service, and makes some recommendations on the way forward. We are studying the recommendations carefully and will publish the report shortly. However, we have decided that we will immediately provide resources to allow the helpline to operate for 24 hours a day, every day, from 22 December 2003 until the end of January 2004, in parallel with the television advertisement. That will ensure that women who are experiencing abuse can get information and help at whatever time of day or night they need it over what can be a very un-festive season for them.

**Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** The news about the extension of the helpline is extremely welcome. The minister has, quite rightly, focused on the 90 per cent of victims of domestic abuse who are female, but will she confirm that the other victims can also access the helpline and make use of it?

**Ms Curran:** Discussing this matter is an annual outing for Mike Rumbles and me. I want to make it absolutely clear that the Executive is committed to tackling domestic abuse, whoever experiences it. No one in Scotland should live with the fear of domestic abuse or violence. Mike Rumbles knows that we recognise domestic abuse as a gendered crime; that is why we focus our resources and strategies on violence against women and children. We will continue to evaluate the work of the helpline.

The work of the national group is meant to tackle the broader issues that are associated with violence against women and children, not just domestic abuse. The Green amendment addresses that point, which is interesting. We acknowledge that there are broader issues of sexual abuse. Violence against women and children is a blight on our society—we must take it very seriously and I acknowledge the thinking behind the Green amendment.

I am announcing today the establishment of a new fund—the violence against women fund—which will run for two years from April 2004. We hope that the work of the national group will address issues of rape and sexual abuse. The fund will make available £1 million over the next two years and is aimed at projects that fulfil primary needs in this area by providing direct services to women. We will issue details of the fund and I hope that we will be able to agree to the Green amendment to our motion today, because it highlights the kind of work that we are trying to develop.

As I said earlier, we are very aware of the impact on children and young people who live in families in which there is domestic abuse. We are aware that support for those young people varies throughout Scotland and that provision of resources is patchy. We need a much more strategic plan that will enable us to work in partnership with others—such as local authorities and grant-making trusts—to maximise resources and to ensure stable and consistent funding. We have therefore established a working group to develop a co-ordinated strategic approach to provision of support services for children and young people in families who experience domestic abuse. The group is chaired by a member of the national office of Scottish Women's Aid. A variety of people are on the group, including people from the Scottish Children's Reporter Administration.

Another part of the work—which also featured strongly in last year's debate—has been the development of a training strategy. That work has been taken forward by the national group. Anyone who is familiar with this subject will always stress that everyone who, in the course of their work, comes into contact with women who are experiencing abuse should be able to give an appropriate response. There is therefore a demonstrable need for specific training for staff in a number of sectors including social work, education, health, the police, housing, criminal and civil justice and the voluntary and private sectors. There is a strong emphasis on multi-agency training for all. We have committed £700,000 a year for the next three years to ensure that the strategy is implemented.

I am sure that members will be aware of recent publicity about proposals for a pilot domestic abuse court. I am pleased to confirm that the Procurator Fiscal Service is working with the Executive, the Scottish Court Service and the police to develop such a pilot in Glasgow. We hope that it will be in a position to receive cases from April 2004 and that cases will be heard from around June. The court will be confined initially to summary cases from one division of Strathclyde police. Cases will be fast-tracked by the police to a designated procurator fiscal depute and will be dealt with by two designated sheriffs. We believe that bringing perpetrators to court quickly to be dealt with by people who have specific experience and training and who are in possession of all the relevant information will ensure that disposals are appropriate and consistent and that due consideration is given to the consequences for the victims. This is obviously, as I am sure members are aware, a complex matter and the practical details have still to be worked out. We have to ensure that appropriate support services are in place for offenders to reduce the chances of reoffending and to safeguard victims. Working groups are currently taking those ideas forward.

As recommended by the legislation group, we are considering research on child contact applications. Evidence suggests that there may be a correlation between domestic abuse and child abuse and that, as I said earlier, children are witnesses to the abuse in a large proportion of domestic abuse incidents. There is therefore concern that contact can be used by abusive partners to continue violence towards children and abuse of former partners. Anecdotal evidence also suggests that there is variation throughout Scotland in the practice of awarding contact orders. We need therefore to find out exactly what is happening.

We cannot be complacent about domestic abuse. Although we recognise its seriousness, the fact that the figures are still so alarming gives us pause for thought. We plan to develop the key points of our message. We are planning a series of art exhibitions across Scotland with contributions of pictures, prose, lyrics and poetry from the famous and the not-so-famous who have experience of domestic abuse.

I know that Mary Mulligan's son noticed Christina Aguilera's support for our domestic abuse campaign. That gave us a wee bit of credibility during the week of the MTV awards—not very much, but a wee bit. Travis have also agreed to contribute to the exhibition. It is important that we acknowledge the scale of domestic abuse in Scotland and it is welcome that celebrities are helping us to get the message across.

We are organising a three-day snapshot of domestic abuse between 5 and 7 December. Organisations and public bodies that provide services to women and children who have experienced domestic abuse have been asked to provide information on a set range of questions over that period. It will be the first time that such a widespread information-gathering exercise has been organised in Scotland and we expect that the information will be helpful in raising awareness and in planning appropriate services in the future.

Let me say again that no one should experience violence and domestic abuse in Scotland. The eradication of all forms of violence against women is a long-term goal. We have laid out the beginnings of a systematic plan. We have an ambitious and varied programme of work, which I hope we can extend to cover other forms of violence against women. We have not slackened our pace or slackened in our determination to tackle this very important issue. Although we may have some disagreements today on how best to take forward policies and strategies, I hope that I can say that I have the support of the whole Parliament—I quote members in the course of my work—in tackling domestic abuse and violence against women in Scotland.

I move,

That the Parliament approves the continuing progress made in implementing the National Strategy to Address Domestic Abuse in Scotland by raising awareness of the issue and increasing the protection of women and children experiencing domestic abuse and the services available to them and welcomes the work of the National Group to Address Violence Against Women in tackling this unacceptable behaviour.

09:47

**Nicola Sturgeon (Glasgow) (SNP):** I welcome this debate on an issue that is hugely important and terribly painful for thousands of women throughout Scotland. The debate is timely; this week saw the United Nations international day for the elimination of violence against women, and this month sees the start of an international campaign of 16 days of activism against gender-based violence. I warmly welcome both those initiatives.

The reality in Scotland—the minister alluded to this in her speech—is that we still have a long way to go to come close to meeting the UN's aspiration. To date, we have failed to reduce, let alone to eliminate, incidents of violence against women. As the minister said, this debate takes place against the background of the domestic abuse statistics that were published yesterday. There were 36,000 incidents of domestic abuse reported to police in 2002—a slight increase on the previous year. When we reflect on those statistics, it is important to remember that they

show only the incidents that are reported to police. Many more women will be victims of abuse but, for a variety of reasons, will not feel that they are able to come forward to report the abuse. It is estimated that somewhere between a quarter and a third of all women in Scotland will experience abuse at some stage in their lives. That is an appalling and sobering fact that we should pause to consider.

The consequences of domestic abuse, as already outlined, are absolutely horrific. They include damage to physical and mental health, depression, anxiety, psychosomatic problems, eating disorders and sexual dysfunction. According to Shelter, 40 per cent of all homeless women cite domestic abuse as a contributory factor in their homelessness. The single most quoted reason for women's becoming homeless is domestic violence.

When a woman is the victim of domestic abuse, there is a high risk that her children will be abused and assaulted as well or, at least, that they will witness abuse against their mother. That is the seriousness of the problem and I think that we in Parliament are as one in being determined to do more to tackle it.

We in the Scottish National Party welcome the initiatives that have been outlined by the minister, such as the national strategy on domestic violence and the national group to address violence against women and I welcome many of the more recent announcements. It will be interesting, for example, to see how the piloted domestic abuse court works in practice. The announcement by the Solicitor General for Scotland earlier in the week that all domestic abuse cases will now be held in the sheriff court is welcome, although in my perhaps not very extensive experience most domestic abuse cases are already heard in the sheriff court. Nevertheless, we should welcome the fact that that commitment has been expressly made.

I want to focus on three areas where we can still do better. I concede that they are areas where, in many cases, work will be on-going. In a debate such as this, however, it does no harm to remind ourselves of the areas in which further work can perhaps be done. The first is the funding of services that are available throughout the country to abused women. There is no doubt—I am sure that everybody would agree—that availability of refuge and support services will often be the determining factor in whether a woman is able to escape an abusive situation. The Executive has made available significant sums of money and we all welcome that. However, as the minister said, the reality is that provision is still very patchy across the country, partly because national funding requires in many cases to be matched by



local money. Shona Robison mentioned the situation in Dundee.

It is important to view funding levels in the context of demand for services. I was pleased to note the additional £50,000 that was made available to Scottish Women's Aid earlier this week, but when we consider that demand for the services of Scottish Women's Aid increased by 10 per cent last year alone, we can start to put that funding into context. A total of 72,000 women turned to Scottish Women's Aid for support and help last year. Increasingly, many such organisations will articulate a need not just for increased revenue funding but for capital funding. Those are points that we must bear in mind.

The second area that I want to touch on, on which the minister spent some time, is the raising of awareness of domestic abuse. I was struck by a study that was carried out five or six years ago by the Zero Tolerance Charitable Trust that showed that one in five young men and one in 10 young women thought that domestic violence against women was acceptable. I accept that a lot of work has been carried out in the interim and I hope that if a similar study were conducted today the results would be very different, but those figures serve to remind us that there is no room for complacency. We have to aim constantly to raise awareness and I commend the advertising campaigns, but we must never lose sight of or remove emphasis from the zero-tolerance approach. That is a powerful message and one that we must repeat and reinforce at every opportunity.

The third matter that I want to touch on is how we support women who are abused. One of the frightening aspects of the statistics that were published yesterday is that half of all cases of domestic violence that are reported to police involve women who have been abused before; in other words, women who are in many cases trapped in a vicious cycle of abuse. What that says to me is that we as a society are failing women who are abused, who find the courage to report that abuse, but who are then—for whatever reason—not given the support or the encouragement to allow them to escape their situation. It strikes me that if we are failing the women who come forward, we are not even getting close to the ones who for whatever reason do not find it possible to come forward, perhaps because they see what happens to women who report abuse.

Too often, women who are the victims of domestic violence, sexual assault or rape feel that the system is not always on their side. They often end up feeling as if they are victims of the system as well as victims of the crimes that have been committed against them. When a woman reports domestic violence, rape or sexual assault it tends

to be her life that disintegrates, not that of the person who committed the crime against her. Forty per cent of homeless women have suffered domestic abuse. We must consider how we can begin to shift the burden away from the victim on to the perpetrator and we can learn from international practice. In Austria, for example, when police are called to an incident of domestic violence they have the power to remove the abuser—usually the man—rather than have the women and children removed from the family home.

It is important to refer to the fact that prosecution and conviction rates for domestic violence and rape are too low in this country, which is a disincentive to people's coming forward. The minister said, rightly, that perpetrators should be shunned. However, according to yesterday's statistics, of the 36,000 cases of domestic violence that were reported to the police, more than half did not result in a crime or an offence being recorded. A third of cases in which a crime or offence was recorded did not then go to the fiscal. We have the second-lowest prosecution and conviction rate for rape in the European Union. Only 10 per cent of people who are accused of rape are prosecuted and only 6 per cent are convicted, which compares to 34 per cent and 20 per cent 25 years ago.

I welcome measures to which the minister alluded regarding better guidelines for prosecutors and I welcome the review of sexual assault and rape prosecution that has been announced. However, we have to do more; we have to be prepared sometimes to think outside the box of our traditional adversarial system more than we do, without—obviously—prejudicing the rights of the accused. Would it prejudice the rights of the accused, for example, to do what many other countries do, and give a woman in the system who is the victim of sexual assault or abuse the right to independent legal representation? Many women who find themselves in the system do not realise until they are very far into it that the Crown is not there to represent them or to act for them, and that there is no one to speak for them. Those are all issues that we can consider if we are to be united in tackling what is a horrendous problem.

This week saw the United Nations international day for the elimination of violence against women. It is appropriate to end with a powerful quote by Kofi Annan, the UN Secretary-General, who said:

"Violence against women is perhaps the most shameful human rights violation. And ... the most pervasive. It knows no boundaries of geography, culture or wealth. As long as it continues, we cannot claim to be making real progress towards equality, development, and peace."

That says it all, and we should take those words to heart as we debate this important issue.

I move amendment S2M-660.2, to leave out from “approves” to end and insert:

“deplores the fact that while over 36,000 women reported a domestic abuse incident to the police in the last 12 months, over half of the incidents did not lead to the recording of a crime or offence and only 66% of those recorded were referred to the procurator fiscal; is appalled at recent research which shows that Scotland has a prosecution rate of 10% and a conviction rate of 6% following rape allegations, the second poorest conviction rate in Europe; welcomes the ‘prevention, protection, provision’ theme of the National Strategy to Address Domestic Abuse in Scotland and work done to date, but believes that the Scottish Executive must consider what action could reasonably be taken to improve dramatically prosecution and conviction rates for rape and other cases of violence against women.”

09:57

**Miss Annabel Goldie (West of Scotland)**

**(Con):** It is not with pleasure that I take part in the debate, but with a sombre sense of awareness that violence against women and domestic abuse are still the reality for far too many families in Scotland. On a highly charged issue such as this, it is important that we consider the facts, disturbing and alarming though they are, because from them we may be able to reach some conclusions to instruct us, as politicians, about what we should be trying to do. Reference has already been made to statistics, according to which more than 36,000 incidents of domestic abuse were recorded in Scotland in 2002. That is the equivalent of 99 incidents of domestic abuse a day, which all of us would agree is a very troubling statistic.

The Executive's statistics show that domestic abuse is increasing. Even more alarmingly, the number of incidents against the same victim is increasing, highlighting the fact that more women are trapped in abusive situations. It is that pattern that I want to consider in more detail. For the period 1 April 1999 to the end of 1999, 33 per cent of victims of domestic abuse had been involved in previous incidents. For the year 2000, the proportion in that category had risen to 42 per cent. For the following year, 2001, that category had risen again to 49 per cent and, sadly, for 2002—by which time, the number of recorded instances was more than 36,000, as Nicola Sturgeon said—the number in the previous incidents category had reached 50 per cent.

I do not think that anyone in the chamber is comforted by that; all of us are deeply disturbed by that pattern. Nicola Sturgeon raised an important point about the relationship between reported incidents and prosecution. I suggest that we should be careful before we lurch to simplistic analysis of the problem or simple solutions to it. I know, from my years in practice as a solicitor, particularly when I had occasion to handle matrimonial work—some of which involved very distressing instances of this type—that one of the

most difficult issues to surmount is persuading the abused person to go forward with a court case.

Calling the police provides immediate reassurance and comfort and is the first step in dealing with a threat to safety or security or a threat to children. However, for many reasons, victims are understandably concerned about proceeding to criminal prosecutions. We must be sensitive to that. A domestic abuse victim's situation is unique. We must approach it with encouragement and, as the minister said, a combination of procedures that shows the victim that he or she is not alone and that the procedures and facilities out there can give help and support.

I will return to the statistics, about which I am especially concerned. All parties in the Parliament have made a genuine attempt to bring to public attention the enormity of the issue and to invoke measures to increase support for the victims of such abuse, including the “National Strategy to Address Domestic Abuse in Scotland” and “Preventing Domestic Abuse: A National Strategy”. The motion refers to the work of the national group to address violence against women, which is another welcome initiative. Of importance is the Protection from Abuse (Scotland) Act 2001, which the Parliament passed with all-party support.

All that is commendable, but when the Executive's research report on the 2001 act shows that many victims were not aware of it, it is clear that much still has to be done. I have reluctantly reached the inescapable conclusion that a culture remains in Scotland in which, for some cowardly and contemptible individuals, violence against spouses and partners—if behind closed doors and in the privacy of the home—is acceptable. The Parliament should collectively condemn that barbaric, primitive and repugnant culture. For as long as it endures, Scotland is stained and diminished.

Is it a coincidence that, as domestic violence has increased, serious crime in Scotland has gone out of control, as the figures that were released yesterday show? I regret to say that that is not a coincidence. We have a wider crime culture that only enhanced law enforcement and tougher court sanctions will address. I realise that the minister is not responsible for the justice portfolio, but I suggest that the Executive is collectively derelict in respect of its obligation to maintain wider law and order in our society. If law and order appears to be dissembling, there is—sadly—an inevitable implication for domestic abuse.

As politicians, we need to send out from the Parliament a message to victims, their children and their wider families that we have the political resolve to rid Scotland of this curse and to support victims with help, advice and practical measures. I welcome the minister's obvious commitment to

attaining that objective. On domestic violence, we need to improve the transmission and dissemination of the messages of condemnation to perpetrators and of support to victims. We need to get those messages to where victims are, bring information to them about available help and advice and tell them what practical measures are on offer.

Two obvious examples of such measures are refuges, which I praise, and the proposed pilot domestic abuse courts. It is important that the procedures are dealt with through the sheriff court system and it is vital to ensure that procedures are as swift and efficient as possible, because otherwise we shall discourage victims from taking to the criminal process their rightful charges against perpetrators. The Vulnerable Witnesses (Scotland) Bill will also have an important role to play.

I commend to the minister an initiative that my party launched at UK level last Christmas, when 10,000 posters about domestic violence that carried helpline numbers from Women's Aid and the National Society for the Prevention of Cruelty to Children were placed in general practitioner surgeries, hairdressers' salons, police stations and other locations where women could discreetly write down the numbers and seek help. Why do we not consider our own Scottish version of those posters, which could include the number of the domestic abuse helpline? That would give hope to victims at this pressure-point time of year—that is another factor of which we are all conscious. Such posters would also serve notice on perpetrators that no longer are their evil deeds invisible behind closed doors and that their nasty little secret culture is being brought to an end.

I am aware that legislative proposals at Westminster may include a register of those who are convicted of domestic abuse and that the Executive may be interested in replicating that proposal in Scotland. I urge considerable caution in examining that. I have referred to one difficulty that has dogged the prosecution of domestic abuse cases—victims' understandable reluctance, for many reasons, to bring criminal charges. If a victim felt that an additional penalty might attach over and above the court penalty, they might be uneasy about being responsible for that further imposition, especially if it could affect employability and stigmatise children.

I support the motion but warn against complacency, which is why I lodged the amendment in my name. The statistics do not permit complacency and the minister acknowledged that honestly in her speech.

I move amendment S2M-660.1, to insert at end:

"but notes with grave concern the escalating pattern of

repeat victimisation highlighting the fact that more and more victims are trapped in abusive situations."

10:06

**Shiona Baird (North East Scotland) (Green):**

The title of the debate is "Violence Against Women", yet the motion narrows the subject to domestic abuse. Violence against women and domestic abuse are not the same thing. I was concerned that the Executive thought that they were, so I welcome the minister's proactive support for our amendment and I look forward to seeing details of the money that has been announced and how that is reflected in how rape and sexual abuse are addressed.

The aim of our amendment is to broaden the debate and to place more emphasis on the wider and far more disturbing issue of violence against women in the form of rape and the equally disturbing prevalence of child abuse. Behind those figures lies a hidden culture of degradation and exploitation of women. Behind those figures lie misery, injustice and the violation of women's and children's basic human rights.

The consequences of that violence extend beyond the narrow confines of the home. Such violence affects key parts of life such as individual well-being, including health, and wider family members, who are caught up in fear and guilt. A significant consequence is the perpetuation of poor role models.

Thousands of women and children in Scotland experience a horrifying range of sexual violence each year. From rape to child sexual abuse and everything in between, there is an epidemic in our country. One in two of our girls and young women experiences some form of verbal, physical or sexual gender-based abuse by the time that they are 16.

Throughout the 20<sup>th</sup> century, women campaigned to have their basic human rights respected. We have the right to vote, yet, in today's Europe, women are still being beaten, threatened, bought, sold and killed simply because they are women.

I do not deny that the Executive's actions on domestic abuse are laudable. Domestic abuse causes huge amounts of misery for families who are caught in cycles of violence, but so does rape. As we have heard, the crime of rape has a 6 per cent conviction rate. Can anyone tell me what would happen if such a rate applied to any other crime? If only 6 per cent of burglaries were successfully prosecuted, there would be an outcry.

Throughout the country, women survivors of sexual violence—and men survivors, too, whom we should not forget—try to come to terms with their experiences. They try to access services and

support that do not exist and try to obtain justice that is not available. Our amendment asks the Parliament to recognise the urgent need and asks the Executive to expand its work to tackle violence against women. Unless we recognise the links between forms of violence and challenge them in the round, we will always have only patchwork solutions.

A survey by the Zero Tolerance Charitable Trust in 1998 as part of its respect campaign interviewed 2,000 14-year-olds to 21-year-olds in Glasgow and Fife. The results were appalling. The survey found that boys and girls thought that forced sex was more acceptable than hitting. More than half of the young people thought that women provoke violence in a range of contexts by, for example, how they dress or flirt, and more than half of them knew someone who had been hit by their male partner. Exactly half of them knew someone who had been sexually assaulted. Such a culture of violence must be fully recognised and challenged.

We must widen the debate to address the appalling rise in child abuse and child pornography and we must stop the shameful trade in trafficking women, many of whom come into Britain. We must ensure that services and justice are available for those who experience rape and other forms of sexual violence. Domestic abuse is not the whole story.

I urge members to support my amendment so that, together, we can truly tackle violence against women. I move amendment S2M-660.3, to insert at end:

"but urges the Scottish Executive to consider making an equally strong commitment to tackle rape and sexual abuse."

10:11

**Donald Gorrie (Central Scotland) (LD):** I apologise on behalf of Margaret Smith, who has phoned to say that she is ill and cannot speak. I also apologise that, as a result, members will have to listen to me twice, as I will sum up.

The UN international day has been mentioned. Research shows that the problem that we are discussing is an international problem rather than a local Scottish problem, as sectarianism and our way of drinking, for example, are Scottish problems to some degree. There seems to be a flaw in the characters of many people and in our society that allows so much violence in homes.

Sometimes, I am unhappy during debates and think that there is a great gulf between ministers' rhetoric and what they achieve. However, I do not think that at all in this debate. A genuine commitment has been translated into genuine action. Margaret Curran said many constructive

and helpful things. Real action is being taken, although it is obvious that there is still a huge way to go. I am happy to emphasise the Liberal Democrats' commitment to the matter as a group and to emphasise my personal commitment. I also recognise the commitment of the other parties. The debate has been excellent and constructive attitudes have been shown. The other parties have made critical and constructive points and the Parliament is united. We should be able to make real progress, although the issue can be hidden and is difficult to tackle.

There is a relationship between what we are discussing and antisocial behaviour, which is one of the big issues that the Parliament is currently tackling. Research shows that most of the more serious offenders who come before the children's panel come before it first when they need protection from violence at home or violence as a result of a break-up in their family. Sorting out such violence between partners when children are young will help us, although many other things need to be done.

**Johann Lamont (Glasgow Pollok) (Lab):** Does the member agree that one of the key strands of the antisocial behaviour legislation is challenging some of the behaviour of young men against young women in the streets? Does he agree that if we tackle the notion that a culture of disorder and violence is acceptable, that will have repercussions for the quality of relationships that young people have when they are older?

**Donald Gorrie:** Yes. We must challenge the idea that violence towards anyone at any time is acceptable.

**Mike Rumbles:** Hear, hear.

**Donald Gorrie:** I know that my friend Mike Rumbles annoys people, but there is still an issue in respect of men being beaten up, although it is a much smaller issue. Any sort of violence against anyone at any time is unacceptable. I take the points that Shiona Baird made about rape, for example, as well as domestic violence.

We must educate children much better than we currently do. Members have mentioned research that shows the appalling attitudes of many young people. It is not only boys who must be educated about unacceptable behaviour; girls should also be educated about it. There is a strand of Scottish culture in which girls accept that being beaten up is part of the deal. We must completely eradicate such views being held by boys and girls.

We must improve the legal system—members who are more skilled than I am have mentioned that. I will take one example. I have been assured that the police never do anything about alleged violence by teenage sons against their mothers. I have written to the Solicitor General for Scotland

about that matter. If what I have been told is true, it is very bad.

There are other aspects of the matter that we do not pursue as effectively as we could do through the police and the legal system.

**Miss Goldie:** I am struck by what Mr Gorrie says about the attitude of the police to teenage sons. If Mr Gorrie has more information about that, the chamber would welcome a slight expansion of his comments. I confess that I was unaware of that attitude. If what he said is true, that is appalling.

**Donald Gorrie:** I was told that by someone who I think is a well-informed source and I have written to the Solicitor General for Scotland to clarify whether it is true. I am sure that any information that she can give will be circulated as widely as possible.

Drink exacerbates domestic violence. Sometimes when I have said so in the past, people have thought that I was saying that drink excuses domestic violence. It does not do so in any way. Crimes that are committed as a result of drink are worse crimes. If a person drinks excessively, they are consciously and deliberately removing their normal human inhibitions. That is not acceptable.

**Maureen Macmillan (Highlands and Islands) (Lab):** Does the member accept that domestic violence is not caused by drink, but by an imbalance of power between the male and the female?

**Donald Gorrie:** I entirely accept that domestic violence is not caused by drink. I said that it was exacerbated by drink, which is a fair point.

**Johann Lamont:** It is often said that that is an explanation. How can one explain the fact that a man drinking in a pub will not beat up the person who is standing beside him—the crime is not exacerbated in that form—but can control himself until he gets home and abuse his partner when he reaches the house?

**Donald Gorrie:** To be honest, there is a flaw in the member's logic. A male who gets drunk is more likely to beat up his partner than if he is not drunk. They might still do so if they are not drunk, but more will do it when they are drunk. Anyone who has any intelligence—even drunk people have intelligence—will know not to try to beat up the larger guy next to them, but to beat up the smaller woman when they get home, which they can then do in peace without anybody disturbing them. Drink is a factor.

**Maureen Macmillan:** Will the member give way?

**Donald Gorrie:** No. I think that I have dealt with the matter.

We must deal with the culture that exists in Scotland that clyping is not on. That is a huge problem that we must solve. It inhibits someone who should tell on her partner who is beating her up and it stops neighbours and other people saying that they think that Mrs X is being beaten up. We must somehow get over that culture. It can be quite honourable not to clype on people, but we must explain to people that it is correct to clype in the cases that we are discussing.

The news about more refuges is important. Many years ago, I resigned from the church that my family had attended for three generations on an issue that was related to women's aid. Refuges are important.

Tenancy rules have improved a bit, but they could be improved still further to ensure that the violent male—or occasionally female—is ejected and the woman does not have to leave the house with the children.

A lot of good work is going on for which there is much support in the chamber. We must focus on getting the legal system and the educational system to deliver and on changing the attitudes of a substantial minority of our fellow citizens.

10:19

**Maureen Macmillan (Highlands and Islands) (Lab):** First, I declare that I—along with Rhona Brankin MSP—was a founder member of Ross-shire Women's Aid more than 20 years ago. At the time, it was an outpost and was for many years the only refuge in the north of Scotland. I am still a member and director of Ross-shire Women's Aid Collective and attend refuge meetings when I can. Through my involvement with Women's Aid and the passage of the Protection from Abuse (Scotland) Act 2001 in the previous parliamentary session, I believe that I am in a position to speak about what we have achieved on the ground to protect those who have experienced domestic abuse.

To head off Mike Rumbles, who is about to leave the chamber and who did not support the Executive in the previous domestic abuse debate, I say that I fully accept that not all domestic abuse is perpetrated by male partners on female partners. Some men are abused by female partners; there is abuse in some gay relationships; and parents and grandparents are abused by children and grandchildren. However, as 90 per cent of domestic abuse cases involve abuse by men against women, it is right that the main thrust of Executive policy should address that statistic. The root of the problem is power—the power of a man over a woman—which is the very reason why many women take a long time to leave an abusive relationship.

Four years ago, I made a speech in this chamber on the lack of provision in the Highlands for women trying to escape domestic abuse. I spoke about the distances, the isolation, the small communities, the lack of refuge and the overstretched Women's Aid workers.

I now want to celebrate the changes that have been made. The new refuges in Elgin, Inverness and Dingwall provide not cramped, one-family-to-a-room accommodation but are self-contained modern flats with disabled access that give women dignity and privacy. Indeed, I was recently glad to welcome Mary Mulligan to the Dingwall refuge, to show her what has been achieved with the money that the Executive allocated for refuges.

Refuges in Wick and Orkney are planned and outreach workers are giving advice to women in Caithness, Sutherland, Skye, Wester Ross and Lochaber. However, things are still not easy. Women in many small communities still suffer in silence and are unwilling to draw attention to themselves. Winning the trust of people in some communities takes patience and someone sitting for a long time in an empty room waiting for people to make contact. As we have seen in Skye, once that trust has been won, the number of reported cases of domestic abuse rockets. The statistics keep rising partly because women will report what is happening to them when they realise that help is available.

One of the most welcome of the Executive's initiatives is the support for children's workers in refuges. We have only recently become fully aware of the psychological, emotional and sometimes physical damage to children who live with the domestic abuse of their mother. The input of children's workers in refuges has been invaluable and the testimonies contained in Barnardo's recent publication "Bitter Legacy: The emotional effect of domestic violence on children" show how much that input is needed.

Refuges provide physical protection to women who have experienced abuse and the law protects their rights. The Protection from Abuse (Scotland) Bill was the first committee bill in the Scottish Parliament and sought to offer anyone, regardless of gender or relationship, an interdict with powers of arrest against abuse.

I have read with interest the assessment of the effectiveness of the Protection from Abuse (Scotland) Act 2001. The act has been used by many solicitors; indeed, one solicitor has said that it is the first piece of legislation that he turns to in such cases. However, there is still a lack of awareness among police that they have such powers of arrest and, more worryingly, among women themselves who do not know that the act exists.

It is also interesting to note in the report on the working of the 2001 act that more than half the women who responded felt that the police were now more aware of how to deal with domestic abuse; however, only about a third felt that the courts understood domestic abuse. That feeling is borne out by remarks from the police, lawyers and sheriffs that still show a lack of understanding of the barriers that a woman faces when she tries to leave an abusive situation. The courts have to realise that that cannot happen overnight; the process can take many years.

We must tackle that worrying issue. In that respect, I welcome Elish Angiolini's announcement this week that Scottish Women's Aid will be involved in advising the Crown Office. As the people in Scottish Women's Aid know about domestic abuse, it is only right that they should be closely involved in all the programmes that the Executive is promoting. Changing the culture in the courts is crucial and I look forward to the measures proposed in the Vulnerable Witnesses (Scotland) Bill making a considerable contribution to giving women the confidence to use the court system.

It will be much more difficult to change the culture of society. In that respect, I welcome the establishment of special courts and—as was flagged up—the introduction of lists and registers of abusers if they are properly used. I also welcome the announcement of funding for social work and education and hope that health board workers will also receive some of that money. After all, health visitors are often the first people who realise that something is wrong in a household, but they do not know how to deal with the problem. As a result, they back off and nothing happens.

We have to get into the schools and teach children from an early age about relationships. We must also convince young people that violence and abuse do not make healthy relationships. Although changing such a culture is not easy, we must try to do so. As Nicola Sturgeon pointed out, we have to examine the measures that have worked in other countries and be prepared to adapt them for ourselves.

We must win this campaign to ensure that domestic abuse becomes totally unacceptable. Such abuse means women with broken bones, stab wounds and mental health problems; traumatised children with disrupted education; it means young girls who are forced by their boyfriends to have sex; and it leaves blighted lives from generation to generation.

10:26

**Linda Fabiani (Central Scotland) (SNP):** Although I acknowledge Shiona Baird's point that

violence against women encompasses more than domestic abuse, I will, like Maureen Macmillan, concentrate on domestic abuse. Indeed, I will do so largely because in the past week I attended the annual general meeting of East Kilbride Women's Aid group. It had been a couple of years since I last attended such a meeting and I was struck by the fact that, as other members have mentioned, those who work in the field of domestic violence and other agencies such as councils and the police recognise that there is more working together and that the Executive and the Parliament are very serious about the measures that they are taking to combat domestic abuse.

East Kilbride Women's Aid covers East Kilbride, Cambuslang and Rutherglen and has many referrals—mainly self-referrals—from women. However, I was rather bothered by a statistic that emerged from the AGM showing that, of the 173 requests for refuge places last year, 137 women and 190 children were turned away because of lack of space. I am sure that that situation is replicated throughout the country. As a result, I was interested by the Executive's announcement of its refuge development programme and on-going work on the issue. Such work is extremely necessary.

I draw the minister's attention to another matter that was raised at the AGM. I was going to write to the minister about it, but then thought that the debate was an apposite place to raise it. I should make it clear that I do so very much in the spirit of seeing whether we can do something about the problem.

South Lanarkshire Council quite rightly applied to the refuge development programme and received £150,000 for two new refuges in the area. The local housing association was asked whether it could acquire the properties and said that it would see what it could do. I should point out that there is a lack of social housing in East Kilbride, but that is a whole other debate.

The housing association tried to reach an agreement with a developer about a development that was about to be opened. However, the development is quite small and the developer had already agreed to two units for the hospital discharge programme and a children's home and was not willing to agree to any more non-mainstream housing on the site. That kicked the idea into touch.

As neither the housing association nor the council had any other suitable properties, they looked into acquiring a couple of properties on the open market. The idea sounds fine, and it is great that that can happen, but they then hit the next problem, which was more to do with practicalities than with will—after all, everyone has the will to achieve this aim. The problem is that East Kilbride

has a very buoyant housing market. Because the money comes from public agencies, those agencies are allowed to acquire properties only at the district valuer's valuation. Houses in East Kilbride, especially those of the required size and type, sell for a lot more than the market valuation.

I suspect that the same thing is happening in other areas and I ask the minister to look into the problem. As I have said, I have no doubt that everyone involved has the will to establish these refuges. The money has been sitting there for almost two years and no housing has been acquired. Meanwhile, in one year, 137 women and 190 children are turned away for lack of refuge space. I ask the minister to look at that situation and see whether some pragmatism can be applied to help with the practicalities of what is a very good policy initiative.

10:30

**Murdo Fraser (Mid Scotland and Fife) (Con):** I welcome the debate on this important subject. Violence against women is clearly unacceptable, as is violence of all kinds. We should all work to build a society where people can go about their lives free from the fear of abuse or violence from any other party.

Although I welcome the debate, I highlight an aspect of the debate on domestic abuse that is often overlooked. I refer to domestic violence where the victims are male. Although it has already been touched on in the debate and I do not wish to steal Mr Rumbles's thunder, it is an important subject to highlight.

The 2000 Scottish crime survey disclosed that 19 per cent of women had experienced domestic abuse at some point in their lives. However, the same survey showed that 8 per cent of men had also been victims—a substantial proportion.

Domestic abuse of all kinds, whoever the victim and whoever the perpetrator, must be equally unacceptable, or the Parliament's commitment to equal opportunities and inclusion is meaningless. This is by no means the first debate that we have had in Parliament on violence against women, but I do not recall a debate on violence against men. I will be interested to hear from the minister when the Executive intends to debate that subject.

Violence against men in the home is a serious matter and much of it goes unreported. If it is hard for a woman to report domestic abuse, it is probably even harder for a man to admit that he has been abused by his partner. After all, men are supposed to be the stronger sex and many men in such circumstances would face the fear of ridicule. We must work to remove that stigma.

**Cathy Peattie (Falkirk East) (Lab):** Surely the point of the debate is that women are victims of violence. The people who make them victims of violence are much stronger than they are. The problem is the risk and the number of deaths of women and children every year as a result of such violence.

**Murdo Fraser:** I do not dispute for a moment that women are victims of domestic abuse. If the member had been listening, she would have heard me say just that. My point is that we cannot focus exclusively on situations where women are victims. It is unfortunate that that is what we have been doing.

Maureen Macmillan made a good point when she intervened on Donald Gorrie to say that domestic abuse is all about the power balance. In most relationships it is correct to say that the man is the dominant partner. However, that is not the situation in every relationship and there are relationships in which the woman is the dominant partner and that must also be recognised.

I looked up the Executive's website on domestic abuse to see what it had to say about the matter. A brief statement on the website says:

"some men are abused by their male or female partners."

Everything else on the website relates to women; every photograph is of a woman. Even the children who feature on the website and who are photographed with the women are girls and not boys. Not a single male is featured on the website. If the Executive is saying that domestic abuse can affect men and children, that is not the impression given by its website.

I am sure that members will remember the Executive's advertising campaign that had the strapline:

"1 in 5 women live with the constant threat of domestic abuse."

The television adverts featured dramatic pictures of women and were designed to create the impression that one in five women was regularly the victim of physical abuse, or to put it another way, that one man in five was a violent abuser of women.

Unfortunately, the truth of the matter was somewhat different. The Scottish crime survey showed that one in five women had experienced domestic abuse at some point in their lives. That is a world away from saying that they lived with a constant threat.

Domestic abuse is defined widely—as on the Scottish Executive website—to include

"keeping you short of money"

and

"telling you what to wear, whether or not to wear make up."

I do not dispute that those are serious issues, but they are a world away from the popular perception that domestic abuse has to be physical.

Following complaints that were made to the Advertising Standards Authority and the Independent Television Commission, the Executive changed the strapline on its adverts to the more accurate:

"One in five women have experienced domestic abuse in their lifetimes."

It is rather unfortunate—to put it mildly—that the Executive used taxpayers' money to promote a distorted message in the first place.

**Ms Margaret Curran:** I think that the member has forgotten that the Tories are going through a modernisation process and that they have been beginning to come up to date on such issues. The analysis that I thought was shared by the entire Parliament is that the violence perpetrated against women and children is overwhelming and a profound and serious issue. Although we removed from the strapline the word "constant" because it was interpreted to mean "perennial", we were clear that one in five women lives with the fear of domestic abuse in Scotland. We are committed to that fact and all our documents and publicity will make that absolutely clear. It is distressing that the member undermines that key message this morning.

**Murdo Fraser:** It is, frankly, outrageous for the minister to suggest that I do not take the issue seriously. I said that the Advertising Standards Authority looked at the advertisements and came to the view that they were inappropriate. If we use taxpayers' money to promote a message, we should do so accurately. It does the Executive no credit to make ill-founded statements such as the one that the minister has made. I hope that the Executive will reflect on that issue in the future when it comes to similar debates.

I also hope that the Executive will treat the issue of violence against men as a serious issue worthy of attention.

10:36

**Marilyn Livingstone (Kirkcaldy) (Lab):** I declare an interest: I am a member of Fife domestic abuse forum. I meant to start my speech differently but, following Murdo Fraser's comments, I need to say that I give the Executive credit for getting across the message about domestic abuse against women—I think that we are not hard-hitting enough.

I thank the Executive for introducing the debate. We should not lose sight of why we are having the debate this morning—we are recognising Tuesday



25 November as international day for the elimination of violence against women. We are having the debate because such violence is overwhelming and a blight on our society.

I thank all those people who have worked with the Parliament—the police, local authorities, the judiciary, the health service, the voluntary sector and I could not possibly miss out Scottish Women's Aid—to tackle the problems of violence against women. I pay tribute, which I do not often do, to Margaret Curran, whom I have known in a number of guises throughout many years. She has worked tirelessly on the subject and has championed it as a minister in Parliament.

Domestic violence against women is a blight on Scottish society. In the first session of Parliament, there was action against domestic abuse as a priority and we all welcomed the introduction of a strategic framework to deal with the problem, which is very damaging to society. It is in that context that Fife domestic abuse forum, of which I am proud to be a member, progresses the Executive's agenda locally. I pay tribute to the members of the forum and, in particular, to Sheila Noble and Avz Crossley. I am sure that many communities have such local champions who advance the cause. Without those people, we would not be where we are today.

Fife domestic abuse forum is a truly multi-agency partnership. We have heard much about that this morning. We are working together to maximise resources and to co-ordinate a strategic and holistic approach to the subject. In Fife, 9,706 women—I say to Mr Fraser that that is no small number—many of whom have children, contacted the domestic abuse—

**Murdo Fraser:** My point was that we must get a balance in the debate. I hope that the member understands that I did not suggest for a moment that there was not a serious problem of domestic violence.

**Marilyn Livingstone:** That is how it sounded to me.

In 2003, some 9,706 women, many with children, contacted either the domestic abuse unit or one of the three Women's Aid groups in Fife.

The forum has a steering group and a number of working groups on subjects that range from criminal justice to health and housing. I reiterate what the minister said about the importance of housing.

The education group, which prepares guidance and information for schools, has now become a core welfare group that addresses domestic abuse, child protection and racial incidents.

The rape and sexual assault working group, which will soon have its second AGM, was formed

in recognition of some of the points that have been made, because we had a significant gap in services in Fife for those who have experienced rape or sexual assault.

One of the major local achievements of the forum was the new refuge that the minister opened in central Fife. It is a first-class refuge and its knock-on effect for women in Fife has been enormous. Women have been staying longer, so we can implement the necessary package of care for them and their children. We needed quality services and now we have them. I welcome the new refuge that is planned, with £395,000 of funding, for west Fife, and I am sure that my colleague Helen Eadie will say more about that.

The next stage of the forum's awareness-raising group's "Talk" campaign is being launched this month to link to the 16-day action on men's violence against women and children. The campaign is targeted at harder-to-reach groups and work has been going on with the deaf and black and ethnic minority communities in Fife. The awareness-raising material produced for the campaign echoes the sentiment of today's debate: there is no excuse for this most unacceptable of crimes, which has a catastrophic effect on our families.

The Fife domestic abuse forum and other domestic abuse projects in Fife have benefited from the domestic abuse funds released by the Scottish Executive over the past three years. I make a plea to the minister today to ensure that that funding is continued so that that vital and first-class work can continue.

I return to comments that I made during last week's debate on vulnerable witnesses, as chair of the cross-party group in the Scottish Parliament on survivors of childhood sexual abuse. Some people in our society have undergone such sexual abuse for many years, have kept it secret and still live with the problem. We are all agreed that no one in Scotland should live in fear. Domestic abuse and violence against women and children are totally unacceptable. There is no excuse—not today, not next week, not ever.

10:42

**Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** I am pleased that the Executive has scheduled this important debate today. I believe most strongly that we need to tackle the issue and I support the action that the Executive has taken so far, both in raising awareness of domestic abuse and in dealing with it. I know that there is much to be done. I am also conscious of, and support, the commitment in the partnership agreement to take forward the national strategy on domestic abuse.

My one very real reservation, and the one point that I cannot support, is the minister's contention in today's debate that domestic abuse is simply a gender crime. It is not. I do not see how that comment fits with the statement in the Executive's document "Preventing Domestic Abuse: A National Strategy", which states:

"Violence against men is equally unacceptable."

I know that the minister said that this morning, but she went on to talk about its being simply a gender crime. I also do not see how the motion before us today fits with the Scottish Parliament's founding principle of equal opportunity.

There is no doubt about the fact that violence against women in domestic situations is a real and substantial problem.

**Patrick Harvie (Glasgow) (Green):** Does Mike Rumbles accept that lung cancer is not solely a smoking issue, but that, by addressing smoking, we can get to a big part of the problem?

**Mike Rumbles:** Patrick Harvie is absolutely right. I do not have any problem with that.

As I was saying, it is right to focus on the major issue that is before us. However, the minister in particular and members in general will be aware that victims of domestic violence are not exclusively female. The statistical bulletin in the criminal justice series published by the Executive gives details of what I mean. In 91 per cent of cases reported to the police, the victims were women. In 9 per cent, the victims were men. That means that more than 3,000 incidents of domestic violence are not recognised in the terms of the Executive motion before Parliament today.

If there is anyone who says that those statistics are not important or that those incidents are not serious, I can only say that there are none so blind as those who will not see. Behind those bald statistics lie real people, traumatised by that unacceptable violence. I have had some of the men and women behind those statistics come to see me in my advice surgeries, some in tears as they related their awful experiences.

In yesterday's debate on the Procedures Committee's report on the founding principles of the Scottish Parliament, I took the opportunity to highlight one of the committee's recommendations that deals with the issue of equal opportunities. The committee said:

"We recommend that MSPs should always apply equal opportunities principles in their work."

That is absolutely correct. I have had male victims of domestic abuse come to see me and ask me why the Scottish Parliament does not seem to recognise their equal rights to be treated as victims.

I am delighted to hear that the helpline is expanding; it has a really good and useful role to play. I do not want to see any victim of domestic violence being put off from contacting the helpline and asking for help under the misapprehension—from the messages coming from this chamber—that domestic violence is an issue only if the victims are female. Although it focuses, correctly, on the main victims of domestic violence, 91 per cent of whom are women, the motion that we are debating today does not incorporate the 9 per cent of victims who are men.

I want to let Maureen Macmillan know that I will support the Executive in the vote tonight for all the good work that it has done and is doing, and I would like it to do even more good work and to take a more inclusive approach.

**Ms Margaret Curran:** I make it clear that the Executive is not saying that domestic violence against men never happens. Nor is it saying that no resources should be dedicated to tackling that problem. However, the Executive has a different analysis from the one that Mike Rumbles and Murdo Fraser are espousing. Shiona Baird articulated the point at issue quite clearly in her speech. The status of being a woman leads to certain forms of violence perpetrated against an individual; that is why we broadened the group to look at violence against women. We are not saying that violence against men does not exist, but it is the nature of the experience of being a woman that attracts a form of violence. That is most clearly articulated in sex slavery, which is at one end of the spectrum, but domestic abuse has a specific pattern as it is perpetrated against women. That is what we are saying.

**Mike Rumbles:** That goes to the nub of the issue. I hope that the minister recognises my concern, which was also expressed by Murdo Fraser, that we do not want to forget people. That is important. I am not criticising the Executive for focusing on the major element of the difficulty, as 91 per cent of the victims are women, but my concern is about equal access and equal opportunities. When the Executive is so good on equal opportunities in all the other spheres that we deal with, I cannot understand why there seems to be a blind spot with regard to equal opportunities when considering the victims of domestic violence.

I hope that, when we next address the issue of domestic violence in this chamber, the motion that we debate will be inclusive and not exclusive in its recognition of the complete unacceptability of domestic abuse, from whatever source it comes.

10:49

**Frances Curran (West of Scotland) (SSP):** I concur with most of today's speakers that tackling

domestic abuse is an important issue and that the Scottish Executive has made progress in the past four years. The figures—which are what we should be focusing on—are very disturbing indeed. I thought that it was one woman in three, not one in five—although members can correct me if I am wrong—who will suffer domestic violence at some stage in her lifetime. What that means is that we all know someone who has suffered domestic violence. It also means that, with 129 MSPs, there must be women sitting in this chamber who have suffered domestic violence and abuse, and men who are perpetrators. That is what the figures mean. It is an uncomfortable fact, but the problem is endemic.

I welcome the extension of the domestic abuse services development fund to 2006. Domestic abuse is seen as a women's issue, and most of the services are aimed—correctly—at making women safe. Murdo Fraser made the huge assumption that men and women experience society in the same way—they do not. That is why we are having this debate. Much of the discussion has been about women's services and I support completely what has been said, although we need more places, safe housing and other things.

Men are the perpetrators of this violence and abuse, and it is structural. Once we start to deal with the issue of making women safe, we have to address the question of what we are going to do to hold men accountable for their behaviour. Next year, Glasgow will pilot domestic abuse courts. That is a huge step forward and we will see how that impacts and what will change because of those courts.

Women who are involved in the domestic violence probation service have raised the issue of the need for credible sentencing—not just fines or a rap over the knuckles, but credible sentencing for men who perpetrate the violence. Another issue is whether there should be a social inquiry report and a risk assessment of the men who appear in the courts. The figures that Annabel Goldie cited for repeat offending behaviour are a factor. An important part of the joined-up approach should be having a social inquiry report on the men in the system and social workers being aware of the need for a risk assessment for the women and children.

Most women do not want to leave their family home or their relationship; many of them want to stay. What they want is for the men's behaviour to change, but we know that it does not change unless there is some form of intervention. Nevertheless, we need that behaviour to change and we must start to address how we approach that. There are already pilot schemes, as part of the domestic abuse services development fund, that are aimed at educating men to change their

behaviour. However, funding is a key issue if we are to make women safe and stop violent behaviour against them. There is a men's pilot scheme in north Edinburgh, and we need to see what impact that has had. The scheme is partially funded by the domestic abuse services development fund, but it is also funded by the national lottery. If we are serious about tackling the problem, we must provide 100 per cent funding for such projects.

The other issue that is coming out of the implementation of that policy is that, when men are going through that education process, their partners also need support. There must be support for both sides. There is no funding for partners at the moment, and that needs to be addressed. There needs to be different funding—individual support—for partners who are going through that process. I ask the minister to consider that.

The issue of domestic abuse is being raised in a big way. The fact that women are now coming forward means that, although progress is slow, women are gaining the confidence to speak about it. The days of saying, "It's just a domestic," and, "It's nothing to do with me," are over, which shows huge progress in our society. However, there is a long way to go.

Members may be surprised to hear that we are calling for credible sentencing and for the issue to be treated seriously by the courts, given our views on the Antisocial Behaviour etc (Scotland) Bill. I am not point scoring—I agree with Donald Gorrie's points—but I ask members to read the Barnardo's report "Bitter Legacy: the emotional effects of domestic violence on children". It contains the harrowing and heart-breaking stories of children who have suffered domestic abuse. Those children have been given access to projects that have changed their behaviour, given them their lives back and created self-esteem. However, three steps before, they might have been getting tagged or been dealt with under the Antisocial Behaviour etc (Scotland) Bill. Domestic violence is endemic in our society and the figures show that it affects children dramatically. That must be considered in deciding the approach that is taken in other areas of policy.

10:55

**Elaine Smith (Coatbridge and Chryston) (Lab):** I welcome the fact that the Executive is holding this debate during the 16 days of activism against gender-based violence, and I draw Parliament's attention to a march on the subject that will take place next Thursday evening.

The importance of having a critical mass of women in the Parliament should never be

underestimated. One of the most telling manifestations of the potential that that creates was in the swift and decisive approach that our young Parliament took in tackling domestic abuse in its early years. I join Marilyn Livingstone in recognising Margaret Curran's tenacity and personal commitment to the issue over the years. I doubt whether we would have seen the same level of action coupled with the same sense of urgency in a more male-dominated Parliament. Our Presiding Officer, George Reid, told me recently that, when he was a young Westminster MP, he forged an arduous campaign to have domestic abuse addressed only to see it fizzle out after 18 months on account of a lack of support.

I was the gender reporter to the Equal Opportunities Committee during the previous parliamentary session and was able to make my own contribution to the Parliament's domestic violence agenda. One of the most significant pieces of work that I undertook for the committee was a report on the wider issues that are involved in violence against women and children, which sought to make lateral connections between violence and discrimination. That report can be found in the "Gender Reporter Bound Volume", if anyone wants to read it.

The clear message that came from all the groups to which I spoke during that process was that many of the problems that women face—including violence—must be tackled head on, in a joined-up way. As Frances Curran said, the ultimate solution must lie in changing attitudes with the support and encouragement of social structures and cultural messages. Unfortunately, those structures and messages continue to portray women's needs and rights as less significant than those of men, and to propagate the imbalance of power, as Maureen Macmillan said.

One way in which to challenge those structures and cultural messages undoubtedly lies in early intervention through the education system. Can the minister tell me what the current status of Zero Tolerance's respect project for schools is? What funding has the Executive provided, and is the project being rolled out? Zero Tolerance played a key role in informing and carrying out prevention work in Scotland, in particular through its considerable contribution to the prevention strategy. It is unfortunate that that contribution seems to have been omitted from the acknowledgements in the strategy document. Will the minister acknowledge that contribution and take steps to address that omission?

Challenging those pervasive and subliminal cultural messages will undoubtedly prove difficult, and it is important that we do not forget the other challenges that remain. Structural inequality remains a reality in our society. In spite of reports

that women are breaking through the glass ceiling, the evidence shows that men still have the advantage when it comes to the workplace and the home. Men earn more, have better jobs, enjoy better chances of promotion and do less in the home. Most women in full-time jobs earn only 82 per cent of the salary that is paid to a man who is doing the same or similar work, and women's income from pensions, benefits and investments is just half that of men. In talking about discrimination, I commend the work of the close the gap initiative and the campaign for equality pay audits.

Inequality at structural, cultural and political levels serves to privilege men over women and creates the conditions for violence. As we have heard, and as the minister has accepted, the continuum of male violence against women and children is not limited to domestic violence but includes actions such as rape, sexual assault, child sexual abuse, sexual harassment, human trafficking, prostitution, pornography and female genital mutilation. I was interested to note that the sexual health document that was recently launched by Malcolm Chisholm states that the extent of the problem of female genital mutilation in Scotland is currently unknown. The issue is of concern, given the fact that Amnesty International has noted that the practice appears to be continuing among some immigrants from countries where mutilation is practised, despite child protection laws in their country of residence.

Only last week, "Newsnight Scotland" reported the case of a woman from Sierra Leone who is seeking asylum in this country and whose application has been refused. She suffered female genital mutilation and has considerable justification for thinking that her daughters will suffer the same fate, if indeed they are returned. I implore the minister to see whether she can intervene with the Home Office in that case, which represents a significant issue of violence against women and children. Given the Executive's impressive record on tackling abuse, I have little doubt that it takes the issue seriously. It is a cross-cutting issue, although it was in Malcolm Chisholm's brief last week.

Evidence of harm to women who have experienced any or all of the aforementioned forms of male violence is well documented, but the underlying connection between all forms of male violence against women has rarely been recognised. Women will not achieve equality, and we will not tackle gender discrimination, while we continue to accept a society in which women are systematically undermined by the pervasiveness of all forms of male violence.

Male violence against women is premised on women's inequality in society. It is a fundamental

violation of human rights and it is clearly unacceptable. I hope that my work as a gender reporter in the current session of Parliament will prove useful in informing debate and policy and in encouraging the Executive to continue to take a comprehensive view of the whole continuum of male violence against women.

I was pleased with Margaret Curran's announcement this morning. I support the motion and commend the Executive for continuing to work to reduce progressively, and eventually eliminate, all forms of violence against women and children.

11:01

**Ms Sandra White (Glasgow) (SNP):** I apologise to Maureen Macmillan for missing the beginning of her speech. I listened to the rest of it and it was excellent.

I say to Mike Rumbles and Murdo Fraser that everyone has sympathy with what they say. I recognise that there are perpetrators of violence against men, but we cannot get away from the facts: 90 per cent of recorded abuse is against women and 92 per cent of violence against women is perpetrated in the home, which is a place in which one is supposed to feel safe and secure. If Mike Rumbles and Murdo Fraser want to highlight the issue that they raise, I advise them to lodge a motion for a members' business debate on the matter. I am sure that most of the members who are present would come along to such a debate, to listen and to contribute.

**Mike Rumbles:** I have one disagreement with Murdo Fraser, which is on his call for an Executive debate on violence against men. My point was that we should consider domestic violence in the round—we should consider domestic violence against everybody.

**Ms White:** I take Mike Rumbles's point, but he could still instigate a members' business debate on the issue if he wants to.

I commend the work that is carried out by Women's Aid and the other agencies that are involved. I say to the minister and the Executive that the special emphasis that they have put on violence against women is most welcome. Unfortunately, the issue will not go away. When we look at the figures, we can see that something is going terribly wrong. We must get to the nub of the issue: why does violence continually increase, year after year? It might be that, with the continuing advertising campaigns that highlight domestic abuse, women are becoming more confident in reporting incidents to the police, as Frances Curran mentioned.

However, I believe that the upsurge in domestic violence—and violence against women as a whole—is also related to some men's disregard of

women as equals. We should reconsider the national strategy that was produced to address domestic abuse. The strategy centres on prevention, protection and provision—that is fine, but the strategy must also put more emphasis on education, particularly given that one in five young men thinks that it is all right to be violent towards women and that one in 10 young women thinks that violence towards women is acceptable.

Education must play a bigger part in the strategy; I mean not only education in schools, but education through the media. When we look at the ways in which women are portrayed in films, magazines, videos and in some places of so-called entertainment, there is scope for a strategy to educate the media on women's role in the world. There is a direct link between violence and what happens in some places of entertainment. Some people say that we cannot control the media; that might be so, but we have legislative powers over places of entertainment and the licensing of such places.

For example, we are considering the Civic Government (Scotland) Act 1982. I have suggested that we amend the 1982 act, as has Glasgow City Council, and I believe that the City of Edinburgh Council is also considering the 1982 act in relation to the licensing of places of entertainment such as lap-dancing and table-dancing clubs, which could be licensed in the same way as sex shops. I hope that the minister will take that on board and consider amending the 1982 act, as that would be welcome. Women are portrayed as objects, not people, in those clubs.

When we talk about lap-dancing clubs, sex shops and other such places of so-called entertainment, we have an obligation to women in society to make the case that such entertainment is not acceptable. I am not being prudish about what goes on in those clubs; I am considering their wider impact on society and how women are perceived as objects, whose bodies can be used and abused.

Until we educate not just men but society as a whole to relate to women on equal terms, and until we make inroads into changing what I call the laddish culture that is so prevalent—particularly in the media—we will, unfortunately, continue to have debates such as this one. It would be a dreadful indictment of the 21<sup>st</sup> century if we had to turn up next year to have the same debate. There should be a little more education of the media and we should take a firmer hand in educating young people and society as a whole to treat women as equals, because I believe that the way in which women are portrayed contributes to their being regarded and used as objects and to the perpetration of violence against them. I support the Executive's motion.

11:06

**Johann Lamont (Glasgow Pollok) (Lab):** I am grateful for the opportunity to speak in the debate. There is a recognition that the debate on women's rights has progressed, even if we accept the caveats that Elaine Smith put forward about its success.

An understanding of the reality of male violence against women must be at the heart of any understanding of the inequality that women suffer. Male violence continues to deny women and children their rights to peace and hope for the future. We should underline the fact that all the support for women—the refuges, the sad, discreet taking down of phone numbers in such a way that no one notices—and the welcome developments in women's aid services overwhelmingly revolve around the fact that men create the need for such services. We must be clear that we are dealing with the consequences of men's actions and we must focus on those actions.

Violence against women—in particular, domestic abuse—has no international, religious, racial or class boundaries. Shocking statistics have been highlighted by the 16 days of action campaign for the elimination of gender violence. It is a fact that in the United Kingdom a woman is murdered every three days by her partner or ex-partner. It is a fact that a woman rings a Women's Aid project somewhere in Britain every two and a half minutes, every day of the year. It is a fact that violence against women worldwide kills or incapacitates more women aged between 15 and 40 than cancer, malaria, accidents and war combined.

Recently I had the opportunity to attend the 25<sup>th</sup> anniversary of Glasgow Women's Aid, which was a great occasion. The increased support for the organisation was visible in the increased number of workers. We had an opportunity to celebrate and pay testament to the women who fought to develop the service and to make people recognise that domestic abuse was—and remains—a problem. Their achievement did not happen by accident and it was not easy; there was a long-term campaign to persuade people that there was a problem. We should never forget that women were at the centre of that campaign. The scale of the problem is indicated by the fact that the people who suffered from the problem organised and fought for change. If violence against men in the home is increasing, the development of men's aid organisations will probably be the first indicator of the problem.

At the Glasgow meeting we also had an opportunity to hear the stories of women who had survived domestic abuse and for whom the lifeline of Women's Aid had offered strength and hope—far more than just refuge space. The meeting was

also tinged with the bitter regrets of people involved across the range of women's organisations—Say Women, Rape Crisis Scotland, Scottish Women's Aid and others—that their services are still needed.

We must acknowledge the work that is going on in education and training across the agencies. The work to give a voice to young people who are experiencing domestic abuse is particularly important.

**Mike Rumbles:** Does Johann Lamont accept that it is difficult for victims of domestic violence in the home, particularly men? They almost feel ashamed of it and want to hide. She seems to be saying that it is up to them to sort themselves out before we address that issue.

**Johann Lamont:** I am saying that not one policy wonk, no matter how good they are, in the Scottish Executive thought, "It's a good idea for us to talk about violence against women and to address the problem." It was women who brought it on to the agenda and women who made the connections between the punches and what causes the violence. I understand that there are problems with males' role in society, and the debate that women generate about violence against them creates an opportunity to challenge such stereotypes.

I hope that there is recognition of joined-up working, particularly in work with young people. That is why I am driven by the legislation on and the broader strategy to deal with antisocial behaviour. I accept the points that Frances Curran made about vulnerable young people out in the streets, but as a society we must mark clearly that male aggression and the way in which young men on the streets conduct themselves with the young women who are with them are unacceptable. I shudder to think of some of the things that happen to young girls who perceive such behaviour as being acceptable, and to think that those young boys, if not challenged at that age, will grow up to be the men who terrorise their communities and their own families. We must acknowledge that male perpetrators of violence do not pop up at 25—we must challenge that perception.

I will finish by reflecting on the broader issue of violence against women. I acknowledge the important work in my area of the Glasgow violence against women partnership. I was recently at an excellent launch of Glasgow's support for the 16 days of action for the elimination of gender violence, and draw attention to the definition that was used:

"Male violence against women includes stalking, rape and sexual assault, domestic abuse, child sexual abuse and prostitution."

There is, of course, a contentious argument about prostitution. I congratulate Glasgow City

Council on its courageous approach to prostitution, which acknowledges that women who are involved in prostitution are also victims of male violence. The council has sought to turn the spotlight on those who use prostitutes, rather than harass the women who find themselves in such circumstances. There are, of course, consequences to the broader development of such work. We need—and I urge the Executive to seek—improvements in immediate and follow-on responses to survivors of rape, sexual assault and domestic abuse in Scotland.

The greatest hope of those involved in the work against male violence is that they will make themselves redundant. The Parliament and the Scottish Executive have a role to play in naming the crime, because only when we acknowledge the overwhelming statistic that 90 per cent of those who suffer domestic abuse are women do we begin to understand what causes the abuse and to challenge it. We should not be frightened about acknowledging that, as doing so can make a significant contribution to the safety of our communities.

11:13

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

Although I have never participated in a debate on domestic violence, I acknowledge and support the fact that the Parliament has given the issue rightful priority and attention. I also acknowledge the contribution that individual members, such as Maureen Macmillan, have made in helping many women and families throughout the Highlands.

The theme of my speech is the under-reporting of violent attacks. We should also be concerned about the inconsistent methods of recording domestic violence, as we cannot have a clear picture of the problem unless an accurate and consistent approach to recording is taken throughout Scotland. I draw members' attention to paragraph 5.2.5 on page 27 of the statistical bulletin on which the debate is based. Under the heading "Reporting Practice", the bulletin states:

"some forces have ruled that no crime or offence should be recorded if no further action is to be taken e.g. because the victim does not wish any action to be taken. Other forces may record a crime or offence. These differences clearly influence the proportion of incidents which lead to the recording of a crime or offence which ranged from 98 per cent in Grampian ... to 24 per cent in Central. These differences also influence the proportion of recorded crimes and offences which are referred to the procurator fiscal."

It therefore seems likely that police forces, as well as women themselves, seriously under-report domestic violence.

I appreciate that the debate is about violence against women and further acknowledge that this is the start of 16 days of activism against gender-

based violence, but, being contrary—as is my nature—I will raise two points that relate to men, and hope that, unlike the previous two members who did so, I will not get lambasted. First, I suggest that domestic violence against men is also very highly under-reported. In Scotland's macho culture, it probably would not go down well for a man to admit to his mates that his wife was beating him up.

My second point relates to an issue—male rape—that was raised by Glasgow's only Tory councillor, Alan Rodger, whose motion on the issue received unanimous backing from all the Glasgow councillors present when it was debated. There seems to be an assumption that violent or sexual attacks take place only between males and female victims, and figures state that 90 per cent of victims are female. Although I acknowledge the attention that has rightly been paid to violence against women, I suggest that we also need to give attention to male rape.

Recently, harrowing cases have been recorded in Glasgow involving the date-rape drug and gang rapes of men by men. Although around 400 sexual assaults on men are reported each year, there also seems to be a myth that male rapists—that is, men who rape men—are homosexual. However, according to an article by Catherine Deveney in *Scotland on Sunday*, a 1990 study found that, in 98 per cent of studies, the men who rape men are heterosexual.

**Frances Curran:** Does Mary Scanlon accept that rape is not only a sexual crime but an issue of power?

**Mary Scanlon:** I have absolutely no doubt about that. Power and control were at the forefront of the article that I just mentioned and the meeting that I had this week with a male who was the victim of such a crime.

Surely, in this age of equality and social inclusion, it is time for us to address the discrimination that exists in the current law on sexual offences. It is my understanding that the prosecution simply has to prove that a female victim has not consented to sexual intercourse with the man, but that, for a male victim, evidence is required that force was used against the victim. The need to prove that force was used will ensure that male victims are reluctant to come forward and that their attackers are not brought to justice. With few cases coming forward, it is unlikely that male rape will ever get the attention or recognition in law that it deserves, not to mention the fact that the advice, support and counselling services that are needed to allow men to cope with that trauma will also not be forthcoming.

The present situation is hardly in the spirit of promoting equality under the law. As the law

stands, it is likely that many male victims suffer in silence and that their psychological distress is ignored. I put down this marker to say that, if male rape in Scotland cannot be included in any current legislative vehicles to bring the crime into line with the attention that is given—and rightly so—to women, I would consider proposing a member's bill. I hope that, like Alan Rodger's motion in Glasgow City Council, such a bill would get support from all parties.

I agree with Johann Lamont's point that male aggression is unacceptable. It is as unacceptable against men as it is against women.

11:19

**Helen Eadie (Dunfermline East) (Lab):** I welcome the minister's announcement this morning of more than £1 million over the next two years for a violence against women fund. Funding is always key to any policy that is driven by any minister, and it is first class to see that amount of money going into the fund. The minister's announcement of a designated procurator fiscal is also to be warmly welcomed. I am sure that that will make a difference in the pilot of which she spoke.

The commitment of so many people throughout Scotland who have campaigned for so long to eradicate violence against women is inspirational. The work of some of my colleagues—Maureen Macmillan, the minister, Johann Lamont, Elaine Smith and other members—is also inspirational.

We all know that, despite everyone's best efforts, the continuing violence poses an immense challenge to every caring person in Scotland. The minister mentioned the contribution that celebrities do and can make to raising awareness of the fact that domestic violence takes place on such a scale. I want to nominate one song that encapsulates the experience of so many people who are subjected to violence, both physical and mental. I am referring to "Talkin' 'Bout a Revolution", by Tracy Chapman. If anyone has heard it, they will know that it says exactly what happens when no one responds. The song always conjures up clearly in my mind images of what happens in that situation. In Scotland, at least, we know that many people care. The Scottish Parliament cares, as exemplified by the majority of speeches that members from all parties have made this morning.

The facts and statistics are still alarming. Statistics show that in 2001 the police returned details of 35,800 incidents of domestic abuse. That yields an average of 700 reported incidents of abuse per 100,000 people. In the Dunfermline area, 2,064 requests for information or support were made. However, if there was only one case

of domestic abuse, rather than 35,800, for the person affected that would be one case too many.

Last week, I met in the Parliament one of my constituents, Juanita Berry from Dalgety Bay, whose case has already appeared in the tabloid newspapers. Her experience of being drugged and raped at a party in her house in Dalgety Bay does not make good listening. She put a number of questions to me and to the Parliament. Why were the leaflets for victims of rape handed out by the police out of date, with telephone helpline numbers that were unobtainable? Why did the helpline numbers put her through only to answering machines? Why was Juanita unable to get counselling and support without being put on a six-week waiting list? Why did a police officer tell her to produce a urine sample immediately, only for her to witness a police surgeon throw the sample away, saying that it was not needed? Juanita needed to be sure that blood and urine samples were tested for drugs, because she was date-raped. She has many questions that remain unanswered.

It is for ministers to ensure that we have a system that monitors and ensures the availability of a 24-hour helpline. They must also ensure that counselling and support are available on an urgent basis and that all leaflets have up-to-date telephone helpline numbers. That responsibility must be acknowledged by all the agencies involved—the police, social work and health professionals. Ministers need to ensure that victims such as Juanita Berry can turn to all the agencies with confidence that they will get the support that they need. The system has failed Juanita, but the Parliament must do everything possible to ensure that her experience is not repeated.

On a positive note, in Fife there are very committed individuals who for years have worked hard to establish support for women and children. As Marilyn Livingstone said, one of the products of their efforts will be the splendid new refuge, costing £395,000. We thank the Scottish Executive for that.

The social cost of violence to women and children is unacceptable. The emotional trauma and harm that it causes to individuals cannot be measured. Donald Gorrie spoke of the need to educate young people—I agree. Juanita Berry's teenage daughter highlighted that issue. She hopes that in schools special awareness will be raised of the issue of drugs being used with the motive of raping young women.

The minister's task is not easy—it is very complex. She must work to win support from education, the police, social work, housing and other agencies. However, as Marilyn Livingstone said, no one is better suited to that challenge.



Elaine Smith was right to say that Margaret Curran is tenacious and extremely committed. We are glad that we have her to do the work that she is doing.

Murdo Fraser and Mike Rumbles made the point that there is also violence against men. However, I have not seen a statistic relating to men that matches the fact that every week in the United Kingdom two women are murdered by current or former partners. Anyone who needs to be persuaded further need only attend any Women's Aid forum in Scotland or a conference such as that attended by Margaret Curran last March. The conference, which was attended by 180 individuals from Fife and beyond, afforded service providers and other committed individuals the opportunity to express their concerns about the very pragmatic issues that confront them. It is important always to acknowledge the contribution of Scottish Women's Aid and to thank it.

Our challenge is to recognise and acknowledge universally the very special need of women who have violent husbands or partners. This morning my colleagues have spoken about the power relationship between men and women. Translated, that means that the men of whom Mike Rumbles spoke can simply walk away from violence. More than a third of cases of domestic abuse involving young women start during pregnancy—a time when women are at their most vulnerable, emotionally, financially and physically. Where do such women go? That is the difference—that is what we mean when we speak about the power imbalance between men and women. I applaud everyone, everywhere, who works towards the eradication of violent abuse.

11:25

**John Swinburne (Central Scotland) (SSCUP):** I take this opportunity to congratulate Margaret Curran on her plans for coping with the problem of domestic abuse, which in the past has been quietly swept under the carpet. I do not know whether the main cause of the problem is alcohol, poverty or lack of education. More probably, it is something that transcends all those issues, crosses all social barriers and applies across all classes.

Is any provision envisaged to ensure that perpetrators of domestic abuse are not only fined or imprisoned by the courts, but made to pay for the refuge accommodation of the wives and children whom they have abused? Probably the main reason why women fail to report abuse is fear of retribution from their partners. Refuges must be located in such a way that offenders have absolutely no chance of contacting those who have suffered at their hands, who fear stalking and further assaults by their partners.

Mention has been made of the high incidence of domestic abuse in the Dundee area. It is more likely that that is the result of the hands-on policy of the police in Tayside than of a concentration of abusive behaviour in the Dundee area. The problem could be addressed throughout the country if the attitude of the Tayside police were adopted elsewhere.

All forms of domestic abuse should be abhorred by all civilised society. Such abuse is far from being the norm, however. Despite some of the statistics that have been quoted today, the vast majority of people never resort to violence. I have been married for 50 years and I get only verbal abuse—but that is by the way.

The majority of people who perpetrate such offences must be eradicated completely from our society. I give 100 per cent support to the strategy that has been produced.

If members will excuse me for being mildly facetious, I will comment on the fact that Conservative members keep mentioning abuse of men. That is a legacy of the way in which Maggie Thatcher treated her Cabinet.

11:28

**Patrick Harvie (Glasgow) (Green):** I thank the Executive for initiating this debate and for accepting the Green amendment. At the beginning of the debate, the minister spoke about the important work that has been done, which we applaud. It is encouraging that, despite some reservations, no members have criticised what is happening on the ground.

The minister recognised that a great deal of work remains to be done. One of the most important tasks is to improve services. Many members have cited statistics from different parts of the country, so I will do likewise. In the previous financial year, the Women's Aid group in Glasgow received from women 974 requests for refuge and was able to accommodate only 247 of those. The picture is equally stark nationally—it seems that barely a quarter of the required places exist.

The funding for Scottish Women's Aid that was announced yesterday is welcome, but we have been told that it will allow the organisation only to meet existing staff costs, including wage rises—it will not allow Scottish Women's Aid to increase capacity. There remain areas where greater clarity could be provided. I hope that we will hear more about those when the Deputy Minister for Communities sums up.

The minister's comments on training are particularly welcome. It is important for staff in social work, the justice system, the police and health services to have access to specific training

on the issues that will face them when supporting victims of gender-based violence, domestic violence or rape and sexual abuse. That would be of enormous benefit.

There have been calls for changes to the legal system. Nicola Sturgeon's call for independent legal representation for complainers has real potential and I hope that it will be considered. The suggested pilot scheme on domestic abuse courts sounds innovative and positive, but could it not be extended to deal with rape and sexual assault cases in which the offence is not perpetrated by a partner or ex-partner? Mary Mulligan has said of the courts pilots:

"I am convinced that this will ensure a fairer and more accessible system of justice for the victims of domestic abuse."

Surely the courts could provide the same benefits for victims of rape and sexual abuse that is not domestic abuse. I understand that the domestic abuse strategy will not address the situation of the victim to whom Helen Eadie referred, who reported that she had been raped at a party; it will help only those people against whom the offence was committed by a partner or ex-partner.

Annabel Goldie called for tougher court sentences. That is okay, but we have to think about what it means.

**Miss Goldie:** Will the member take an intervention?

**Patrick Harvie:** I would like to expand on the point for a moment and then I will certainly give way. I would like to see innovative and creative sentencing, which is not only about longer prison sentences and more punitive justice, but about creative ways of challenging behaviour and getting people to accept that they are at fault and have to change their behaviour. I am glad that the strategy recognises that there are creative ways of dealing with men who are violent.

**Miss Goldie:** I am grateful to the member for giving way. I just want to offer a minor point of information. I was careful in my phrasing; I talked about "tougher court sanctions", which are not the same as tougher sentences. I was referring to the fact that, with automatic early release, the sentence imposed is not the sentence served. The repeat pattern, which to me is the profoundly disturbing aspect of domestic abuse, would be addressed if the miscreants and perpetrators realised that the penalties that the courts could impose were real and offered a deterrent effect.

**The Deputy Presiding Officer (Murray Tosh):** You have one more minute, Mr Harvie.

**Patrick Harvie:** Thank you.

Before I finish, I will address the comments that

have made been about male victims. I spent a good number of years working with lesbian, gay, bisexual and transgender youth in Glasgow. I have direct experience of supporting young men who have suffered what I would define as domestic abuse at the hands of their male partners. I argue passionately for the experiences of such young men to be taken seriously and for services to be funded to support them. I do not expect that the Executive or anyone else would disagree with that. However, I would not argue for all those experiences and all those victims and perpetrators to be treated in the same way, because many of the causes are different.

We can take action that will benefit everyone. I hope that the sexual well-being and relationships strategy will address some of the underlying issues of how we deal with relationships in society. I look forward keenly to the Executive's endorsement of that strategy. We also support eliminating violence against children, whether it is intended as abuse or discipline. That might not relate directly to the underlying gender issue, which most of us accept is at the heart of the problem of domestic abuse, but it would remove the violence in children's lives.

11:34

**Donald Gorrie:** With hindsight, I think that the motion should have mentioned the fact that it was triggered off by the international day or period for the elimination of violence against women. That was the essence of the motion and, if that had been made clear, the fact that it addressed women would have followed.

Domestic abuse is obviously predominantly a women's issue, but the people who are quite rightly concerned about it as a women's issue would benefit and make progress if the Executive ensured that the various arrangements gave men who face the issue a fair chance. For any individual involved, whether a man or woman, domestic abuse is a 100 per cent issue. Even if fewer men are involved, including them would help the women's cause. However, as a keen supporter of proportional representation, I have to accept that if 91 per cent of the people involved are women, it is fair that they should get 91 per cent of the attention.

I also accept entirely that domestic abuse is an issue of power and control. It is regrettable that most of life is about issues of power and control. Political parties are obsessed with power and control, whether controlling members of a Parliament or council or behaviour at party conferences. Other organisations, such as multinationals, are also obsessed with power and control—so, naturally, are men individually and they have a lot of power, which we have to restrict.

History is all about combating people with too much power.

Many members have given good examples of local initiatives—Linda Fabiani talked about a good initiative that was blocked by the stupidity of the system—of particular problems and of good work by local women's refuges. That is always the strength of our debates.

A point that I had not considered before is that we are talking about repeat crime, which is to do with what goes on in people's minds. We have to treat the problem in the same way as we treat people who are addicted to alcohol or drugs. As well as punishment, there has to be organised and proper treatment of perpetrators of domestic abuse. That does not happen nearly enough at the moment. We have to challenge both female and male stereotypes. We must recognise, publicise and talk about the crime more fully and get good statistics on it.

In order to progress, I suggest humbly that Margaret Curran have a word with Jack McConnell. He is a very skilled publicist and, if the two of them really went a dinger on publicising the issue, that would help a lot. That is something constructive that we could do, because everyone supports the strategy; we just need to make real progress on it to build on what we have achieved.

11:37

**Margaret Mitchell (Central Scotland) (Con):**

The Scottish Parliament is second only to the Finnish Parliament in terms of female representation, so it is fitting that the harrowing subject of domestic violence, particularly violence against women, should be debated here. It was here that the Protection from Abuse (Scotland) Act 2001 was passed. The act made history as the first committee-initiated legislation to come before the Parliament. I pay particular tribute to Maureen Macmillan for her contribution to that.

Today's debate continues that excellent work, not least because it serves to highlight and increase awareness of what is by any measure a complex issue. The lyrics of the 1973 Charlie Rich song, "Behind Closed Doors", sums up the nature of the problem:

"No one knows what goes on behind closed doors."

The song came out 30 years ago, but the problem is still with us today. To acknowledge that domestic violence takes many forms is not to undermine the issue. The most visible, tangible manifestation is violent behaviour resulting in physical abuse. However, other equally repugnant forms exist, including verbal abuse and financial or emotional manipulation and control.

The problem is no respecter of persons and cuts

across social divides of age, class, background and gender. Some 10 per cent of victims in 2002 were male—that point was well made by Murdo Fraser and Mike Rumbles. However, one common factor exists: fear. At its most extreme form, that translates into a fear for life and limb, which can cause victims to feel powerless and trapped in abusive situations where their self-esteem has been eroded over the years and from which the fear of consequences prevents them from escaping. Frances Curran highlighted the repeat incidents of domestic abuse that that can give rise to and Annabel Goldie called for tougher sanctions to deal with the matter. Nicola Sturgeon and Mary Scanlon highlighted the fact that fear can also translate into under-reporting.

In 1999, a community safety initiative became the vehicle to launch a female and child domestic violence unit pilot in the North Lanarkshire Council area. The unit, which was aimed at creating a new confidence among abused women, was staffed by two women police constables, who provided support and—crucially—accurate information. The victims were assured that, if they summoned up the courage to report the abuse to the police, they would not put at risk either the right to look after their children or the roof over their heads. The unit has gone a considerable way towards raising awareness of the problem and has now developed into a family protection unit. It works and functions not simply as a policing initiative; it depends on a multi-agency approach and involves representatives from health, education and social services, as well as the Procurator Fiscal Service and the police, working together to address the problem.

As a result, reports of domestic abuse are on the increase. On average, eight such incidents have been reported every day this year. The fact that many of those reports concern repeat incidents provides further evidence of women being trapped in abusive situations. Official statistics suggest that 40 per cent of cases are drink related, but that is definitely an underestimate—the actual proportion is thought to be nearer 70 per cent. Donald Gorrie highlighted that point.

Legislation will help to combat domestic abuse to an extent, but to tackle the issue properly there must be a fundamental culture shift in how domestic violence is perceived. Raising awareness through radio, television, newspaper and poster campaigns that list helpline numbers is key to that process. I very much welcome the minister's announcement about the extension of the helpline to provide 24-hour coverage; that is particularly good news as we approach the festive season. Her announcements about the refuge development programme and research into refuge provision, such as cluster provision of flats, are also welcome. I hope that those measures will go

a considerable way towards addressing domestic abuse.

11:42

**Michael Matheson (Central Scotland) (SNP):**

Over the years, we have had a number of debates on domestic violence, to which I have contributed on several occasions. As ever, the Parliament has been united in its condemnation of domestic violence against women.

Like the Executive, the Parliament has a clear commitment to that agenda. As Maureen Macmillan highlighted, the first committee bill was the Protection from Abuse (Scotland) Bill, which became the Protection from Abuse (Scotland) Act 2001. The intention behind the legislation was to provide greater protection to women who are subject to domestic violence. Some interesting research on the effectiveness of the act demonstrates that it has been of value, but could be of more value if it were promoted more effectively.

We have to pay particular tribute to organisations such as Scottish Women's Aid, Rape Crisis Scotland and Barnardo's Scotland, because they have kept domestic violence against women at the forefront of Scottish politics and our parliamentary debates, have maintained a profile in the debate and have stayed on politicians' backs to remind us that we must continue to address the issue.

Most of the issues that have been raised in the debate have been covered by the provisions in the national strategy to address domestic abuse in Scotland, which, as several members have mentioned, cover the three Ps—prevention, protection and provision.

A number of members have highlighted the context in which the debate on domestic abuse takes place. Nicola Sturgeon pointed out that, last year, 72,000 women approached Women's Aid to obtain some form of help. That represents a 10 per cent increase on the previous year. Annabel Goldie highlighted the fact that around 99 incidents a day were reported to the police in Scotland in 2002, which is also an increase on the 2001 figures. If we couple those figures with the research that was carried out in mid-1998 by the Zero Tolerance Trust, which showed that one in five young men and one in 10 young women think that abuse or violence against women is acceptable, we can see the context in which the debate takes place. The services that provide for and protect women who have been subject to violence face increasing demand, a growing number of cases are reported to the police and there is a prevalent attitude in society that some form of domestic violence or abuse is acceptable.

The target on the prevention of domestic violence will probably be one of the most difficult challenges that the strategy will face. The reason why I believe that the preventive aspect will be the most difficult of the three pillars in the national strategy to achieve is that it will involve addressing the structural inequality in our society. The fact that domestic violence is a manifestation of that structural inequality accounts for a key difference between domestic violence against men and domestic violence against women.

**Mike Rumbles:** Donald Gorrie made the point that, in cases of domestic violence against an individual, in some regards the gender of the person involved does not matter—for that person, domestic violence is a 100 per cent issue. Does Michael Matheson agree?

**Michael Matheson:** I accept that no form of violence against anyone—regardless of their gender—should be tolerated. I am saying that domestic violence against women is a manifestation of the structural inequalities in society and that, if we do not address those inequalities, the violence will continue. That situation is different from that involving violence against men.

The reason why prevention is so important is that, as some members have mentioned, domestic violence is part of the culture that exists in our society. That is why prevention is the key aspect of the strategy and why it must be delivered on. I believe that we can deliver on it if we consistently demonstrate a zero-tolerance approach to violence and ensure that there is adequate education of younger people on the issue.

The other two main areas that have been covered in the debate are protection and provision. Maureen Macmillan highlighted the lead role that Scottish Women's Aid often plays in protecting women who have been subject to domestic violence, particularly through its refuges. However, Linda Fabiani drew attention to the problem that is faced by the Women's Aid project in East Kilbride, which has had to turn away women. The national figures demonstrate that such problems are continuing. Scottish Women's Aid's annual report shows that, although the organisation was approached by some 5,873 women last year, it could accommodate only 1,661 of them and just over 2,000 children. That means that more than 3,000 women and 4,500 children had to be turned away because Scottish Women's Aid could not provide them with the protection that they required.

I acknowledge the fact that the Executive has established the refuge development fund and I welcome its extension. However, until we turn the tide and prevent people from committing acts of

domestic violence, the Executive must ensure that expectations are met on the supply of and demand for protection, so that the people who turn to Scottish Women's Aid can obtain the help that they require. Politicians, the Parliament and the Executive must ensure that Scottish Women's Aid receives sufficient funding to enable it to provide that help.

It is important that we have a legal system that is sensitive and that reflects the needs of people who suffer from domestic violence. I welcome the establishment of a domestic violence court, although I would be more inclined to go down the route of a family court rather than of a court specifically for domestic violence. Nonetheless, such a court should go some way towards addressing the present problems in the legal system. As Annabel Goldie said, it is important that, when women turn to the legal system for assistance, that assistance should be delivered swiftly and efficiently. Although I believe that it is dangerous continually to go down the route of having specialist courts to deal with different types of violence, I think that a domestic violence court will go some way towards addressing domestic violence matters.

In my view, the Parliament is united in condemning domestic violence. I hope that the next time we debate the subject the statistics will show that we are turning the tide. I ask members to support Nicola Sturgeon's amendment.

11:50

**The Deputy Minister for Communities (Mrs Mary Mulligan):** As we have heard throughout this morning's debate, violence against women is a serious matter and has a high cost in terms of women's ability to participate as full and equal members of society. The fear of violence undermines the confidence of women even if they have not experienced it personally.

There are many forms of violence, all of which are unacceptable, but domestic abuse, rape and sexual assault are the most obvious and pernicious. As Margaret Curran said, we are conscious of the need to do something now to help those who have experienced rape or sexual assault and adult survivors of child sex abuse who are experiencing commercial sexual exploitation. Her announcement of the establishment of the violence against women service development fund demonstrates that we recognise the nature of the problem that we face. That is why we will accept the Green party's amendment.

The progress that we have made demonstrates clearly what a difference our Parliament has made to our lives in Scotland. There is still much to do, but we have a solid base on which to build. We

must continue to raise awareness through advertising, training and speaking out at every opportunity until there is not a man, woman, or child in Scotland who is not aware that abusive behaviour is not to be tolerated.

We can also raise awareness through education. Elaine Smith asked about the Zero Tolerance Charitable Trust's respect pilot project. I can tell her that we have committed £160,000 to ensure that Zero Tolerance can distribute its educational package throughout schools in Scotland. Peter Peacock, the Minister for Education and Young People, and I have written to all directors of education to ask them to look at the package and commend it to their schools. Given the figures that have been quoted several times during the debate on the response of boys and girls to violence, it is clear that education is an important means of raising awareness of the issue.

Until we have succeeded in our aims, we must ensure that women and their children who experience abuse can get the protection and service provision that they need. Not all women who experience abuse wish to leave their partners, but those who do should be able to get a place in a refuge or access to other housing and that accommodation should be of a reasonable standard and should meet the diversity of needs of those who wish to use it.

As members have heard, we have committed considerable resources to improving and extending refuge provision. However, it is a sad fact that some of the projects have faced delay, often because of difficulties in obtaining planning permission—the not-in-my-back-yard syndrome. We have to make sure that people understand what is involved in providing a refuge and I hope that any opposition is due to misunderstanding rather than malice. Those vulnerable women and children deserve the support of all our communities.

We are slowly and doggedly making progress and I hope that all projects will be completed during 2005. Shona Robison asked about the situation in Dundee. Permission has been granted for Dundee City Council to access funding for further provision. However, Dundee and other places will have to keep the situation under review because we are aware that there are occasions when there are not enough places.

We have the Justice 2 Committee to thank for the Protection from Abuse (Scotland) Act 2001, which provides for a power of arrest to be attached to any common-law interdict that has been granted for the purpose of protecting someone from abuse. The act was the result of the Scottish Parliament's first committee bill and it underlines the importance that the Parliament attaches to the necessity of tackling abuse.

Annabel Goldie talked about ensuring that people are aware of that positive piece of legislation. We are working with Scottish Women's Aid and Citizens Advice Scotland to ensure that the information is out there. We are using the local multi-agency partnerships on domestic abuse. We have ensured that the legal profession has been alerted to the 2001 act and that the courts have full information. We are also working with the Association of Chief Police Officers in Scotland working group to ensure that police officers also receive the appropriate information about the act so that the law is delivered in the most appropriate way. The pilot domestic abuse court will ensure that perpetrators are dealt with quickly and appropriately and that women and children receive the support and consideration that they deserve.

I will respond to some of the points that have been raised in the many excellent contributions to the debate. Nicola Sturgeon made a telling speech and raised the issue of repeat offences, as did Annabel Goldie. We must consider that issue further. We must also ensure that women's faith in the system is built up so that they can get the access to the justice system that they need. I, too, am interested in the initiative in Austria, which I heard about this week at the Scottish Women's Aid conference. Under that scheme, male perpetrators rather than the woman victim are removed from the household. We have to examine the experiences of others and use what we learn in whatever context is appropriate in Scotland.

However, I will not accept the SNP's amendment. The figures to which it refers do not compare like with like and are misleading. Unfortunately, all countries in Europe are experiencing a reduction in the rate of prosecution and conviction. The SNP's amendment is therefore too simplistic in suggesting that only Scotland faces that difficulty.

Annabel Goldie spoke about a register of male perpetrators. I inform her that that is the subject of a proposal in England and Wales, which we will continue to keep under review. However, we want to know whether such a scheme will be of benefit before we make further progress on the idea.

Michael Matheson spoke about women who have been turned away by Scottish Women's Aid. As I have already said, we must continue to review the provision of refuge. However, we should also challenge our partners in the local authorities to accept their responsibility for funding local provision that is suitable for local needs. I ask our local authority partners to work with us to achieve that.

Linda Fabiani mentioned the purchase of properties on the open market. We will consider that idea further. Obviously, we will have to ensure that we get best value for money. Moreover, if

there are local issues surrounding the purchase of property, those will have to be addressed.

We must also consider behaviour change, an issue that Frances Curran raised. A pilot project in north Edinburgh is looking at working with male perpetrators and it will be particularly important to examine the lessons that can be learned from that. The money for that project is not just coming from the Scottish Executive and, should that funding be ruled out in future, we will have to examine how the project is to be funded.

We have heard many thoughtful contributions this morning. We should ensure that the debate is carried on throughout the year so that we can consider the issues that have been raised. I conclude by making a commitment, personally and on behalf of the Executive, that we will maintain the momentum and continue to work on domestic abuse and other forms of violence against women until we can say that we have achieved the society that we want and deserve.

## First Minister's Question Time

11:59

### Prime Minister (Meetings)

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

To ask the First Minister when he next plans to meet the Prime Minister and what issues he intends to raise. (S2F-379)

**The First Minister (Mr Jack McConnell):** I expect to meet the Prime Minister again next month. We will continue our discussions on a number of issues, but in particular I would imagine that we will discuss tackling crime, antisocial behaviour and drug abuse across the United Kingdom.

**Mr Swinney:** In February 2002, when the First Minister announced the switch from waiting lists to waiting times, he boasted that the average waiting time for patients had fallen to 33 days, but was still too high. After two years in office, can he tell us the figure today?

**The First Minister:** We do not calculate the average waiting time, as I have tried to explain to Mr Swinney on at least a couple of occasions. The median that we announce on a quarterly basis is not an average. A median is a mid-point of those who have to wait. One of the issues is that the vast majority of people who are treated in the health service are treated either immediately or immediately on referral. That important fact is not reflected in those statistics.

We have a continuing challenge to bring down waiting times in the health service. I said two years ago that the immediate priority was to reduce waiting times for heart and cancer operations and treatments in particular, and the waiting times are being driven down in those areas. We have also been working for two years to bring down the longest waiting times in the health service, and the news on that this morning is very good.

**Mr Swinney:** The press release of 28 February 2002 from the Scottish Executive, which I have in front of me, includes the remark:

"the average ... waiting time for in-patient and day case treatment was 33 days".

The chamber will not believe it, but the Government then went on to boast about the fact that that was

"a day fewer than a year ago."

The answer that the First Minister was so evidently finding it difficult to get out today is that the waiting time is not 33 days on average—it is 40 days, which is 10 days longer—[*Interruption.*] No, wait a minute. That is 10 days longer than in 1999, a

week longer than when the First Minister made that boast, and the longest wait since records began.

With all the resources that he has had at his disposal, and with all the taxes that people have paid in Scotland, can the First Minister explain how the health service has deteriorated and why people are waiting so long for treatment in Scotland? [*Applause.*]

**The First Minister:** I am glad that they applauded at the right time on that occasion. Stage-managed applause does not always work.

We must be serious about this, because the health service in Scotland is a vital national service. It is a service that requires improvement year on year. It requires us to ensure that we are focused on immediate priorities and that we are planning and working for long-term improvements, which is exactly what we continue to do. That is why it has been absolutely right first of all to ensure that we target those long-term waiters.

The figures this morning show clearly that nobody with a guarantee is waiting for longer than 12 months, and we are well on course—subject, of course, to the possibility of flu and other issues—to achieving our target of nine months by the end of this year. It is also the case that the number of doctors, nurses and health professionals is up and the capacity of the system is being increased, which is what will lead in the longer term to bringing down waiting times overall.

A median is not an average. It is a middle point of those who have to wait at all. The immediate priority was, quite rightly, to bring down waiting times for heart disease and save lives; to bring down waiting times for cancer treatments and save lives; and to bring down waiting times for those who wait the longest. That is what we have done. I am proud of that achievement so far, but there is still a long way to go.

**Mr Swinney:** Here is the press release from February 2002, in which the First Minister makes the bold declaration:

"To make a real difference, we will bring down waiting times."

Waiting times have risen under this Labour Government.

The First Minister boasts again that he is on target to eliminate for people a wait of longer than nine months. Since he was re-elected to office in May, the number of people waiting more than nine months for treatment has gone up. I see that the First Minister is shaking his head, but the figure has gone up from 662 to 897. That figure is going the wrong way. Fewer out-patients, in-patients and day cases are being treated and more people are waiting longer than ever before. And now, to add

to the problems, the Labour Government south of the border is pushing through foundation hospitals that will draw staff and resources from the NHS in Scotland. Is it not the case that, north and south of the border, the Labour Party is a disaster for the health service?

**The First Minister:** I repeat that a median is not an average, it is a mid-point. I stress the absolute importance of focusing on the things that matter most in the health service at the moment, which are the longest waiting times. That is why we have reduced them, giving an absolute guarantee of 12 months and, as of 31 December, nine months. The other critically important priority, which was identified three years ago and is now being implemented across the health service by expert professionals, who are working hard to deliver our commitment, is to bring down waiting times for heart disease operations and treatments and for cancer treatments. Those were the priorities that we identified and they have been met.

However, there is a longer-term issue, which is to bring down waiting times across the board. That will be done by increasing capacity. That is why, in the past two years, the number of nurses, doctors and consultants has gone up, as has the number of nurses, doctors, and dentists in training. All those figures are going up and that is how, in the long term, we will improve our national health service.

### **Cabinet (Meetings)**

**2. David McLetchie (Edinburgh Pentlands) (Con):** To ask the First Minister what issues will be discussed at the next meeting of the Scottish Executive's Cabinet. (S2F-378)

**The First Minister (Mr Jack McConnell):** The Cabinet will, as ever, discuss a number of issues that are important to the future of Scotland. With regard to the immediate future of local government in Scotland, we will discuss next year's local government financial settlement.

**David McLetchie:** I am sure that the First Minister, his Cabinet and all the other members of the self-preservation society in the Scottish Parliament will be delighted that the Queen's speech included a bill to amend the Scotland Act 1998 and keep the number of MSPs at an overblown and wholly unnecessary 129. *[Interruption.]* Of course, most of the unnecessary MSPs are on the Government benches. At the election, the redundancies were handed out on benches other than ours.

As the First Minister knows, our view was that the Scotland Act 1998 should not be so amended, not least because of the problems that will arise from having differing constituencies for Westminster and the Scottish Parliament.

However, I acknowledge that, at least, the proposal to amend the act had the consent of the Parliament.

Could the First Minister explain how he intends to deal with the problems caused by having differing boundaries? Does he accept that any proposed change to the method of electing members of this Parliament should equally require the consent of this Parliament?

**The First Minister:** While the issue of any changes to the method of electing members of the Scottish Parliament might be the responsibility of the Westminster Parliament, I believe that such changes should have the consent of the Scottish Parliament. I have always believed that.

I believe that it is right and proper for the Secretary of State for Scotland to establish the commission that was announced by his predecessor to examine the implications of the differing boundaries that were implied by yesterday's announcement to retain 129 members of the Scottish Parliament. We will contribute to that commission when it is established.

However, I should say that it is more important for the Scottish Parliament to be discussing the extremely important issues of health, education, crime, transport and jobs rather than talking about ourselves and self-preservation. Mr McLetchie has his priorities all wrong. What is important is that we deal with the issues that matter to the people of Scotland. When we do that, we will get the credibility that we sometimes demand, but do not always deserve.

**David McLetchie:** It was not I who spent the first four years of this Parliament discussing nonsense and wasting money on an unprecedented scale. The First Minister would do well to take a lesson from the book from which he has just quoted.

I was interested to hear the First Minister's answer about the importance of the principle of consent with regard to changing methods of election, because that does not seem to apply to the method by which we elect our councils.

This week, the Scottish Executive published its Local Governance (Scotland) Bill, which proposes the single transferable vote system of proportional representation for local elections. However, instead of listening to the views of councils and others, the First Minister is imposing a system that was opposed by the majority of respondents to the Executive's consultation; opposed by the Convention of Scottish Local Authorities; opposed by the vast majority of his own party, including Labour councils in Fife, Dundee, Stirling and Glasgow; and, almost certainly, opposed by most of his back benchers. Are not our councils having to pay an extremely high price to keep the First



Minister and his Cabinet in a job? Does the First Minister relish the prospect of having to rely on the votes of the Scottish National Party to force through this change?

**The First Minister:** Given how often SNP members change their policy positions, it would be hard to rely on them for anything. However, if they ever come in the right direction, we will be very grateful for that.

The consultations on the electoral system for local government, which have taken place on four occasions now, have shown a majority—I think in each of the consultations, and certainly in the two that have taken place since I became First Minister—in favour of a change in the electoral system to STV. It is right that this Parliament should respond to that clear demand. I look forward to the legislation that was introduced on Monday not only passing through the Parliament and its committees, but being enacted next year.

**Bristow Muldoon (Livingston) (Lab):** At the next meeting of the Executive's Cabinet, does the First Minister intend to discuss the very welcome announcement by the Inland Revenue this week to bring 500 new jobs to West Lothian? Does he acknowledge that the Inland Revenue will have made that decision on the basis of the excellent and high-quality work force that is available in West Lothian? Does he acknowledge how well the West Lothian economy has bounced back from the problems in the electronics industry of a few years back?

**The First Minister:** We are all aware not only of the strength of the economy in West Lothian and the rest of the Lothians, but of the strength of the work force, which has faced challenges as a result of the international downturn in electrical engineering in recent times. West Lothian has maintained a level of economic activity and employment that is really quite remarkable. That exemplifies one of the underlying strengths of the Scottish economy at the moment. I welcome the decision this week to locate Government jobs in West Lothian, but I hope that other parts of Scotland will take up the same challenge. It is right and proper that the United Kingdom Government is redirecting jobs out of London and the south-east. We in Scotland should be trying to capitalise on those opportunities.

**Linda Fabiani (Central Scotland) (SNP):** What representations will be made to David Blunkett, the Home Secretary, regarding the implications for Scotland of his proposal to remove from their parents and place in care the children of so-called failed asylum seekers?

**The First Minister:** Mr Blunkett clarified this morning that that is a gross distortion of his position. We will continue to have discussions with

the Home Office about these and other matters in the normal way.

### **Terrorism (Contingency Plans)**

**3. Christine May (Central Fife) (Lab):** To ask the First Minister what contingency plans are in place in the event of terrorist attacks in Scotland. (S2F-388)

**The First Minister (Mr Jack McConnell):** Although the level of risk to the UK from terrorist attacks remains substantial, there are no specific threats to Edinburgh or anywhere else in Scotland.

The Scottish Executive, Scottish emergency services and public agencies work closely with one another, and with UK bodies, to ensure that we are as prepared as possible to deal with any terrorist threat to Scotland. Contingency plans are tested regularly at local level as part of an on-going national UK programme.

**Christine May:** I am grateful to the First Minister for that reassurance. Will he also reassure us that sufficient measures are in place, not only to protect all Scottish people from the immediate effects of terrorism, but to protect certain parts of the community who may be at risk from a backlash should an attack take place or the threat of an attack escalate?

**The First Minister:** One indication in the past 12 months of how society in Scotland has changed and improved over recent years has been the way in which—in the spring, during what could have been a very difficult time, with real tension in communities as a result of the conflict in Iraq—the police forces, the local authorities, the churches and the faith groups generally, and local community leaders came together and ensured that action was taken in schools and communities to reduce tension or to ensure that tension did not arise in the first place. That is to the credit of everybody involved. Such work will continue to be a central part of our preparations for, and our response to, any such situations.

**Phil Gallie (South of Scotland) (Con):** Will the First Minister tell us what role the armed services would play in the prevention of a terrorist attack and in the aftermath of such an attack? What concerns does he have about reports about a reduction in the armed services?

**The First Minister:** On Mr Gallie's second point, we also heard this week clear denials of those rumours that are being put around—presumably by Opposition parties for the sake of grabbing headlines.

I want to put on record the strong support that I have consistently given—and I hope that everybody in the chamber will learn to give—to the armed forces that are based in Scotland and to

those who serve in Scottish regiments. They would play a role if there were any serious incident or threat. That would be part of the normal liaison arrangements between our devolved services in Scotland but, more important, part of arrangements involving the Ministry of Defence and those responsible at a United Kingdom level.

### **Objective 1 Funding (Highlands and Islands)**

**4. Mrs Margaret Ewing (Moray) (SNP):** To ask the First Minister what representations will be made to Her Majesty's Government in order to rectify any error made by the Office for National Statistics resulting in the loss of objective 1 funding for the Highlands and Islands and whether the Scottish Executive will seek compensation for such loss. (S2F-385)

**The First Minister (Mr Jack McConnell):** What mattered in 1999 was the outcome for the Highlands and Islands. Because the statistics did not support objective 1 status, the Prime Minister secured, at the Berlin summit, the special transitional programme for the Highlands and Islands, which is broadly equivalent to objective 1 funding and has resulted in the investment in the area that has taken place since then. It will be important to take into account any new data—particularly data at a European rather than a British level—when considering proposals for the next round of structural funds. We will ensure that that happens.

**Mrs Ewing:** Not for the first time today, the First Minister has indicated that he does not understand statistics, since he thinks that 40 is less than 33. The ONS has admitted that the wrong statistics were submitted and, as a result, objective 1 funding was lost. Transitional aid is automatic in those circumstances.

Does the First Minister recall saying, when he was in the Highlands and Islands during the election campaign—it was recorded in nearly every local journal, including *The Press and Journal*—that he would battle for the Highlands and Islands of Scotland? Will he put up a battle on this issue, and win some compensation for the area, or will we in the Highlands and Islands be socially excluded?

**The First Minister:** I want to make three points on that. First, the statistics that I think Mrs Ewing is referring to are not yet Europe-wide, and therefore the comparison with the situation in 1998 does not stand. However, if the statistics show that the position in the Highlands and Islands would merit a revision of the analysis back in 1998, we will ensure that that is part of the discussion on the next round of structural funds. We will stand up not just for the Highlands and Islands, but for the whole of Scotland in these decisions. I have recently represented not only Scotland, but the

United Kingdom in Rome at a meeting on that very issue. The Deputy First Minister is, at this moment, in Brussels, making representations on these issues. We intend to ensure that our input into these discussions continues.

I have one further point, which is that it would be wrong for the chamber, through the production of these weekly sessions, to give the world the impression that the Highlands and Islands are in some way an economic basket case. There are parts of the Highlands and Islands that are economically strong. Inverness is still the fastest-growing city in the United Kingdom. We should ensure that we promote the positive side of the Highlands and Islands economy and that those severe pockets of economic difficulty in the north-western Highlands and in some of the islands are tackled and supported, not just at a European level but at a Scottish level. That is what this Government will do.

**Maureen Macmillan (Highlands and Islands) (Lab):** I welcome what the First Minister has said so positively about the Highlands and Islands, but does he realise that there is still concern about the statistics? It would be helpful if those statistics could be considered carefully and quickly. Will he take particular note that important infrastructural projects are still needed for the more remote parts of the Highlands and Islands and will he consider how those can be implemented in the coming years?

**The First Minister:** Those are important points. Our objective is to influence the next round of European structural fund talks to ensure that, although the statistics—let us talk statistics again—might show that we would lose out in structural funds to the eastern European nations that have just joined the European Union and that are significantly poorer than ourselves, regional support is still available to Scotland as a whole, and in particular to areas that need it, such as the Highlands and Islands. We are fighting that case and will continue to do so.

### **Fisheries**

**5. Mr Ted Brocklebank (Mid Scotland and Fife) (Con):** To ask the First Minister what outcome the Scottish Executive expects to be reached on quotas and days at sea for Scotland's fishermen in the forthcoming December negotiations in Brussels. (S2F-381)

**The First Minister (Mr Jack McConnell):** Our aim on fisheries for the December council meeting will be to secure quotas that are realistic in commercial and conservation terms and to secure a more effective and equitable effort management, or days-at-sea regime.

**Mr Brocklebank:** Can I tempt the First Minister to be a little more explicit? Recent scientific

evidence shows that many Scottish white-fish species are in their healthiest state for a generation and stocks of prawns are reported to be excellent. Will he assure us that instead of Ross Finnie being gutted, filleted and hung out to dry over one species—cod—as happened at last year's fisheries summit, the First Minister fully expects the negotiating team to return with significantly improved catching quotas? Will he guarantee that those who live in Scotland's fishing communities will be able to recognise his unique assessment that, despite all evidence to the contrary, they live in thriving and prosperous places?

**The First Minister:** I would be grateful if the Conservatives stopped distorting what was said about the fact that some parts of the fishing industry in Scotland are doing better than others. That is an important distinction to make, as it reinforces the member's point that parts of the industry should be better supported by the European management regime.

One of our key objectives for the December council, which will be difficult to achieve—we do not underestimate the scale of the challenge—but which we are working towards achieving, is the decoupling of the Commission's provisions on prawns, or nephrops, from those on haddock and cod. Measures will be needed for cod, but they should not unfairly disadvantage those who fish for haddock or nephrops.

When conservation is important, we want to ensure that conservation measures are applied equally throughout the European Union and that other fisheries that were not as heavily penalised as Scotland was last year take their share in ensuring that stocks are conserved in the seas around Europe. That is a key part of our objectives that we will continue to pursue.

**Richard Lochhead (North East Scotland) (SNP):** Does the First Minister recall that, after last December's disastrous talks in Brussels, he announced a so-called aid package that would amount to £50 million for Scotland's fishing communities? It transpired this week that the Government has held back £13 million of that package because it miscalculated the amount of cash that would be required for decommissioning. Will he give the fishing industry and the chamber a commitment that that £13 million will be given to our fishing communities, which, although he might disagree, are not thriving but fighting for survival and require that cash?

**The First Minister:** Nobody ever said that the fishing communities of north-east Scotland—and in particular the white-fish fishing communities—were thriving. That is precisely why last year we agreed the biggest-ever aid package for Scottish fisheries. We are proud of that decision, which Mr

Lochhead might still want to criticise, but it was the right decision at the time. It ensured that people got through this year while the amount of activity in the North sea decreased, which is important for conservation, and that those who had less activity and therefore less income could maintain their businesses through the year and into the future. That remains our position.

We always said that the amount of money would be up to £50 million. We have said not that a miscalculation was made, but that we will allocate money only when that is right and proper. We will not throw money at the problem; we will allocate it to ensure that those who are most in need receive it. We will put the overall long-term interests of Scotland's fishing industries first in any allocation of finance and in any longer-term solution.

**Iain Smith (North East Fife) (LD):** Does the First Minister agree that what is vital for fishermen in the next few weeks is obtaining the best deal from the fisheries council, which, as he was right to say, should include the decoupling of nephrops from cod, which would mean so much to fishermen from Pittenweem in my constituency? All Scottish politicians should work together to achieve that, instead of engaging in political posturing and making the populist but unachievable claim that we can unilaterally withdraw from our international treaty obligations.

**The First Minister:** There are two things that the Opposition parties have suggested that would do us most damage in the negotiations. To some extent, there is evidence for that from last December. First, Scotland's fishing communities would be damaged by the constant diversion into the idea that Scotland can go it alone, support a fishing free-for-all and take no part in a Europe-wide conservation of stocks. Such an approach is unlikely to win us any friends or allies when there are votes at the European Council. The nationalists who make such suggestions might get a few cheers in certain small communities in north-east Scotland, but that will not win us any votes in the European Council. Mr Salmond, and others who make such proposals, do a disservice to the communities that they represent.

Secondly, it is important to reaffirm our commitment to stand by the law in the negotiations. People such as Jamie McGrigor, who last year tried to persuade fishing communities in Scotland to break the law—Conservatives proposed that people should break the law—do no service whatsoever to our fishing communities. People at a European level and in countries with which we must work—in Scandinavia and in the European Union—do not believe that we are serious about conservation when our parliamentarians talk in such a way. We need to get serious about the negotiations, have

clear objectives, get involved, win friends and allies and stop posturing and damaging Scottish fishing communities.

#### M74

##### **6. Janis Hughes (Glasgow Rutherglen) (Lab):**

To ask the First Minister how the Scottish Executive's support for the completion of the M74 accords with its sustainable transport policy. (S2F-383)

**The First Minister (Mr Jack McConnell):** The M74 completion is only one element of our integrated and sustainable transport strategy. The motorway will bring economic and environmental benefits, which will include allowing a larger share of local road space to pedestrians, cyclists and public transport. That is the sustainable approach.

By the end of 2006, our spending on transport will reach almost £1 billion per year, with 70 per cent of that spending targeted specifically on public transport. That is more than ever before. Such an effective transport system is central to a thriving economy and strong communities.

**Janis Hughes:** Does the First Minister agree that the best way to encourage public transport use is to reduce congestion on local roads? As it is estimated that the M74 northern extension will reduce traffic on Rutherglen's main street, which is in my constituency, by up to 69 per cent, does he acknowledge that the completion of the road is an excellent example of strategic transport planning and that we should all work towards its being completed at the earliest opportunity?

**The First Minister:** I support the construction in question. We have committed ourselves to it, but it is clear that procedures must be followed through. Completion of the M74 will reduce pollution, result in environmental benefits for the south of Glasgow and even for Rutherglen. It is also important that Scotland has a transport network that can get goods to markets, move people around and allow our public transport service to function properly. The completion of the M74 will help us to achieve such objectives.

**Patrick Harvie (Glasgow) (Green):** This week, I had an opportunity to speak at a public meeting on the M74 in Janis Hughes' constituency. At the meeting, I met a woman who has just bought a flat.

**The Presiding Officer (Mr George Reid):** The member must ask a question.

**Patrick Harvie:** The woman has since discovered that the view from her window is about to change. In the light of her expectation that she will live on a building site for years, suffer air pollution caused by thousands of cars per hour passing her flat, that her property value will

collapse and that there will be no prospect of compensation for at least a year after the road is open, how would the First Minister explain the concept of environmental justice to her?

**The First Minister:** In the public inquiry that is taking place and in other decisions that will be required to be taken over the coming period, it is important to take into account the impact on individuals in the area. Doing so is important for those who would be affected by the construction of the new road and for those who are affected by the current traffic flows in the south of Glasgow. It is also important for people who live further west in Scotland, in Renfrewshire, Ayrshire and elsewhere, and whose local economies are threatened by a lack of access to markets and a proper transport system.

I believe that certain road networks in Scotland need to be completed and that the M74 is one of them; however, I also believe that we need to improve public transport. Public transport use in Scotland, which reached its lowest-ever level in 1998-99—the year before the Parliament came into existence—has been increasing every year since then and the level has now topped 445 million journeys a year. That is an excellent record for the Parliament and this Government. We are very proud of it and will build on it in years to come.

**Rosie Kane (Glasgow) (SSP):** Given that the report by the Standing Advisory Committee for Trunk Road Assessment, which was commissioned in the mid-1990s, found that increased motorway construction creates increased traffic, does the First Minister agree that the £500 million that has been set aside for the northern extension of the M74 would be better spent on public transport and indeed on cleaning up the toxic waste along the proposed route of the extension?

**The First Minister:** The fact that we are already spending significantly more on public transport than we are on roads in Scotland is a welcome change from the long-term trend in transport budgets and Government expenditure in Scotland. I am personally committed to such change, which was initially driven forward by Sarah Boyack as Minister for Transport and the Environment and has since been driven forward by every minister with responsibility for transport. It is now being driven forward by Nicol Stephen.

Our consistent direction is towards improving public transport in Scotland as well as upgrading or completing the road networks that are vital both to our economy and to reducing the pollution and environmental damage that are caused by overuse of the existing roads. We are taking a good, balanced approach and I look forward to the work being carried out.

12:31

*Meeting suspended.*

14:30

*On resuming—*

## Question Time

### SCOTTISH EXECUTIVE

#### Renewable Energy (Targets)

**1. Shiona Baird (North East Scotland) (Green):** To ask the Scottish Executive what targets it has set for its commitment in “A Partnership for a Better Scotland” to ensure that new homes and public buildings increasingly incorporate solar power or other renewable energy sources and what progress it has made towards achieving those targets. (S2O-853)

**The Deputy Minister for Communities (Mrs Mary Mulligan):** We intend to introduce requirements for renewable sources of energy in buildings as part of the first amendment to the reformed building regulations. That will follow the introduction of the new Scottish building standards system.

**Shiona Baird:** Does the Executive intend to make regulatory or financial provision for the use of solar and other renewable energy sources in supplying affordable housing, where there is likely to be pressure on capital costs, thereby underpinning its commitment to tackling fuel poverty, addressing climate change and promoting social justice?

**Mrs Mulligan:** The Executive will consider all the implications. As I said in reply to a recent question, we recognise that the technology and information around solar energy in particular have vastly improved in recent years, and we need to take that into account when considering proposals in this area. The Executive has made available £5 million of grants to encourage the involvement of communities and individuals in renewable energy projects, and we will keep that under review.

#### Animal Welfare

**2. Margaret Jamieson (Kilmarnock and Loudoun) (Lab):** To ask the Scottish Executive what action it will take in light of the sentence of John Walsh at Stranraer sheriff court. (S2O-862)

**The Minister for Justice (Cathy Jamieson):** Sentencing is a matter for the court. It would therefore be inappropriate for me to comment on individual cases.

**Margaret Jamieson:** As someone who shares my concerns on animal cruelty, will the minister ensure that steps are taken throughout the Executive to protect animals that are cruelly treated? Will that extend to those who use the

current planning legislation—which ignores the views of animal welfare organisations, local authorities and local communities—to pave the way for puppy farms such as those at Waterside in my constituency?

**Cathy Jamieson:** It is worth remembering that dog-breeding establishments are licensed by local authorities, which have the power to issue licences after inspection; to conduct regular inspections to ensure that the licence conditions are being met; to revoke licences if those conditions are not being met; and to report cases of animals being ill treated to the procurator fiscal.

The Scottish Executive will introduce an animal welfare bill, which will aim to update existing animal welfare legislation and ensure that cruel practices are prohibited.

**Christine Grahame (South of Scotland) (SNP):** I hear what the minister says about the animal welfare bill. It is my understanding that my bill, the proposal for which I have lodged, will still be required because its provisions could not be dealt with under the Executive's proposed legislation. As I have obtained cross-party co-sponsorship for my proposed bill, which has obtained 30 signatures since it was lodged yesterday, as well as the active support of the Scottish Society for the Prevention of Cruelty to Animals and other canine welfare organisations, will the minister confirm that the Executive will give my bill fair wind to end this miserable trade in an accelerated manner?

**Cathy Jamieson:** As with any member's bill, the Executive will look very closely at the proposals in the bill, together with what we intend to do on the matter. I reassure the member that we take the issue of animal welfare very seriously. We will consider including a section in our future bill on animal welfare to close the gap left by the Breeding and Sale of Dogs (Welfare) Act 1999 and legislating on aspects of the sale of dogs from non-breeding establishments, such as the age at which puppies can be sold.

### Planning (Right of Appeal)

**3. Mike Rumbles (West Aberdeenshire and Kincardine) (LD):** To ask the Scottish Executive when the consultation on widening the right of appeal in the planning system will commence. (S2O-835)

**The Deputy Minister for Communities (Mrs Mary Mulligan):** We intend to publish our consultation paper early in the new year.

**Mike Rumbles:** Does the minister agree that the planning process is currently stacked in favour of the developer? Will she confirm that the central purpose of the consultation is to find an appropriate balance between the rights of

developers to appeal decisions and the rights of those who are directly affected by planning applications to lodge appeals?

**Mrs Mulligan:** The Executive's intention in reviewing planning is to ensure that we have a level playing field, so I agree with Mike Rumbles about the need to ensure that the views of communities and individuals are heard and acted upon. However, we must balance that against any delays in the system and costs to the economy. That is why the consultation will be wide-ranging and will seek as many views as possible to improve the planning system.

**Mark Ballard (Lothians) (Green):** Will the consultation cover the criteria for selecting the situations in which a wider right of appeal will apply?

**Mrs Mulligan:** Yes, it will cover those. We want as wide-ranging a consultation as possible, but we recognise that there may be issues around the application of the third-party right of appeal. In some situations it might be acceptable and in some it might not. We need to consider that issue in the consultation.

**Des McNulty (Clydebank and Milngavie) (Lab):** Does the minister accept that there are genuine concerns, in particular among the business community, about the complexity of the present planning system and about some of the consequences that would be associated with introducing an unfettered right of appeal? Does she accept that the objective of the consultation should be to ensure that decisions are made properly in the first place and that it should not focus purely on the right of appeal?

**Mrs Mulligan:** I can only repeat that, although we have received many representations from community groups and individuals who feel that their views have not been listened to, we also need to recognise the views of the business community and local authorities, who feel that introducing a third-party right of appeal could place further burdens on them. We need to establish a balance between those competing agendas.

**Ms Sandra White (Glasgow) (SNP):** The minister will be aware that I have proposed a member's bill on third-party rights of appeal. As the proposal has already been out to consultation, I would be happy to provide the minister with what I received back from that.

Does the minister agree that there is concern in communities that the people there do not get a fair share when planning decisions are made? Will she give a commitment that a third-party right of appeal will be considered seriously in the forthcoming planning bill?

**Mrs Mulligan:** The Executive is taking forward

the issue of a third-party right of appeal as part of a general review of the planning process. Those who are involved in planning tell us that that is the right way to go about it. We should not pick out one particular aspect, such as a third-party right of appeal. That is why the Executive will come up with the answer that will achieve the balance that is needed and to which I referred.

### **Barrier-free Transport**

**4. Eleanor Scott (Highlands and Islands) (Green):** To ask the Scottish Executive what its strategy is for the provision of barrier-free transport in urban areas for those with mobility problems. (S2O-857)

**The Minister for Transport (Nicol Stephen):** The Executive strongly supports a range of initiatives to improve access to bus, rail and dial-a-ride services throughout Scotland. We support a wide range of initiatives that, for example, provide £0.5 million per year to support urban dial-a-ride services.

**Eleanor Scott:** The minister will be aware of the work of the National Federation of Shopmobility UK, which provides access for people with mobility problems to our shopping centres and towns throughout Scotland. Shopmobility Highland was able to access the rural transport initiative fund to run a minibus to bring people in from the rural areas to the shopping centres but, apparently, there is no equivalent urban fund. Does the minister feel that the disabled in urban areas are catered for in the provision of access to our shopping centres?

**Nicol Stephen:** As I said, we are investing £0.5 million per year for the next three years in similar urban initiatives, so that is happening. We have had discussions with the Convention of Scottish Local Authorities and with the Association of Transport Co-ordinating Officers and the first pilot projects are due to commence early in 2004.

We realise that the need applies in urban areas as well as in rural areas. Our first priority was rural Scotland, but we are now trying to extend similar schemes to the urban areas. I am also aware that, in some urban locations, local authorities are moving forward with similar schemes.

**Karen Whitefield (Airdrie and Shotts) (Lab):** Does the minister share my view that it is unacceptable that, when my disabled constituents from Shotts travel by train from Glasgow, they must continue to west Lothian because the station at Shotts does not have an exit that is disabled accessible? Will he confirm what action the Scottish Executive will take to ensure that all public transport facilities are fully accessible for people with disabilities?

**Nicol Stephen:** I agree that that is a major

issue. Part III of the Disability Discrimination Act 1995 says that, from October next year, service providers will have to take reasonable steps to remove, alter, or provide means of avoiding physical features that make it

“impossible or unreasonably difficult for disabled persons”

to use a service or a facility.

The provision will not apply to vehicles such as buses or taxis, which are covered by separate legislation, but it will apply to bus and rail stations. Indeed, the provision will apply to access to timetables; it does not only involve access to a physical building.

The implementation of the DDA has huge implications for rail and bus operators. The Scottish Executive is not funded to take action in this area, but we are very willing to take part in the negotiations that will be required in relation to this important piece of reserved legislation.

### **Dermatology Services**

**5. Richard Baker (North East Scotland) (Lab):** To ask the Scottish Executive how it is supporting the provision of dermatology services. (S2O-832)

**The Minister for Health and Community Care (Malcolm Chisholm):** I look to NHS boards to assess local needs for dermatology services and to provide appropriate services to meet those needs. However, the Health Department's centre for change and innovation is working closely with boards, clinicians and patient representatives on the Scottish Council for Dermatology to support service redesign and improvement.

**Richard Baker:** Is the minister aware of the difficulties that have been experienced in recruiting a consultant to fill a vacancy in the dermatology department at NHS Grampian, which already has fewer consultants and departments than other parts of NHS Scotland that cover similarly sized areas? Is the minister aware that a peer-group review of the department highlighted the urgent need for extra investment? Finally, is he aware of the wider concern across Scotland that dermatology is often seen as a poor relation when it comes to investment in health services?

**Malcolm Chisholm:** I am aware of the issue in Aberdeen. I should point out that there has been an increase in dermatology consultants and, even more significantly, an increase in specialist registrars who will become tomorrow's consultants. The national waiting times unit has made a specific allocation of £100,000 to dermatology in Grampian.

The most important aspect is the work that is taking place on the redesign of dermatology services, which is being spearheaded by the centre for change and innovation. The redesign of

dermatology out-patient services is the most radical programme for redesigning out-patient services that has ever been seen in Scotland. Indeed, dermatology is one of the first services to be redesigned. A group of clinicians is leading that work, about which I will attend a national event in February. I expect to see big improvements in the quality of care and in waiting times.

### Population Decline

**6. Richard Lochhead (North East Scotland) (SNP):** To ask the Scottish Executive what steps are being taken to measure the impact of the decline in Scotland's population. (S2O-843)

**The Minister for Finance and Public Services (Mr Andy Kerr):** The Executive is considering the challenges that population decline poses for Scottish society and we are analysing the impact of the long-term demographic trends on public service delivery and the economy. That means that we are looking at the projections that the General Register Office for Scotland has made and their implications for service delivery to different age groups, the spatial impact of population change and what will happen to the skills base of the economy.

**Richard Lochhead:** I am delighted to hear that the minister has read the explosive and worrying document that the Registrar General for Scotland issued earlier this year. The document states:

"Scotland, unlike other countries in the European Union, is currently experiencing overall population decline."

Does the minister agree with the Registrar General that population decline is

"often regarded as being symptomatic of poor economic performance".

Will the minister tell the chamber and Scotland why, in a devolved Scotland, young people and young families continue to emigrate overseas?

**Mr Kerr:** As per normal, the facts and the statistics are all astray. Most advanced economies in Europe suffer from population decline. The First Minister launched the fresh talent initiative, which welcomes and attracts to Scotland people of talent who come here to study or people of talent who want to relocate their families and businesses to Scotland. The fresh talent initiative is supported by the business community and by the Scottish Council for Development and Industry, the Confederation of British Industry, the Federation of Small Businesses and many other organisations.

In addition, the European Commission's director general for justice and home affairs, who is perhaps a more astute observer of these matters, said:

"The Fresh Talent initiative announced earlier this year by the First Minister, Jack McConnell, is a good example of

the kind of initiative which will help to attract and retain the new talent we need."

We should recognise the problem, but the report is not explosive. The problem will take 20-odd years to impact. The SNP's planning horizons may be different from everyone else's, but we have time to plan and to assess the impact on our economy and our communities. The spatial dimension of the issue means that we should include communities in the Highlands and more remote communities. The Executive knows about the issue and it will act to deal with the problem.

**Murdo Fraser (Mid Scotland and Fife) (Con):** Given all the international evidence that points to a clear link between a low-tax, lightly regulated economy and a growing population—witness the examples of the United States of America, New Zealand and Singapore—will the minister outline what steps the Scottish Executive is taking to create a more business-friendly environment in Scotland?

**Mr Kerr:** In the environment that the Tories want to create, people who came to Scotland could not access health services because the Tories would have shut them all down; they could not access nursery places because the Tories would have closed them down; and they could not access proper education because the Tories would have closed that down. The £20 billion of cuts that the Tories said they would introduce as a result of their taxation policies would have no attraction for families who come to locate in Scotland or for students who come to study in Scotland. They would look around the horizon and see a Tory environment in which there were no public services for them and their families. That is not the way to attract new talent to Scotland.

**Mike Watson (Glasgow Cathcart) (Lab):** Rather than dwell on the doom and gloom comments that Richard Lochhead makes on behalf of the SNP, about people flooding out of Scotland, I ask the minister to turn his attention to something rather more positive.

Given that a turnaround in the birth rate—even if we could achieve that—is a long-term objective that will take a few years to have effect, we should focus on short-term action. The minister mentioned the fresh talent initiative. Can he say where that initiative is going? Has he had any talks about it with the Home Office or other agencies? Given that the initiative will mean not only keeping Scots but bringing in people with skills and talents from other countries, how will he manage to decouple it from the hysteria that surrounds the issue of asylum seekers and refugees, which we have seen today?

**Mr Kerr:** That is absolutely the point. The fresh talent initiative seeks to ensure that there is a one-



stop shop for people who wish to come with their families to live in Scotland and for those who study in Scotland and wish to stay on in Scotland. That one-stop shop approach will operate throughout the public services and across devolved and reserved issues, such as visas and immigration. That will provide a benchmark for other nations to consider. They will see how Scotland is doing its job to ensure that we attract people from overseas.

In addition, I welcome the initiatives in the health service. For example, Glasgow Caledonian University has a Glasgow overseas professional in practice project, which will secure 50 people for the health service here in Scotland, who otherwise may not have chosen to settle in Scotland. That makes a real difference in enabling us to provide the first-class public services that we seek to provide.

**Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD):** The minister will realise that in remote areas in Scotland—including my constituency—we have huge problems getting health service professionals. He will also understand that the role played by immigrants from other countries has underpinned the health service in the past. Does he agree that targeting those people to work in rural areas would not only help to arrest the population decline, but would bring professionals to where they are needed in remote parts of Scotland?

**Mr Kerr:** First, I highlight the Executive's rural initiative policy and strategy, which reflects some of the population problems that Mr Stone mentions. Those problems clearly have an effect on sustainability issues within our communities.

On the member's second point, about attracting professionals, it is clear that the work of the fresh talent initiative and the Grampian NHS trusts is vital. The trusts are out there in the marketplace encouraging people from overseas to come to work in Scotland and people who are studying in Scotland to stay and rear their families in Scotland. We must make Scotland a welcoming place for those people and their families to ensure that they stay with us and provide much-needed public services.

**The Presiding Officer (Mr George Reid):** Question 7 has been withdrawn.

#### **Acute Health Services (West Highlands)**

**8. George Lyon (Argyll and Bute) (LD):** To ask the Scottish Executive what action it will take to ensure that there is continued provision of acute health services in the west Highland area. (S2O-849)

**The Minister for Health and Community Care (Malcolm Chisholm):** Highland NHS Board and

Argyll and Clyde NHS Board are co-operating on a review of health services in the west Highlands. When they have proposals for me to consider, I shall be happy to do so. In the meantime, it is a matter for the boards.

**George Lyon:** The minister will be aware that more than 2,500 people in Fort William and more than 1,000 in Oban turned out at public meetings recently to make clear their opposition to the idea that the west Highlands might become a consultant-free zone, which would result in patients having to travel hundreds of miles to either Glasgow or Inverness for emergency treatment. I ask the minister to make it clear to both health boards that such a proposal is unacceptable to him and to this Parliament. I also ask him to impress upon the boards the need for both hospitals to work together closely to come up with a joint solution to the clinical hurdles that face them.

**Malcolm Chisholm:** As I said last week in the debate on maternity services in Glasgow, I have to wait for proposals to come in before I give a view on them. I understand the strong concerns in Oban, Fort William and the surrounding areas. However, at the same time, the vast majority of people accept that things cannot stay the same. I have spoken to the chairs of both NHS boards this week and they have assured me that they will take time to work with the communities on finding solutions. As is the case with changes in many parts of Scotland, we must have clinically safe services of the highest possible quality, but they must be locally accessible wherever possible. We must follow those two principles in dealing with the issue.

**Jim Mather (Highlands and Islands) (SNP):** I commend George Lyon for the points that he made. What specific steps will the minister take to ensure that the Scottish Executive and the NHS boards understand the strength and depth of the local opposition to the proposals to downgrade west Highland hospitals? That opposition is based on a keen and pervasive awareness that downgrading the hospitals would be disastrous for the local economy.

**Malcolm Chisholm:** As I said, this week I have spoken to the chairs of both boards, who are conscious of local decisions. They have assured me that no decisions will be made in the immediate future and that they will take time to work with communities on the issues. For example, the chair of Highland NHS Board assured me that an option that was proposed at the meeting in Fort William a couple of weeks ago will be evaluated fully.

**Mr Jamie McGrigor (Highlands and Islands) (Con):** The west Highland health project seems to be bent on downgrading the hospital services in

Oban and Fort William. Does not the minister think that the people who live in those areas deserve an upgrade in hospital services rather than a downgrade?

**Malcolm Chisholm:** As I said in my original answer, the purpose of the changes is, of course, to improve the quality and, crucially, the safety of care. The west Highland project did not come from either of the NHS boards involved, but from the remote and rural areas resource initiative, which commissioned work on the issue, based on the widespread recognition that the status quo was not an option. Some work has been done, but the boards accept that much more needs to be done.

**Jackie Baillie (Dumbarton) (Lab):** Given that the problems that George Lyon and other members have outlined have a resonance beyond the Argyll and Clyde NHS Board area, will the minister send a strong signal to NHS boards that they must look beyond artificial boundaries that bear no relation to communities and that they must work together so that patients have access to high-quality, consultant-led services without having to travel enormous distances?

**Malcolm Chisholm:** The west Highland project, which was the main issue in the original question, is a good example of health boards working across boundaries. In last week's debate on maternity services in Glasgow, I talked about the regional dimension of maternity services. The thrust and direction of health policy is towards more regional planning. The National Health Service Reform (Scotland) Bill, which the Health Committee is considering, will place a duty on boards to co-operate. That is a new feature of health policy.

### Equine Passports

**9. Alex Fergusson (Galloway and Upper Nithsdale) (Con):** To ask the Scottish Executive whether it will extend the December deadline for horse owners applying for an equine passport. (S2O-821)

The publication of that question has already prompted a response, but I would still like to ask it.

**The Minister for Environment and Rural Development (Ross Finnie):** As Alex Fergusson knows, I announced on 21 November that the deadline for owners of horses and other equines to obtain passports for their animals has been extended from 31 December 2003 until 30 June 2004.

**Alex Fergusson:** It is good to have an answer straight from the horse's mouth. [*Laughter.*] Sorry, but that opportunity was too good to miss.

Seriously, is the minister aware of the considerable confusion that exists among the

horse-owning population? There is confusion because different passport-issuing organisations will charge different amounts; because many people who own horses have no idea that the rule is about to be implemented; and because the directive involved, which is designed to prevent veterinary medicines from getting into the food chain, seems to be extraordinary given that we do not eat horse meat in Scotland. Will the minister give an assurance that his department will use the extra six months that the Department for Environment, Food and Rural Affairs has led him into granting to dispel some of the confusion, by informing the public better on the issue, rather than simply passing the buck to horse and pony breed societies, as is happening at present?

**Ross Finnie:** Given that Alex Fergusson has had six days to prepare those opening lines, we might have hoped for better.

A degree of confusion exists, but we should be clear that, because horses are slaughtered in this country and exported for food consumption, it is wrong to suggest that the legislation is not needed and should not apply. As the member is well aware, the purpose of the legislation is to create a record of when veterinary medicines that are not suitable for human consumption are given to animals. That important safeguard should be in place.

We have already gone far down the road that the member suggested by authorising certain passport organisations. I accept that existing equine organisations issue what they unfortunately call passports; however, those documents do not include the necessary veterinary certificates. Simple production of a vaccine certificate will not be enough.

We have taken steps to publish on our website the names of all the authorised bodies, and I understand that the organisations are making it clear where equine owners can obtain the information. I very much hope that now that owners have time to obtain the necessary certificates, organisations will help them to understand why it is important that a valid passport contains such certificates and to be aware of the purposes for which the passport is intended.

### Scottish Opportunities Fund

**10. Shona Robison (Dundee East) (SNP):** To ask the Scottish Executive whether it supports the establishment of a fully devolved Scottish opportunities fund accountable to the Parliament. (S2O-827)

**The Minister for Tourism, Culture and Sport (Mr Frank McAvetty):** Scottish ministers have a partnership commitment to establish a Scottish

opportunities fund. We are presently in discussions with the United Kingdom Department for Culture, Media and Sport on how to ensure that we fulfil that commitment as part of the current review of the National Lottery.

**Shona Robison:** Does the minister agree that a devolved fund would provide the opportunity for a more strategic use of those resources to meet Scottish priorities? Moreover, will he make a commitment today to push for a fully devolved fund that is accountable to the Parliament and not to accept anything less from the DCMS?

**Mr McAveety:** Yes.

**Donald Gorrie (Central Scotland) (LD):** I am very encouraged by the minister's reply. Will he also use his talents—

**Members:** Oh!

**Donald Gorrie:** Well, I want something. *[Laughter.]*

Will the minister ensure that lottery grants in general are better co-ordinated with Executive grants? Although that already happens to some extent, quite often we find duplication or gaps. Will he ensure that there is the best possible co-ordination in that respect while maintaining the various bodies' independence?

**Mr McAveety:** What Mr Gorrie has done requires the experience of a former Westminster parliamentarian. I can confirm that flattery will get him everywhere.

One of the key challenges for the new body that is being set up to administer the New Opportunities Fund and the Community Fund will be to address the central concern expressed by many groups throughout Scotland that people are sometimes moved between different funding agencies. I hope that through the merger and the dialogue that we will continue to have with DCMS officials and ministers, we will reflect the aspirations in the partnership deal that Donald Gorrie and I have conclusively signed up to.

### Transport Accessibility Audits

**11. Chris Ballance (South of Scotland) (Green):** To ask the Scottish Executive what plans it has for introducing transport accessibility audits. (S2O-854)

**The Minister for Transport (Nicol Stephen):** The Executive is fully committed to improving access to transport. We have set up the Mobility and Access Committee for Scotland, which is already active in urban and rural areas. We will carefully consider the UK social exclusion unit's proposals for transport accessibility audits when we develop our own accessible transport strategy.

**Chris Ballance:** Will the minister also consider setting up a working group to share best practice with the central local working group on accessibility planning in England and to promote full accessibility audits, including resource audits, action plans and monitoring for all future transport proposals?

**Nicol Stephen:** I am pleased to confirm that we will closely co-operate with other parts of the UK and I also hope that we can learn from examples of good practice in other parts of Europe and the world. We want to do more in that area. Setting up the Mobility and Access Committee for Scotland was an important initial step and it has been active in making representations to transport operators, bus and rail companies and local user groups that represent disabled people and others. The committee has also made representations on planning issues and on issues arising from the Disability Discrimination Act 1995 such as those that were mentioned earlier.

We all recognise the need to do more in this area. Local authorities have a key role to play in community planning and making transport plans. I will certainly take on board the comments that Chris Ballance has made this afternoon.

### Domestic Abuse

**12. Janis Hughes (Glasgow Rutherglen) (Lab):** To ask the Scottish Executive what action it is taking to tackle the issue of domestic abuse. (S2O-833)

**The Minister for Communities (Ms Margaret Curran):** As the debate earlier demonstrated, the Executive is delivering a programme of prevention, protection and provision to address domestic abuse in Scotland, as recommended by the national strategy and national group.

**Janis Hughes:** The minister will be aware of figures released this week that highlight the particularly stark situation in Glasgow. They show that reported cases of domestic abuse rose by 10 per cent last year. Does she agree that serious consideration should be given to the implications of establishing a domestic abuse register?

**Ms Curran:** This morning, we had a thorough and wide-ranging debate in which such a register was discussed. As we made clear, we will examine any proposal that we think will further tackle domestic abuse in Scotland. I am sure that Parliament is aware that there is a proposal in England and Wales to consider a register and we will examine it with great interest to see about its applicability in Scotland.

Janis Hughes raised the alarming figures and the rise in domestic abuse. Scottish Women's Aid has welcomed that rise because it indicates that we are encouraging women to come forward and

receive the services that they need. I think that I speak on behalf of the Executive and the Parliament when I say that we share Janis Hughes's concern about the scale of domestic abuse in Scotland and I give voice to the Parliament's determination that we should tackle fundamentally the serious problem in Scotland.

### **Elections (Turnout)**

**13. Nora Radcliffe (Gordon) (LD):** To ask the Scottish Executive what measures, in addition to postal ballots, it is considering to increase turnout at elections. (S2O-859)

**The Minister for Finance and Public Services (Mr Andy Kerr):** The partnership agreement commits us to the reform of voting arrangements in order to increase participation, including investigation of electronic voting. The Local Governance (Scotland) Bill also includes a number of measures to renew local democracy. The recent Electoral Commission report on the May elections made a number of interesting recommendations about increasing turnout. Many of those are aimed at political parties, but we will deal with those that are aimed at the Executive.

**Nora Radcliffe:** Does the minister agree that, for people who have never voted, going to the polling station can be inhibiting, because they are not sure what to expect and what the process is? Is he prepared to explore ways of demystifying what goes on in polling stations, perhaps by taking senior pupils on a dry run, by using television to show exactly what lies behind the door marked "Polling place" and by explaining exactly what people have to do in the simple but important process of casting their vote?

**Mr Kerr:** I agree strongly with that point. In modern studies and citizenship classes up and down Scotland, some of those lessons are being learned through young people's engagement in voting. I also share the member's view that, if someone has not had experience of voting, later on in life they could feel inhibited from voting. I am more than happy to raise that point when considering any campaigns that the Executive seeks to support and in any work with the Electoral Commission. The member has commented on an interesting dimension of the subject.

Scotland is not unique when it comes to voter turnout. Worldwide and in Europe, many mature democracies and, surprisingly, some new democracies have pretty poor voting records, too. We can learn lessons across boundaries to ensure that as many people as possible turn out to vote.

**Tricia Marwick (Mid Scotland and Fife) (SNP):** I associate myself with Nora Radcliffe's remarks, but I take the minister back to the subject of e-

voting. Is he aware that research by the Electoral Reform Society into the e-pilots that were conducted earlier this year in England concluded that e-voting—whether by telephone, internet, text or digital TV—does not significantly raise turnout? Will the minister give an assurance that, if Scotland is to be a pilot for the European elections, only postal voting will be offered and not a combination of postal and e-voting?

**Mr Kerr:** The recommendations from the Electoral Reform Society concern a situation elsewhere. We seek to support how people vote and to ensure accessibility to voting with a package of measures. The member may rest assured that we would seek to support measures that work. We should not be exclusive about our approaches and we should try to find whatever approach suits individuals. If we can make voting work for them, that is all well and good.

Postal voting works; a number of pilots in Scotland have shown a substantial increase in turnout—average turnout per council ward by postal vote is 60 per cent. The potential is there for us to increase voter turnout and to increase awareness of voting as part of that process.

### **National Health Service (Dentists)**

**14. Dr Sylvia Jackson (Stirling) (Lab):** To ask the Scottish Executive what progress has been made in tackling the shortage of NHS dentists. (S2O-842)

**The Deputy Minister for Health and Community Care (Mr Tom McCabe):** On 20 November, I announced a wide-ranging consultation on the future of NHS dental services in Scotland. In addition, the Scottish Advisory Committee on the Dental Workforce is currently undertaking an assessment of the dental work force and will report its findings in spring 2004. That builds on the dental work force plans of 2000, which put in place an expansion of the dental work force.

**Dr Jackson:** I thank the minister for that answer and for the measures that he outlined last week. As he will be aware, some dentists in the Stirling constituency and in other parts of Scotland have withdrawn NHS treatment, in effect forcing patients to switch to private provision or—more worryingly, I think—not to be registered at all. Does the minister see an opportunity within the review of acute and other health care strategies for additional NHS dentistry provision in new or expanding primary care facilities, especially in rural and disadvantaged areas?

**Mr McCabe:** When I spoke about dentistry last week, I mentioned the fact that various aspects of the dental service—particularly the community dental service—are under pressure. We hope that,

as a result of the consultation that we are undertaking, there will be an uplift both in professional satisfaction among dental professionals and, critically, in the satisfaction levels experienced by patients themselves. As we redesign and modernise the health service, it is important that there is not only an improvement in the conditions for professionals, but a marked improvement in conditions for the people who use the service.

### **Road Infrastructure (Funding)**

**15. Mary Scanlon (Highlands and Islands) (Con):** To ask the Scottish Executive whether funding to local authorities for roads is adequate to maintain road infrastructure. (S2O-845)

**The Minister for Transport (Nicol Stephen):** Funding for local roads and bridges forms part of the general local government finance settlement. Across Scotland, councils are guaranteed a real-terms increase in revenue grant each year through to 2005-06. It is up to each council to decide its own spending priorities within that.

**Mary Scanlon:** In 1994-95, when Jamie Stone was a Highland councillor, John Farquhar Munro was convener for roads and transport and Peter Peacock was convener of Highland Council, they all complained about the inadequacy of Conservative funding for roads at £34 million.

**Members:** Hear, hear.

**Mary Scanlon:** Now those three ex-Highland councillors are influential players and partners in the coalition agreement, so why has road and bridge maintenance funding now halved from £34 million under the Tories to £17 million under the Liberals and Labour?

**Nicol Stephen:** Far be it from me to speak on behalf of such influential players and partners, but I can assure Mary Scanlon that the funding available to Highland Council, and indeed to all councils across Scotland, has never been higher. We are injecting more funding beyond current inflation levels. The average across Scotland is at least 8.5 per cent extra this year, at least 4.8 per cent extra next year and at least 3.9 per cent more in 2005-06.

According to the answer that Peter Peacock gave to a question from Mary Scanlon on the—what is the date of the question?

**Members:** Just read it out!

**Nicol Stephen:** On 18 September 2003, Peter Peacock's reply stated:

"Highland Council will receive above inflation increases in revenue support of 8.0% this year, and of 5.1% and 3.6% over the next two years."—[*Official Report, Written Answers*, 18 September 2003.]

Significant additional funds are going into local government, and it is for Highland Council to decide its priorities for the expenditure of those funds.

### **Renewable Energy (Targets)**

**16. Phil Gallie (South of Scotland) (Con):** To ask the Scottish Executive, further to the answer to question S2W-3812 by Lewis Macdonald on 17 November 2003, on what basis it set the target that 18 per cent of electricity generated in Scotland will be from renewable sources by 2010. (S2O-841)

**The Deputy Minister for Enterprise and Lifelong Learning (Lewis Macdonald):** We have set ambitious targets on the basis of consultation with the industry and of our determination to tackle climate change and at the same time to capture for Scotland the economic benefits of renewable energy.

**Phil Gallie:** Will the minister clarify whether the 18 per cent target was set on the basis of sent-out megawatts or of the capacity of units that could be generated? If it is based on the latter, on what load factors has the Executive based its targets?

**Lewis Macdonald:** If Phil Gallie was able to predict what the power requirements of the power companies would be in seven days' time, he would be a very popular man, especially with the power companies. They might even give him his old job back. We have not attempted to predict that; we have attempted to predict where we think electricity generation requirements will go and to encourage electricity companies to apply to provide the necessary share of the capacity that is set out in our targets.

**Christine May (Central Fife) (Lab):** In his consultation on the use of biofuels, will the minister pay particular attention to the industry's concerns about the role of the regulator and the Scottish Environment Protection Agency in encouraging operators to allow the Executive to meet its targets on such measures?

**Lewis Macdonald:** We want to encourage renewable generation from a wide range of sources, and I can tell Christine May that the forum for renewable energy development in Scotland, which I chair and which is concerned with achieving economic benefits, will consider biomass issues early next year.

**The Presiding Officer:** That concludes question time. I will allow a slight pause as members leave the chamber.

**Des McNulty (Clydebank and Milngavie) (Lab):** On a point of order, Presiding Officer. Have you been formally notified of any boycott of

question time by the Scottish Socialist Party?  
[Laughter.]

**The Presiding Officer:** I will just let that drift into the pause, Mr McNulty.

## **Physical Activity: The Need for Improvement and the Cost of Failure**

**The Deputy Presiding Officer (Murray Tosh):**

The next item of business is a debate on motion S2M-661, in the name of Tom McCabe, on physical activity: the need for improvement and the cost of failure. There are two amendments to the motion.

15:12

**The Deputy Minister for Health and Community Care (Mr Tom McCabe):** Inactivity in the Scottish population constitutes one of our most serious public health issues and one that we must tackle with urgency. Two thirds of the adults and almost half of the children in Scotland are inactive and are currently putting their health at risk. Research shows that inactive people have a greater chance of suffering from a wide range of illness and disease than do people who are active. Of course, there are other costs—poor self-esteem, higher levels of anxiety and stress, higher rates of sickness-related absence from work, loss of basic strength and flexibility in older age and, for many, the loss of independent living.

The problem is not unique to Scotland: physical inactivity is a global problem that is recognised by the World Health Organisation as a significant contributor to the burden of chronic disease and, increasingly, to the burden of obesity. To benefit their health, adults need to accumulate a minimum of 30 minutes of physical activity every day and children need to accumulate one hour a day. It is frightening that less than a third of adults and less than half of all children achieve that minimum level.

However, there are solutions. Scotland is one of the first countries to produce a national physical activity strategy, which is evidence based and in line with the types of strategies that the World Health Organisation is advocating worldwide. We need to avoid distraction and to focus on people being more active, and we need to support sustained daily activity for life. That reaches deep into the fabric of our society, which is why the physical activity task force worked with representatives from sport, education, transport and health. Thanks to all that good work, we now have a physical activity strategy.

The strategy, which was published in February 2003, sets out our targets for increasing the overall levels of activity by 1 per cent a year over the next 20 years. We have already started to deliver. In schools, we have the physical education review, active schools co-ordinators and safe routes to schools. Other organisations—the

Scottish Out of School Care Network, Play Scotland, Sustrans and the Scottish Road Safety Campaign—are involved, too.

**Dennis Canavan (Falkirk West):** What is happening with the review of physical education in schools? When is it likely to finish?

**Mr McCabe:** Mr Canavan will appreciate that that is a matter for my colleagues in education, but I have no doubt that they are progressing the review with as much speed as they can, because it is recognised throughout the Executive that we have no time to waste as we pursue the agenda.

In workplaces, we have the stair-walking campaign by NHS Health Scotland, the Scotland's Health at Work award scheme and jogscotland, which is developing jogging networks and corporate activity challenges. In communities, we are working with Paths to Health to support the development of walking groups throughout Scotland and we are funding additional staff in Sustrans to develop and support active travel plans. The Land Reform (Scotland) Act 2003 that was passed by Parliament means that local authorities have a duty to maintain a system of core paths in their areas. Access to core paths will provide a major opportunity for all members of the public to be active.

At home, NHS Health Scotland is taking a key role through the development of training programmes, materials and resources that cover parenting, children and older people.

**Stewart Stevenson (Banff and Buchan) (SNP):** I share the minister's enthusiasm for land reform in relation to access. To ensure that progress continues to be made, will he tell us when the Scottish outdoor access code will be made available? That is an essential step in implementing the Land Reform (Scotland) Act 2003.

**Mr McCabe:** In line with my previous answer, I say that the code will be made available without undue delay. Parliament has legislated, so it is important that such measures be put in place as soon as possible. However, it is also important to be robust and to make the policy as effective as possible. Sometimes it is fine to look for undue haste, but I would rather have robust and sustainable outcomes that provide the public of Scotland with what Parliament intended to provide.

We are making progress quickly. I take this opportunity to acknowledge local government's enthusiasm in embracing the importance of physical activity. I cannot emphasise enough the huge potential of community planning partnerships to bring about the sustainable progress that we all seek. Impressive work is already emerging in places such as West Lothian and Fife, to name but two examples.

The key challenge now is to focus leadership and channel energies. We intend to establish a national leadership forum for physical activity that will bring together all the relevant policies throughout the Executive to address this critical health issue. The national leadership forum for physical activity will pick up where the physical activity task force left off. It will bring together knowledge and research from top-flight academics with those who are charged with translating evidence into delivery in all sectors of Scottish society. I will bring together ministers, senior officials from all relevant departments and experts in physical activity to begin that important work in the new year.

**Mr David Davidson (North East Scotland) (Con):** The minister talks about bringing together people from the Executive's departments, but a few minutes ago he could not answer Dennis Canavan's questions because he did not know what the Minister for Education and Young People would say. Will the new forum be able to pull together budgets from different Executive departments?

**Mr McCabe:** It is not a case of my not being able to reply to interventions from Mr Canavan or anyone else. The debate is serious and I ask Opposition politicians to take it seriously, rather than try to score points, and not to expect someone who speaks on behalf of the Executive to know every aspect of what is going on in every Executive department. The situation is too serious for such a nonsensical intervention.

We must remain fiercely focused on closing the health gap between active and inactive members of the population. We must avoid investing in activities that simply offer greater choice and opportunity to those who are already motivated and active.

While we invest for the long term in schools and communities, we clearly need to reach those who are at risk today. The best evidenced activity that meets our requirements—being accessible and capable of being sustained for life, undertaken at any stage of life and supported locally—is walking, so we intend to focus on walking. It is an activity that can be built into every day of our lives functionally, as a choice over cars or buses to get about, or recreationally, for enjoyment alone or as a group. It can be tailored to suit individuals' activity levels, including disabled people, and can be made progressively more challenging. Research from around the world demonstrates the effectiveness of that approach. Walking is a simple way to communicate what it means to lead an active life and how easy it is to be active.

**Dr Sylvia Jackson (Stirling) (Lab):** On what the minister said about the importance of research, are there any endeavours to examine

community schools and new public-private partnership schools such as the one at Balfron, where sport is an integral part of the activities?

**Mr McCabe:** In all of our work, we want to examine what is going on in different parts of Scotland, be it in schools or communities. I will make some mention of the contribution that sport makes and, in so doing, I will try to put sport, which is important, into some context. It is commonly thought that the key route to increased physical activity is to take more formal exercise or to play more sport. Although developing fitness in a gym or playing sports can contribute to an active life, for the majority of people, those are not the mainstream daily actions and activities that make the life-long differences to their health. Members may be surprised to learn that among those who participate in the minimum amounts of activity that are required for health, only 8 per cent of their overall activity comes from sport.

After today, I will continue discussions with my ministerial colleagues across the Executive to scope and plan a national walking campaign. The messages for success are deceptively simple. It is easy to trivialise a national drive to promote walking in Scotland, but I suggest that it will be less easy to deal with the consequences of an increasingly inactive nation.

Right now in Scotland, with the huge effort that we are making to improve health, we are in the vanguard of delivering a radical shift in our culture and behaviour throughout the country. Other countries, inspired by what they have seen so far in our strategic approach, are already looking to Scotland to inform their future planning on the important issue of physical activity. The title of the physical activity strategy is "let's make Scotland more active". The people of Scotland deserve nothing less than that—their health, happiness and quality of life depend on it—and we are determined to succeed.

I move,

That the Parliament acknowledges the significance of the Scottish Executive's physical activity strategy *Let's Make Scotland More Active* as the approach to tackling the serious, nationwide problem of inactivity; acknowledges the need for urgency and the action taken thus far to tackle inactivity in Scotland as part of the Executive's wide-reaching programme to improve health in Scotland; welcomes the Executive's plans to emphasise walking as the means of increasing levels of physical activity in Scotland, and supports the Executive's intentions to secure national leadership for physical activity in Scotland.

15:23

**Shona Robison (Dundee East) (SNP):** I am probably in danger of incurring the wrath of the Deputy Minister for Health and Community Care by saying this but, in response to his comments to

David Davidson and Dennis Canavan, I suggest gently to him that it might have been useful for the Minister for Education and Young People to have briefed him in advance of the debate on the continuing review of physical education and the progress that is being made in that review.

We all agree that the level of physical activity among Scots needs to be improved. I am sure that we also agree that, if we fail to do that, even higher levels of obesity will occur in our population. Obesity is a fundamental factor in many of the diseases that plague Scotland—it has clear links to coronary heart disease, stroke, cancer and diabetes—and not only is the level of physical inactivity in the population a health risk for those who are overweight and suffer from obesity, but it increases the risk of health problems for those within the normal weight range.

Sixty per cent of men and 70 per cent of women fail to meet the recommended weekly level of physical exercise, and physical inactivity is a problem not only for adults, but for children. I will focus for the moment on children. Thirty per cent of boys and 40 per cent of girls fail to take the minimum level of physical activity each week. Already, 20 per cent of our children are overweight and child obesity levels have more than doubled in the past 10 years. That impacts severely on children's health—25 per cent of Scottish children aged between 11 and 14 are beginning to show signs of heart disease that are not normally expected until middle age. Those are frightening statistics which, if they are not tackled, will lead to a generation of adults in Scotland that is even less healthy than the current one. Given that we already have the bad reputation of being the sick man of Europe, we cannot allow or afford for that to happen.

There is a cost to the current situation. It has been estimated that people's lack of exercise will cost the NHS about £16 billion within the next 10 years—not to mention the number of lives that will be lost. What can we do to tackle the problem? We welcome very much the funding to improve children's physical activity levels. The active schools programme has received funding and the new opportunities fund is providing resources for physical education and sports in schools. Those developments are to be welcomed.

However, for many of our children it is not easy to access safe ways of undertaking physical activity. Many schools do not have sufficient playing fields or sports pitches: 40 per cent of schools in Scotland do not have a football pitch and 14 per cent do not have access to their own grass playing field, another local authority facility or even private pitches. One reason for that situation is that schools that had to raise much-needed funds have sold off the lands that



surround them for housing developments and so on. Access to sports facilities is important for increasing and encouraging physical activity, not just by children but by the whole community. Allowing and assisting community access to facilities is beneficial to everyone. The need to improve access to such facilities is the subject of my amendment.

Access to sports facilities has been made worse by the use of PPP funding, which has led to extortionate rates' being charged for community use of many facilities. Access has been denied to many people in our most deprived areas because of financial barriers.

**Dr Jackson:** Does the member agree that PPP is a wide term and that there is great variation in access to schools? The later development at Balfron High School took on board some of the lessons that were learned from the PPP at Falkirk High School, in Dennis Canavan's constituency. The situation is not as Shona Robison describes it.

**Shona Robison:** Many of the PPP projects that are alive and kicking in Scotland are as I have described. People are paying the price for them—that is the reality of the situation.

Another problem with physical education is that rather than being expanded in many schools it is being contracted because of pressure of time, lack of teachers and so on. I look forward to the review of physical education and hope that it will be able to solve some of those problems. Without a major expansion of physical education in our schools, I cannot see how we will achieve the target of 80 per cent of Scottish children meeting the recommended level of physical activity.

I want to bring another subject to members' attention—the anecdotal evidence that has been passed to me in advance of the debate by parents who are concerned about the threat of litigation in our increasingly litigious society, which has led schools to discourage children from being active. I have received a number of comments from parents who say that their children are being told not to run in the school grounds, for fear that someone might be hurt and the school sued. PE programmes are also being revised to make them safer by making them less active. I suggest that that anecdotal evidence must be investigated to ascertain whether such things are happening. If so, that clearly runs counter to the messages that are being given from the centre. We need to sort out the problem and to reassure schools that they should encourage children to take part in more physical activity, rather than less.

There is no doubt that increased exercise can help to improve health. Exercise referrals are another way of doing that. More exercise referral schemes need to be established to enable health

care professionals to prescribe patients exercise as a means of improving their health. Has the minister issued national guidance on establishing exercise referral schemes? National guidance is important if we are to avoid the development of postcode prescribing of exercise that it is available in one area but not another. I look forward to hearing the minister's comments on that.

The enormous benefits of increasing the percentage of the population who take more than the minimum recommended level of physical activity cannot be overstated. We need to aim higher than just trying to reach the minimum recommended level. If we increase the level of participation by just 1 per cent it is estimated that more than £85 million could be saved each year and that 150 lives could be saved, so there is an economic benefit to promoting physical activity. Even more important is the future of our nation's health, which we cannot allow to fall into an even more deplorable state. The Scottish Executive has pledged to turn the situation around, but I would like it to be far more ambitious in trying to achieve that. If it were, it would certainly have our support.

I move amendment S2M-661.2, to insert after first "physical activity in Scotland":

"; recognises that the physical activity levels amongst children and adults would be enhanced by improved provision and access to community sports facilities".

15:30

**Mr David Davidson (North East Scotland) (Con):** In speaking to my amendment, I assure the minister that, as a health professional, I take the matter extremely seriously.

Once again we have a glossy document describing clearly the future problems that we will face if we cannot turn round the increasing inactivity of our people. However, there is no real solution, other than the four extra documents that will be published. There is a lot of diagnosis, which we have had from the previous documents that the Executive has published, but we need to move towards finding the treatment for the problem. I accept that there will not be one solution for everything.

The document talks about the price that we have to pay to turn the situation round. It also talks about a 20-year period before we will see a difference. For me the key phrase, which is on page 17, is:

"We are asking Scottish ministers to adopt a 'spend to save' (spend extra money now to save healthcare costs later) approach".

However, all that is in the First Minister's foreword is talk of another £20 million over three years for a particular piece of research. We have a health budget alone of £8 billion, not to mention

the other departments' budgets. Surely encouraging people to take exercise has to become one of our national priorities. If it is going to take 20 years, we need to equip parents—because that is where action must start—by providing accessible advice as well as by providing community facilities, walkways and parks and by helping schools to deliver programmes to set their children on the road to a healthy future. The McLaren sport centre in Sylvia Jackson's constituency, which I remember from my work as a councillor there, is a good project, because its facilities are shared between the school and the community. That is the sort of example we want to see rolled out throughout Scotland.

People have a personal responsibility for their lifestyle choices, but that hinges on how youngsters are brought up in the home. Scotland has many bad habits, which I do not doubt many members in the chamber share. However, we all agree that we must have our people acquire at an early age the habit of taking exercise. That must start in the home and it must be developed through the school years. We should not accept less than two hours every week of structured PE in our schools, which already happens in England.

We have to make the opportunities fun, interesting and almost compulsive. Inter-school competitive sport, which is organised so that pupils play against equally matched opponents in the early stages, builds health and fitness and an esprit de corps in schools. It encourages community spirit and pupils who are disgruntled and cause difficulties at school tend to calm down as a result of it. Out-of-school sporting activity relies on voluntary teachers, but can we not involve others who are suitably accredited and cleared to deliver it?

Last Sunday, I was invited to attend a men's lacrosse match between Aberdeen and Edinburgh at the University of Aberdeen. When I spoke to the players and supporters afterwards, it became clear that the players were all amateurs, many playing their first game. They were coached by former players and had no funding, but they had a passion for a rapid-moving and exciting sport in which hand-eye co-ordination, fitness and flexibility are mixed.

My sons played non-contact pop lacrosse at school. It is played in parts of England and Australia and was started in the Dumfries and Galloway Council area four or five years ago. My sons followed that on in community sports clubs, which did not receive a lot of state support—they were completely run by accredited volunteers. I am using my sons' case as an example. The state can help to provide some of the resource, whether through councils, through Government or, as has

been mentioned, through lottery grants. My sons were lucky—they went on to become international players in competitions throughout the world. That was just a case of lads starting off with an interesting sport that was displayed to them at school.

**Mr McCabe:** I appreciate everything that Mr Davidson says about sport and I do not want to undermine or devalue the important role that it plays, but I spoke earlier about an evidence-based approach to the issue. A lot of evidence tells us that, for those who participate in the minimum amounts of activity required for health, sport makes only a small contribution towards their requirement for physical activity. The evidence also tell us that if we are to appeal to young women, for example, activities such as dance are also important; if we focus entirely on sport, that will encourage some people, but it will discourage many more.

**Mr Davidson:** I accept that; I was going to go on to talk about that issue.

One of the helpers at the match that I mentioned e-mailed me this afternoon to tell me about the difficulties and the cost of setting up training facilities, particularly for minority-interest and new sports. The problems include sorting out the ground, the pitch, the insurance, access to schools and getting people accredited. We have to consider packages for all those aspects.

People walk to school in towns, but in rural areas it is almost impossible for them to do that, because of concerns about road safety. It is vital that we focus on what we do in the rural areas. The other aspect is to consider all age groups. In rural areas, people need to have community transport to access facilities that may be provided centrally. In Banff and Buchan, we had a problem when the community was going to build the central pool in Mintlaw. The community raised a lot of money and the lottery board put in money, but the council failed to make the necessary small contribution in deficit funding. Those are the issues on which communities want to take control and responsibility. We have got to ensure that they get the support to finish off such projects.

On the family front, the minister spoke about walking and so on but did not mention the healthy eating that goes with that. Shona Robison mentioned safe play parks. We must get the elements of law and order involved so that we can have clean playing fields that have no needles, bottles, glass or anything else that is dumped on them these days. We must have some kind of respect for community facilities and that will require involving the communities. There should be a joint approach on physical activity; it should not merely be top down.

I move amendment S2M-661.1, to leave out from “welcomes” to end and insert:

“notes the Executive’s plans to emphasise walking as one of the means to increase levels of physical activity; encourages people to take more responsibility for their own health and that of their family; calls for more access to organised sport in schools and the community, and further calls on the Executive to provide more support for the voluntary sector, which provides a huge variety of sporting opportunities for children and adults alike”.

15:37

**Donald Gorrie (Central Scotland) (LD):** During the Parliament’s first session, I used to criticise Executive motions for being rather feeble. Although I feel that motions have improved during this session, I do not think that the motion that we are debating is one of the Executive’s best efforts; it could have been a bit more vigorous. However, it has enabled me to rise to a new political height, because I have been appointed as our group spokesman on walking. I just hope that, as this is my third speech of the day, I do not get summarily sacked from that important position for committing the ultimate political sin of falling asleep in my own speech.

The issue of combining budgets, which has been raised already, is very important. The minister said many good things about having an integrated policy and bringing various aspects together, but that has to be backed up by cash. It is not the minister’s fault that we are still suffering from many years of consistent underfunding of sport—especially sport outwith school. We must bring together the health budget, the law and order budget and all the other budgets to contribute to worthwhile activities. As the minister stressed, such activities include walking and related initiatives such as encouraging walking to school—walking buses—and making more use of the canals that have recently been opened up, as there are some very good walks along canals. Those activities also include sport—sport outside school, as well as sport inside school.

We must have more facilities and activities that are organised by the councils. Such facilities must have charges that people can afford; it is preferable that they have no charges at all, because charges deter many people from going to existing facilities. In rural areas, there is the issue of access—getting to the facilities.

We must support a wide range of sports and activities, as the minister and other members said. Some sports may turn people off, but it is surprising how many people find that a particular sport, perhaps a minority sport, really turns them on.

As well as council-run activities, we must encourage clubs, which have suffered desperately

for many years. We must give proper funding and support to people who train as coaches, referees and officials—they are the backbone of their sports and they have to go on courses, for which they pay. We must adequately fund the clubs. That does not need a huge sum of money; for many clubs, a few hundred or a few thousand pounds can make a huge difference and can enable them to get on with running their sport instead of fundraising, which they are usually rather useless at.

I have one specific suggestion. Frank McAveety might consider setting up a commission to examine all aspects of football, from the bottom to the top. The number of people—children, for example—who get involved at the bottom level is seriously lacking compared with how things used to be. As a result, our senior team loses 6-0 and football clubs are in serious financial decline.

**Mr Davidson:** Does the member agree that the problem relates to the lack of competitive sport in schools, where children can learn that sport is not war, play responsibly and develop a competitive spirit?

**Donald Gorrie:** I agree. Sport in schools has a huge part to play and I will talk about that in a minute.

The minister mentioned dance. The varied types of dance offer very good physical activity and appeal to many people who are not competitive.

We have steadily lost outdoor play spaces—not just football pitches, but spaces for informal play, which are important. The lack of such spaces is serious, but I do not know how we can reverse the decline, as many of those spaces have subsequently been built on.

Research shows that where schools offer more sport, young people’s academic performance, attitude and attendance improve. Sport helps especially boys, who have been falling behind girls in academic school work. I know that some good things are happening in schools, but we could invest more, for example to bring in coaches from outside the school system, or to encourage teachers to take up coaching. Many people have great enthusiasm for their sport and their efforts could make a huge contribution if they were mobilised in the right way.

In this morning’s debate about violence in the home we talked about the need to change attitudes. This afternoon’s debate is also about changing attitudes. There is a sort of sickness in our society and too many people become couch potatoes. We must somehow persuade people, by offering a wide range of activities and by helping the volunteers who get involved to promote those activities better. If we do so, we can have a

Scottish people to be really proud of, and we can even win the odd football match.

15:44

**Mr Duncan McNeil (Greenock and Inverclyde (Lab)):** I am sure that Donald Gorrie's announcement that he is his party's spokesperson for walks will send a shiver down the spine of certain organisations in the west of Scotland, but we will see how that plays.

David Davidson's speech not only reminded me of my aversion to exercise but recalled unpleasant memories of physical education at school. I remember running up muddy hills and swimming past the icebergs in the Battery park pond, while the technical teacher had a fag and threatened us if we did not get in there—if we survived hypothermia, we were doing very well.

I remember being forced to play something called rugby—a game that was as alien to us west coast boys as attending the chamber is to the SSP. Not that that mattered too much, because we got plenty of exercise away from school. We chased buses, sugar lorries, ice-cream vans and milk motors. We all used to play street games—do members remember them? We played enduring favourites, such as football and rounders; those that have not stood the test of time, such as ring-bang-skoosh; and those that would get us in trouble with the politically correct police, such as cowboys and Indians—or western imperialists and oppressed indigenous persons, as we would now call it.

Even watching television kept us fit. We lived in the bottom flat, with our TV aerial in the tenement loft. Every time we lost the picture, I was dispatched up four floors to hang from the skylight, performing gymnastics, in an attempt to get "Joe 90" in focus. The received wisdom is that we had a far better diet back then. Coke was what we put on the fire, and going for a McDonald's meant buying eggs from the local farmer.

But times have changed, and we have to recognise that. Children these days are more likely to be managing Brazil on the Xbox than kicking a ball outside in the street. They are more used to being driven to school in the family car than running for a bus. It is more common for a child today to learn about brain trauma from the kids' science channel than to go into a boxing ring.

The thing that I do not get, though, is why if my contemporaries were all so rosy cheeked and full of natural goodness back in the wholesome 1950s, my generation is dropping down dead with heart attacks left, right and centre? We have to remember that point today. As politicians, we have used creative avoidance in this debate and when we talk about physical education, we all

immediately talk about schools and sport and children—it is good for everybody apart from us.

Principally, we are in this situation because we did not follow it through. As soon as we did not have to go to sadistic physical education classes at school, when chasing girls was more interesting than chasing vans, and when we lost the jobs that kept us physically active, no other exercise was built into our daily lives. That is known in the medical profession as the Derek Johnstone syndrome.

The consequences are all round us. That is why the minister—with whom I regularly keep active on the golf courses of Lanarkshire—is right to be increasing access to sport and to fitness facilities for those of us who might be a bit set in our ways. I wish him well in a difficult job to change the culture of the people of Scotland, and support the initiatives that have been announced today, on the basis that it is never too late to begin and continue to exercise.

15:49

**Richard Lochhead (North East Scotland) (SNP):** As a comparative youngster, I enjoyed Duncan McNeil's recalling of life in early 18<sup>th</sup> century Greenock. It was very interesting.

It is ironic that I intervened at question time to talk about Scotland's declining population and we are now having a debate on encouraging physical activity in Scotland. Something tells me that there might be a link there, and a win-win situation, but perhaps we should not delve too far into that particular debate.

The health statistics in Scotland highlight just how important it is that we make people much more active. I know from personal experience that it is not easy for people to access sports, youth and leisure facilities in their area. I play indoor football in Aberdeen. To get there, I have to travel about 8 miles by car. I am quite lucky, both because I have a car and because there is such a facility within 8 miles of where I live. However, most people in north-east Scotland and, no doubt, elsewhere in Scotland must travel a lot further. I have always found it ironic that such indoor football facilities are always packed out and that it is difficult to book pitches. It is clear that supply is not meeting demand as far as five-a-side or eight-a-side football is concerned. That sport is played mainly by men, but the same applies to all leisure facilities.

I understand that the community of Tillydrone is the area of Aberdeen with the youngest population, but it has next to no sports facilities. That situation is replicated throughout the country. The exception is Shetland, where virtually every village, no matter how small, has leisure facilities,

because Shetland Islands Council has used some of the oil money to build them. No matter where someone lives in Shetland, they have access to such facilities. As a result, people there have a much better quality of life and are more likely to be physically active. Scotland is a relatively rich country, so why can we not achieve those standards on mainland Scotland too? I have always thought that some sort of formula should be applied to communities, whereby people should live within a minimum distance of sports facilities.

One problem with changing people's lifestyles is to do with housing estates being built with no facilities. Two garages might be put next to each house, but there are no amenities or facilities nearby. Unless some planning gain is built into the planning permission—which is worth while pursuing, although we cannot rely on that—there will be no facilities. When new settlements are being built, it is expected that people will get into their cars to go to the shops, given the fact that all the small shops have closed down and it is now necessary to go to out-of-town shopping centres, or to get to other facilities.

There is also a problem with parents always getting into their four-by-fours, despite the fact that they live in built-up areas, to take their kids to school. Kids are therefore getting out of the habit of walking even to the local school, which might be less than a mile away, because of frequently over-hyped safety issues. That is a cultural aspect that we must address.

**Eleanor Scott (Highlands and Islands) (Green):** Does the member agree that it is not just a matter of leisure facilities not being incorporated when communities are planned, and that there is also a lack of facilities for spontaneous play, which means that children cannot play out in the streets? Does he agree that we should start to view residential streets as part of the living environment, rather than as part of the transport infrastructure?

**Richard Lochhead:** I agree with that sentiment. Building community, sports and leisure facilities should somehow be done automatically. It should not rely on planning gain built in by local planners, because that happens only in some cases. I do not see why that cannot be done automatically. Perhaps the minister should be addressing that.

We must encourage national sports. That means encouraging the national football team and encouraging Rangers and Celtic to put some indigenous players on the pitch, so as to encourage youngsters to come through in Scotland. It is reported in the news that the England team winning the rugby world cup—although it inspires many of us to switch off our television sets—is inspiring many people south of the border to get involved in sport. We must

encourage national sporting role models and support our national teams.

We can benefit not only people's health but Scotland's environment if we encourage people to be more active and to get out of their cars. That will save the national health service a fortune and it will make Scotland a much more fulfilled and healthy nation.

15:53

**Mr Jamie McGrigor (Highlands and Islands) (Con):** Although I welcome the initiative, I must ask how we have come to be in the dismal position where, although sport dominates our television screens and the talk in the pubs is more likely to be about football and, lately, rugby, than anything else, formal and informal participation in sports is very low. Unfortunately, for many young people, participation in sport consists of sitting in front of a television, watching their heroes, swallowing sweet drinks and eating potato crisps. That does not produce fit sportsmen; it grows couch potatoes. Is it not ironic that the national obsession with sport, although it seems to be growing, is producing so many unfit youngsters? That boils down to a lack of physical activity and inappropriate diet. On that point, I am glad that the *Daily Mail* has informed us that the English rugby victory was in fact inspired by the team's Scottish cook.

A key factor must be more sport and more physical exercise in schools. However, playing fields are still disappearing at an alarming rate throughout the United Kingdom. In Scottish secondary schools, there is only one hour a week for sport, games and physical activity. That is clearly a big problem, given that in England there are two hours. As a very minimum, we must climb to that level as soon as possible.

I have seen sportscotland's targets that the Executive has set for the future fitness of the Scottish population. Will the minister tell me what progress is being made to achieve the targets and how he is going about doing that? Will he give me an assurance that he will raise the amount of time for physical exercise in Scottish schools?

In March, after an exhaustive and broad consultation, a document was launched on a strategy for Scottish sport. The strategy attempts to position sport and physical exercise as a key to delivering a healthier Scotland. The strategy is called sport 21 and is managed by sportscotland. Sport 21 has 11 targets and an overarching target that, by 2020, 60 per cent of adult Scots will participate in sport at least once a week.

**Dr Elaine Murray (Dumfries) (Lab):** Sport 21 is the national strategy for sport. It is not the strategy

of the Executive but the strategy of the sports community in Scotland.

**Mr McGrigor:** The strategy is being carried out after a very wide consultation in Scotland.

Target 1 is that 80 per cent of primary school children should have at least half an hour of daily exercise or play.

Target 2 is that secondary schools should have at least two hours of high-quality PE classes per week.

Target 3 is that 85 per cent of 13 to 17-year-olds take part in sport in addition to the school curriculum more than once a week.

Target 4 is that 49 per cent of teenagers over 14 in social inclusion partnership areas take part in a sport at least once a week. That emphasises the extra need for sporting opportunities within deprived areas.

Target 5 is that 55 per cent of 17 to 24-year-olds take part in sport more than twice a week.

Target 6 is that 43 per cent of those aged 45 to 64 play sport once a week. That target is particularly important given our aging population.

Target 7 is that at least 250 Scots will have been made medallists somewhere on the world stage by 2007.

Target 8 is that, by 2007, Scotland will have more than 500 sports halls with public access, so that 70 per cent of Scots can access a hall within 20 minutes.

Target 9 is that over 1 million Scots play sport in membership clubs, which are very important in promoting sport culture.

Target 10 is that Scotland should contain at least 150,000 volunteers who contribute to organising participation in sport through, for example, coaching, secretarial duties or refereeing.

Target 11 is that, by 2020, every local authority will have contributed to the sport 21 agenda.

That is the strategy. Will the minister tell the Parliament what progress is being made on those targets, which are being managed by sportscotland?

Finally, I agree with Tom McCabe's support for walking. Walking in Scotland's countryside, particularly in the Highlands, is a very beautiful and good experience. More Scots must be encouraged to be more active by accessing more of Scotland's great outdoors.

15:58

**Dr Elaine Murray (Dumfries) (Lab):** I am pleased to take part in a debate that

acknowledges the issues that our nation faces, given that physical inactivity is a barrier to health improvement and causes problems for the country's economy. In particular, I will deal with the lack of physical activity among women and girls, which is particularly worrying for their current and future health and well-being.

The document "let's make Scotland more active" contains some worrying figures. It says that 72 per cent of women and 59 per cent of men

"are not active enough for health"

and that 40 per cent of girls and 27 per cent of boys are not active enough to meet the guidelines that recommend one hour's moderate activity on most days of the week. The amount of physical activity among girls drops off sharply at puberty. Moreover, girls are less active than boys at the age of only four.

The 1998 Scottish health survey showed a strong correlation between lack of physical activity and socioeconomic grouping. Some 25 per cent of professional women participate only in a low level of physical activity—that is, once a week—compared with 51 per cent of women in unskilled occupations. That trend is also observed among men, although the overall levels of physical activity for men are higher.

I have a 16-year-old daughter and I often think about what the world is like for her and her friends compared with what it was like when I was 16, which was not exactly yesterday. Significant advances have been made for women. For example, physical, sexual and mental abuse of women, which we discussed this morning, is generally considered to be unacceptable nowadays. Very few careers today are perceived as being unavailable to women or as being male preserves, although I do not deny that there are still glass ceilings. Nowadays, nobody would tell a young woman who was interested in studying science that girls are not as good as physics as boys are.

Girls are probably more confident and assertive than they have ever been. That makes me wonder why they do not look after themselves. Why are we failing to get the message across to them that a moderate change in lifestyle would bring benefits that would improve the quality of the rest of their lives? Why, for example, are women more likely to try to control their weight by smoking than by taking more physical exercise? Let us not underestimate what a moderate change in lifestyle can do. Nearly 2,500 Scots die prematurely each year due to physical inactivity. That accounts for 42 per cent of deaths as a result of coronary heart disease, 25 per cent of deaths as a result of a stroke and 25 per cent of deaths as a result of colon cancer. We are talking about premature

death as well as about our quality of life and our well-being, especially in later life.

The physical activity task force looked at barriers to being more physically active. The greatest barrier cited by all age groups, except for people aged between 65 and 74, was lack of time due to other commitments. For the oldest age group, the principal barriers were ill health, disability and being put off by the weather. The task force also reported that 71 per cent of people aged 25 to 44 and 51 per cent of those aged 45 to 54 are not physically active because they feel that they do not have time to be.

What can we do to improve the situation? Obviously, we need to raise public awareness about how much physical activity is needed to improve health. People tend to think that one has to run a half marathon or give up an awful lot of time in order to be healthier. Only 34 per cent of the population knows that an accumulation of 30 minutes of moderate exercise most days will improve our health. Many people think that they need to do a lot more than that and are put off even from trying to exercise.

One of the encouraging statistics in the report is that walking up two flights of stairs every day for a year uses up energy equivalent to 4lb of fat. I thought that that was rather nice, which is why I run up and down the stairs. People also need to make small changes to their normal way of life, such as walking more, cycling, gardening, doing housework and using the stairs instead of the lifts.

I am not going to disagree an awful lot with what Tom McCabe said on the subject, although at the moment it may sound as though I am doing so. The debate is also about offering sport and physical exercise that people enjoy and about encouraging participation in physical activity early on in children's lives.

Jamie McGrigor referred to the national sports strategy, sport 21, which notes that participation in the most popular sports—walking, swimming and cycling—has grown fast over the past decade. It also notes that those sports are the sorts of individual activities that people can do in their own time and perhaps in their own homes or that they can fit in with their lifestyles and family lives.

I will not go through all the targets, as Jamie McGrigor recited them for us. It is worth noting, however, that the document takes a broad definition of sport.

**Mr McGrigor:** On that point, is Elaine Murray interested in trying to reach the targets?

**Dr Murray:** Of course I am. I would hardly have chaired the group if I had not been interested in doing so.

In 2001, the Council of Europe defined sport as

“all forms of physical activity which, through casual or organised participation aim at expressing or improving physical fitness or mental well-being, forming social relationships or obtaining results in competitions at all levels.”

That definition could involve chasing buses. If chasing a bus in high-heeled shoes had been an Olympic sport, I would have been a contender when I was younger.

As Tom McCabe said, sport also involves activities such as dance and horse riding, although I have to say that my participation in the latter sport has not always helped my physical well-being. Women enjoy those sorts of activity—dance, in particular, is enjoyed by pensioners at tea dances and by young women in nightclubs.

Bill Shankley once famously said:

“Football isn't a matter of life and death; it's much more important than that.”

I am sure that the same thing could be said about sport and physical activity. I believe that money that is invested in sport, and in culture, is an investment in the health and well-being of our nation. The investment of relatively small amounts in health budget terms in initiatives such as the active primary schools programme and the school sports co-ordinator programme would make a great contribution to our nation's future health. Having tried to persuade Tom McCabe to give some of his funding to Frank McAveety, I will sit down.

16:04

**John Farquhar Munro (Ross, Skye and Inverness West) (LD):** There is a general acceptance that we need to improve the levels of physical activity in the population as a whole. Members have mentioned the statistics. It is estimated that more than 70 per cent of women and 60 per cent of men are not physically active enough and that 27 per cent of boys and 40 per cent of girls do not meet the recommended daily activity levels. Physical activity among the population has been declining over two or three decades and I am sure that we all agree that changing that trend will be a difficult task.

To turn the problem around, the Government must, in my view, target resources on the young generation. Recent scientific reports have predicted that average life expectancy will decline as a result of the lifestyle and diet of the younger generation today.

The positive impact of sport and physical activity on young people should not be underestimated—I do not think that anybody underestimates it. Sport provides an opportunity for personal and social development. It improves health and it can boost confidence. Moreover, it teaches leadership and

social skills that contribute to a greater breadth of education.

The Executive must consider reintroducing physical activity into the curriculum—not just piecemeal but on the basis of a double period of activity for up to two hours on a weekly cycle. I am advocating not a return to the 1940s and 1950s exercise regime, but an educationally based exercise programme that fulfils minimum activity requirements and introduces pupils to a broad range of sports and activities. Through such a programme, schools can meet activity requirements as well as introduce pupils to new activities, which may spark those children's interest for the future.

The activity levels of children today cannot be compared to the levels of 30 years ago. Television and computer games have replaced sports and reading as the main recreational activities of a large proportion of our young people. The only aspects of developing a young person's life that the Government can influence directly are the ones that apply during children's school years. I understand that it is not the custom in Scotland to interfere with the curriculum. Nevertheless, activity levels are currently so low that the Government needs to set a minimum weekly level of activity to prevent the health of Scotland from getting even worse in the long term.

As we have heard, physical activity is not confined to sport. Local authorities throughout Scotland, with Government support, have provided a network of local and long-distance footpaths and cycle tracks, which can be enjoyed by all who wish to participate, according to their physical aspirations and ability. We have established the Great Glen Way, which, with the West Highland Way, means that a footpath now extends from Loch Lomond to Inverness. We have also provided a magnificent cycle track that stretches from Perth to John o'Groats—that is quite a distance. Those tracks and paths are popular with individuals, groups and families, who enjoy the challenge and gain a lasting appreciation of our great outdoors.

I am sure that all members agree that we must do more to promote and encourage physical activity as a lifelong pursuit. If we do so, the reward will be a healthier, happier and more active population. I am pleased to support the motion.

16:09

**Robin Harper (Lothians) (Green):** The Executive's acknowledgement of the serious levels of inactivity in Scotland and its support for walking are welcome, as is the call for national leadership for physical activity.

The chairman of the physical activity task force

notes in the foreword to the report "let's make Scotland more active" that we live in times when

"the people of our country would rather drive than walk and when parents are terrified to let their children play in the streets because they are full of cars."

It is appropriate to reflect on the fact that, 30 years ago, 80 per cent of young people walked or cycled to school and only 20 per cent took the bus or went by car. The situation is now completely reversed: 80 per cent of children arrive at school by bus or car and only 20 per cent arrive on their feet or on a bicycle.

We need a combination of an acceptance of personal responsibility and national and local leadership to break the lose-lose circle. That call is in line with my party's policy for widespread implementation of home zones to make residential streets primarily part of the living environment—to which Duncan McNeil referred—to give priority to pedestrians and cyclists and to recreate outdoor spaces for children to play in safety. Shona Robison referred to such spaces. We need regulations that require new housing developments to comply with a minimum standard on access to high-quality informal play spaces for children. If we create spaces, children will fill them up. Informal spaces for football and other games are sadly lacking and the existing spaces are being built over at a horrifying rate.

Only when people live a healthy lifestyle in a healthy environment will our health improve substantially. The report makes the observation that environmental policies are essential to help people to be active as part of their everyday lives and cites the example of the ring-fenced resources in the public transport fund that are used to support developments that will help people to walk and cycle.

We have made tremendous progress in tackling smoking, even though that has taken half a century and we still have a way to go. That fact gives a context to the task force's 20-year target on physical activity. As we speak, the level of activity is declining—I will mention an example later. It is ironic that obesity looks set to overtake smoking as a health hazard. The annual cost to the national health service of obesity and obesity-related illnesses has been estimated at £171 million. Think of the number of schools within walking distance of the communities that they serve that we could build with that kind of money. At present, the NHS is a sickness service, but we need a health service that works through health promotion.

The task force is to be commended for its broad view of physical activity. The fact that the report dispels the notion that organised sport has a monopoly on physical activity is particularly welcome, as is the stress that is placed on play.



David Davidson mentioned links with the education service. I am surprised that Peter Peacock is not in the chamber, given the links between education, sport and health. This afternoon, I have lodged a motion on outdoor education. Members, including Jamie McGrigor, have referred to walking and hillwalking and we heard on the radio this morning that the magazine *Trail* recommends the Lairig Ghru and other parts of Scotland as being safe to walk in, particularly when there is no snow. Outdoor education for every pupil in Scotland is essential, but, in the past decade, the amount that pupils do has declined or stayed still.

My motion addresses those concerns. There is no national programme of outdoor education in Scotland and we need an update of the guidelines on the health and safety of pupils who are on educational visits. Outdoor education programmes vary greatly from council to council—I suspect that some councils have hardly any programmes. Children do not have equal access to the opportunities and advantages that are provided by outdoor education and even within council areas schools lack uniformity in implementing outdoor education programmes.

Financial and socioeconomic factors and a lack of access to outdoor educational facilities serve as obstructions. For instance, the City of Edinburgh Council utilises only two outdoor education centres—Benmore and Lagganlia—excellent though they are, and only a few schools offer activities at those centres. There is no national teaching certificate in outdoor education and primary teachers have access to only one week of outdoor experience in their four year course—geography teachers get only a few days. Moreover, the number of biology students who go on outdoor environmental studies courses is declining.

I ask the Executive—the request is really to Peter Peacock rather than to the ministers who are present—to set up a working group to report before June 2004 on all those issues. We cannot discuss walking without talking about outdoor education and walking in Scotland's countryside. Of course, children, young people or even adults who go out into the countryside must learn about the risks. Outdoor education is about ensuring that people go out well informed and trained so that they can enjoy Scotland's countryside in absolute safety.

16:15

**Janis Hughes (Glasgow Rutherglen) (Lab):** I am pleased that the Executive has decided to debate this issue this afternoon. Indeed, I am particularly pleased that—negative as it might sound—the Executive recognises the high cost of

failing to improve the nation's health. A healthy nation is a successful, intelligent, vibrant, dynamic nation and failure is not an option.

Sadly, lack of physical activity is a factor in Scotland's reputation as the sick person of Europe. After all, 42 per cent of deaths from heart disease and 25 per cent of strokes and cases of colon cancer can be attributed to physical inactivity. We have to tackle the problems that underlie such statistics.

Part of the problem relates to the lack of physical activity among young people. Although I do not want to launch into an "In my day" type of speech, it certainly appears that young people do not take part in the same amount of physical activity that most of us did when we were young. However, Duncan McNeil went into explicit detail about some not-too-welcome memories of those days. Members have already pointed out that physical activity has to be enjoyed if it is to be sustained. I think that my experience of physical education in school, like Duncan McNeil's, probably caused untold psychological damage and does not provide a model that we should follow.

The differences between then and now are impressive—we need only recall the school sports co-ordinator programme and the safer routes to school programme, for example. I agree with the minister that the promotion of walking should be a key plank of the Executive's physical activity strategy. It is a cheap form of exercise that, as has been mentioned, can easily be tailored to suit all levels of ability. In that regard, I also welcome the investment of more than £18 million through the public transport fund for cycling projects or projects that contain a large cycling and walking element.

If Scotland has the reputation of being the sick person of Europe, Glasgow has the reputation of being the sickest of all. For example, the city contains seven of the 10 most unhealthy constituencies in Britain and research indicates that 76 per cent of women and 67 per cent of men in greater Glasgow are not getting enough physical activity.

NHS Greater Glasgow, in alliance with the relevant local authorities, is committed to alleviating the city of that most unwanted reputation. Like the Executive, it has emphasised that walking is central to its strategy. Glasgow's city health walks will target inactive people who are most at risk of coronary heart disease, diabetes, cancer or obesity. The programme will also provide encouragement and support for people to take part regularly in independent and organiser-led walks around the city. A co-ordinator will be appointed to develop the proposals.

A new £7 million sports centre in Cambuslang in my constituency will be of real benefit in improving the local population's health. Indeed, it is suggested that, with an estimated 230,000 visits each year, the facility will triple the number of people in Rutherglen and Cambuslang who use leisure facilities.

South Lanarkshire Council, which is responsible for that new development, has also provided £2.6 million to fund the "Get Active" sports programme, which will run for the next three years and will give more than 25,000 young people the opportunity to become involved in a range of activities. The programme will focus specifically on girls, young people with disabilities and those who are at risk of offending. Moreover, given Robin Harper's remarks about outdoor education, I should tell him that South Lanarkshire Council also has an outdoor education programme, so at least some councils have introduced them. It is important to recognise that much is being done at a local level.

However, we must acknowledge that local and national Government can do only so much. The simple fact is that people have to help themselves; it is simply misleading to pretend that the physical activity strategy is a panacea. As with the healthy eating programme, the Executive has to play a facilitating role that will enable people to take up more physical activity. However, the ultimate responsibility lies with the individual.

I am pleased that the Executive, NHS boards and local authorities are working to improve levels of physical activity in Scotland. Although there will be no short-term fix for Scotland's health problems, a co-ordinated approach that focuses on prevention as well as cure can only benefit us all. I support the motion in the minister's name.

16:20

**Dennis Canavan (Falkirk West):** It is clear from the debate that a radical strategy to promote physical activity is absolutely essential for the health of the nation. About 21 per cent of Scots are obese—that is more than 850,000 people. According to the Scottish health survey, more than 2,400 people die every year as the result of an inactive lifestyle.

As several members have pointed out, there are economic implications. Recent research by the University of Glasgow indicated that the NHS in Scotland is spending more than £170 million every year on the treatment of obesity and related illnesses. However, if the physical activity task force's modest target is met by 2007, 157 lives will be saved, £3.5 million will be saved for the NHS and the total economic benefit will be around £85 million. It makes good economic sense, therefore, to invest in physical activity. I hope that the

Scottish Executive will ensure that the physical activity strategy is backed up by adequate resources, despite the sniping from some critics.

I notice that one of the minister's erstwhile colleagues, Sam Galbraith, who formerly had ministerial responsibility for health, sport and education, has recently been bleating from the sidelines. One would think that with his experience he would know better. According to this week's *Sunday Herald*, he claimed that spending money and energy trying to make Scots lead a healthier lifestyle is a waste of time. In the article, he arrogantly tries to discredit those people who are working to persuade Scots to take more exercise and to eat more fruit and vegetables—he calls them the "banana brigade". I hope that Tom McCabe and Frank McAveety will tell him that they are proud to be fully paid-up members of the banana brigade, or indeed, the apple brigade, although they might draw the line at admitting to being members of the orange brigade.

The Scottish Executive has a duty to encourage people of all age groups to lead healthier lifestyles, including healthier eating habits and more physical activity. I take the point that is made in the Tory amendment that people have to accept responsibility for themselves. However, the Scottish Executive and the Parliament have a duty to show a lead to the nation and to give some encouragement.

The Executive has a particular responsibility for young people in our schools, where the state of physical education leaves a lot to be desired. I am not convinced that the Scottish Executive and the schools inspectorate are doing enough about that. Peter Peacock, the Minister for Education and Young People, has not been present during the debate. Perhaps he has a good excuse, but I think that we are entitled to know what it is.

A couple of weeks ago, the First Minister told me at question time:

"Ministers are committed to providing more and better information for parents about how their child's school is performing. From next month, we will publish information on performance against the national priorities, exam results, school-leaver destinations, and attendance and absence rates. In total, that will be the most comprehensive and comprehensible package of information for parents on individual schools ever made available."—[*Official Report*, 13 November 2003; c 3263.]

That might be so, but the First Minister made no explicit mention of sport or any other form of physical activity. If the physical activity task force has set targets, surely we are entitled to know what progress is being made to meet those targets. Parents are entitled to have information about the sports opportunities and sports

achievements of schools.

We are also entitled to know what is happening about the review of school sport and what exactly is being done to make physical activity an enjoyable experience, especially for young people. Too many people are put off physical activity because they perceive it to be too strenuous, too tedious or too exhausting, but virtually everyone can find a form of physical activity that gives them a lot of fun, whether that involves serious competitive sport or a pleasant walk in the countryside. More effort should be made to present sport and other physical activities as something to be enjoyed. If the national strategy succeeds in doing that, it will help to make Scotland a happier as well as a healthier nation.

16:25

**Ms Sandra White (Glasgow) (SNP):** I genuinely welcome this debate and the importance that the Executive and the Parliament have attached to physical activity. Like other members—I will mention Duncan McNeil, but I will not name all the others—I grew up in an era when we could play out on the streets, although I do not know whether I played the same games as Duncan McNeil and Janis Hughes did. We belonged to an era in which we did not have computer games, video games or television and I believe that we were healthier and fitter, too. As has been said, however, those days are gone and we must look at the realities of the moment.

I will concentrate on the SNP amendment. Although I agree with the Executive's motion to some extent, I feel that its emphasis on walking and walking alone as a means of increasing levels of physical activity is a bit simplistic. Shona Robison was absolutely correct in what she said about PPPs. Our amendment encompasses everything that the Executive motion does not. I feel that there is far too much emphasis on walking—laudable though that might be—in that simplistic motion.

Shona Robison was absolutely correct to say that we must make more of the school facilities that exist in our communities. I know areas where there are school facilities such as swimming pools, sports areas and football grounds that kids and members of the public are locked out of at the weekends and after hours. I cannot for the life of me see why we cannot do something to change that. Community facilities such as swimming pools are an excellent means of involving children and the wider public in sporting activities, but currently people are locked out.

**Mr McCabe:** I hear what Sandra White says but, as I said earlier, we have to broaden our thinking. Of course adequate sports facilities are critical, but

the evidence tells us that we are not appealing to young people, so we have to engage in lateral thinking. I mentioned the attraction of dance to young women—we must focus on such things. Facilities are important but, if we are to achieve the success that we need, the agenda must be far broader.

**Ms White:** That is what I am trying to say. There must be a far broader agenda than the one in the motion, which focuses on walking. I am not saying that we cannot encourage young girls to dance, but there are also young men who like dance and young girls who like football—those activities are not gender specific. We can encourage the uptake of such activities in the local schools and community centres that provide them. In certain areas, those activities are available at affordable prices, but in other areas, although the community centres and schools are there, the young people cannot get into those facilities or, if they can get in, they have to pay astronomical prices. I ask the Executive to consider that issue in developing further strategies.

The Executive must be applauded for the investment that it has made, particularly in the active schools programme. However, once we have encouraged young people to take part in dancing, swimming, football, rugby or any other activity, we have to give them access to the necessary facilities outwith school hours. I ask the Executive to consider that.

If we are serious about physical activity and the well-being of children and adults, we must also look at diet, which David Davidson, Dennis Canavan and others have mentioned. We must look at the fast-food zones in schools and encourage a healthy lifestyle for our kids. Healthy lifestyles and physical activity go hand in hand and will go a long way towards improving the general health of our nation. Perhaps Peter Peacock is the minister who should take on that responsibility.

Donald Gorrie and Richard Lochhead mentioned parklands and facilities that are slowly but surely being taken away from communities. As the Green party has said, developers are coming in and taking over parkland. That is happening all over Glasgow and other areas. Parkland, community facilities and football facilities are being sold off to developers who are building private housing with no thought of any form of facility—not even ordinary green parkland for young kids and others to walk, play football or exercise in.

We must look at encouraging physical activity in the round, holistically and in a joined-up way. I welcome what the Executive is trying to do, but we could do more.

16:30

**Robert Brown (Glasgow) (LD):** I think that I am a little ill-suited to wind up the debate. I am conscious of the fact that Donald Gorrie, in his youth, was something of an athlete. Our colleague, Menzies Campbell, was an Olympic athlete and Paddy Ashdown, of course, was marine trained. Then there is me. I follow Duncan McNeil's train of thought because, like him, I have horrific memories of cross-country runs with a gym teacher in an Arnhem beret who used to pursue us around the place, urging us on to greater efforts. That had a long-lasting effect on me, which I am only now beginning to come out of—I am now able to do a little gentle cycling occasionally and occasionally I go for a walk.

In many ways, this is not a sexy debate and the chances are that it will be written off by the commentators as the Scottish Parliament discussing minor inaccuracies and irrelevancies. If that happens, the commentators will be hugely wrong. The challenge of physical activity is central to the health and well-being of the nation. It raises issues right across the board, as we have heard in the debate, from children's journeys to school and the loss of playing fields and green areas to planning of urban areas, community use of facilities and swimming pools, pricing policies—especially for youngsters—and support for youth and sporting activities. I shall concentrate on one or two of those issues.

There is an organisation in Castlemilk called Community Can Cycle. I know that Robin Harper has visited the project and one or two other members may have heard of it. The project recycles bicycles for local youngsters and provides sports training. Its services are paid for largely through the collection and recycling of tin cans. As such organisations go, it must have a growth principle, as half of Castlemilk is now covered with warehouses full of bikes. Not only has Jim, who is in charge of it, delivered bikes to all the children in Castlemilk; he now has a project to send the surplus bikes to Africa so that children there will have cycles on which to go to school.

I mention that initiative to highlight the importance of community projects in this area. The way in which that project provides bikes, involves youngsters and encourages physical exercise is extremely important. Somewhere along the line, in our planning and organisation mechanisms, we have lost the ability to do such things as holistically as we might.

On the planning regime, like others I am conscious of the disappearance of the greenbelt and the loss of all the little bits and pieces of space in Glasgow and South Lanarkshire as a result of the unbridled planning control that seems to be given to developers in those areas. The

number of playing fields has also gone down dramatically over the past 15 or 20 years, with a resulting loss of facilities. There is a need to change direction. As somebody—perhaps Robin Harper—said, it is too late to change direction altogether, but we can prevent the situation from getting worse. We can look at our planning arrangements and do something to make an improvement in that regard.

We can certainly do something about journeys to school. Mention has been made of the change, over the past 20 or 30 years, in the number of children who walk or cycle to school. I was brought up in the north-east of Scotland and walked home a mile and a half each day from primary school—in the pitch darkness in the winter. I do not say that to get sympathy, but to illustrate what was an accepted phenomenon at that time. That was the sort of thing that happened. We must be able to do something about the current situation. It would not be that difficult. There are ideas about school travel plans, safe routes to schools, dealing with problem sites such as busy junctions and overgrown paths, the provision of cycle training, consulting with parents and local authorities, road design changes, more cycle and pedestrian-friendly facilities, and so on. A series of measures must be taken and a targeted and localised approach must be adopted.

Mention was made of chasing buses. I do a bit of that from time to time, but when I board the bus, I am somewhat appalled to find three or four people smoking on the upper deck—smoking arrangements on buses are not adhered to.

In the dying moments of my speech, I will talk about sports clubs and youth clubs. Nobody has mentioned the importance of the uniformed organisations, which have waiting lists. They could be given more support to reduce those waiting lists and to involve more people. They probably do as much as any other organisation to encourage activity by youngsters. Their efforts are matched by what takes place in non-uniformed organisations. Those are all important issues that the Executive must deal with if its policies are to succeed.

The motion and the amendments all have merit. We want progress through administrative action. That is important and what the debate is about. The debate about the Executive's plans has been interesting and helpful.

16:36

**Alex Johnstone (North East Scotland) (Con):** The title of the debate—"Physical Activity: The Need for Improvement and the Cost of Failure"—interested me. I could claim to be not only a closing speaker, but evidence for the prosecution.

The debate has been constructive, but we must take into account an issue that lies at its heart. The minister talked about the importance of walking and I am the first to admit that walking is an important way to keep fit. It is the way in which I keep fit, and reasonably successfully too. *[Laughter.]* I see that Shona Robison is laughing—I will see her later and we will sort that out. Walking in Edinburgh is how I keep reasonably fit.

**Richard Lochhead:** Walking to Deacon Brodie's.

**Alex Johnstone:** Presiding Officer, I am being heckled unreasonably.

I have my hour's walk every day, which makes a big difference. However, we must consider the broader importance of walking. The minister said that the access provisions in the Land Reform (Scotland) Act 2003 give people the opportunity to walk more than before, but I question whether the act has done anything to improve opportunities to walk for people who do not walk already.

The 2003 act's provisions on identifying a core path network remain critical to encouraging people who have not traditionally walked in the countryside to go out there and take advantage of the opportunities that have been given to them. However, I do not believe that the Executive is in a position to deliver on that yet.

The minister was determined to impress on us the idea that walking was the key element of the strategy that he would talk about. The Conservatives' amendment makes it clear that there is more to keeping people fit than encouraging walking. If we are to persuade people that fitness is important, we must address the continuing problem of a lack of physical activity by our young people. We must tackle that in schools. However, as many speakers have said, a problem continues with the availability not only of facilities but of people to oversee those facilities in schools.

It is disappointing that, unlike the days when I was in school, teachers of subjects other than physical education are less willing to support school clubs and teams, to take people around and to give them the opportunity to participate in competitive sport. In previous debates, I have paid tribute to the people who did that when I was at school. We have a problem in identifying the people who will provide such support in our schools today.

Nevertheless, a large number of clubs could, with the right encouragement, be more involved in encouraging young people to become more active. If the facilities were available, our football clubs and rugby clubs could get people more involved in sport. That is a desperate need, as our rugby team was knocked out of the rugby world cup at an embarrassingly early stage and, to rub salt in the

wound, Holland beat us 6-0 in the football.

If we are to deal with that problem, we need to involve people in sport at an early age. It is important to realise that there is a link between the success of our national teams and the willingness of young people to become involved in physical activity, because if our teams were more successful, people might be more willing to get involved in sports, and if they got involved in sports, they might be more able to make our national teams more successful in future.

In the debate, we have heard some interesting alternative ideas on how we could keep fit. In a very good speech, Duncan McNeil, whom I have always regarded as a more aggressive, bruiser type, gave us an insight into the physical activity in which he was involved when he was a younger man. We also heard from Richard Lochhead, who suggested—I hope that I get this right, as he is not in the chamber to correct me—that there might be a link between improved physical activity and increasing the birth rate in Scotland. I will ask him to explain that attitude in greater detail at some point in the future, but perhaps not in the chamber.

Some serious points were made about the fact that it is more difficult for women—particularly girls and young women—to become involved in active sports, especially when they get into their teenage years. Many of the sports in which women choose to get involved are more expensive to support, and the lack of willingness to get involved in them makes it much more difficult for us to get large numbers of young women involved in sport.

Although the Conservatives accept that much in the Executive motion is worth while and positive, we believe that it fails to see the point. Unless we can catch people young enough and fire their enthusiasm to become involved in physical activity in a way that people were only a generation or two ago, we will be fighting a losing battle when we try to encourage those people to become more active in their later years.

16:42

**Stewart Stevenson (Banff and Buchan) (SNP):** I start by doing something that I am slightly surprised has not been done before now: congratulating and thanking John Beattie and the task force, who have undertaken their activity without being paid for it. That activity is an excellent example of the way in which people who have been involved in sport can contribute to success in further generations' participation in it. I am sure that I will not be alone in saying that.

As a bairn, I was probably less sporty than even Duncan McNeil, because I was one of three asthmatics in my class in secondary school. That rather restricted my choice of physical activity and

sport, so I played rugby rather than football. Members might ask themselves why I did that. The reality is that, until the rules were changed bit by bit over 30 years to make rugby a sport that can really only be played by athletes, it was a game that could enable people of all levels of fitness—or lack of fitness—to participate, and I was certainly at the back of the queue for fitness. Scrum halves were small and slippery, wingers were fitness gods, and fullbacks were extremely mentally healthy so that they could avoid the intimidation of a tonne of opponents rapidly bearing down on them. I do not encourage the minister to make any undue reference in his closing speech to what I am about to say: I have a corrugated set of shins from playing in the front row of the scrum at school at, of course, loosehead prop. It says something about the standard of rugby at my school that our first rugby international, Dave Rollo, played football all the time that he was there.

There is an important point in all this: sport has increasingly become a professional activity that we watch rather than participate in. I regret that deeply, because, from my point of view, sport is what we do and entertainment is what we watch, and many of the professional teams that are active in Scotland seem to be disconnected from the feeder systems of people like me, of little fitness and less ability, who could nonetheless participate at the bottom end of an escalator that went up to international representation.

I want to address, on a purely factual basis, the answer to question S2W-3680 that Mr McAveety gave me earlier this month. I am slightly concerned by the data in the minister's answer, which will be the basis for testing his success in moving forward on this issue. The answer suggests that one third of our population is involved in walking 2 or more miles. I would love to believe that, but the samples that I have taken do not suggest that the figure is borne out. The written answer indicates that 21 per cent of people are involved in swimming, 10 per cent of people play football and 10 per cent of people cycle. Is there a robust methodology underlying the statistics, by which the minister will measure his future success or that will enable him to understand that he needs to make more effort? It is vital that sport is supported and that all people can participate in physical activity.

Earlier Sylvia Jackson intervened on the issue of PPP. On 16 May 2003, the *Bo'ness Journal* reported that a PPP school sought to charge £1,200 for an over-30s football tournament. That compares with the local council's rate of £7.25 per hour. Undoubtedly, there are a number of instances of the structure of the PPP contracts into which local authorities have entered inhibiting community access to facilities.

**Dr Jackson:** The member will agree—I think that he has done so by allowing me to intervene—that his comments apply only to some cases. We have learned from earlier PPPs and have improved on the situation. Balfon High School is a model of what should happen in relation to sport.

**Stewart Stevenson:** I accept that there are cases in which PPP works, but I know of many more instances in which it does not. There are much more recent examples of PPPs in my constituency where the community does not get access to facilities.

What are people's reasons for not participating in physical activity, whether as part of their normal day-to-day life or as sport? People say that they do not have time. In reality, we all have time, but we choose how to use it. The first step in getting those whose level of physical activity is far too low to step up to the mark is to persuade them of the importance of such activity.

People also say that they do not have the equipment. Members have talked about recycling bicycles. In the north-east, we are slightly less generous and recycle them inside our community. My bicycle, which I bought at the Whitehills church group held in Gatt's net store in Inverboyndie, cost £5. I had a choice of 20 bicycles at that price, all of which were sold. When the tyres finally wear out, I will buy another bike rather than fix it. We can recycle our bikes.

There are financial issues that act as barriers to physical activity. The Princess Royal sports club in Banff is also a community club that runs a very successful programme of going out to older people in residential homes to help them to take exercise. The club does not get paid for that and cannot keep doing it for ever. It has great difficulty getting the funding to make the programme work. We need to address such issues.

It is essential that exposure to risk is part of young people's growing up. Sport has been restricted to such an extent that people are no longer exposed to risk. We do not sledge in school or run in the playground. I refer members to Andy Nicoll's excellent column in today's *The Sun*—in particular, I commend the attached cartoon. Andy Nicoll says:

"I'd like to get down the stairs and cross the road to watch"

the debate on physical activity

"but somehow I find I just can't get out of this comfy chair."

Let us hope that he is in a minority.

16:49

**The Minister for Tourism, Culture and Sport (Mr Frank McAveety):** I say well done to

everyone who has participated in the debate, because they have focused on the key challenges. As Tom McCabe said at the beginning of the debate, physical activity is not just about sport; it is about the cumulative effect of a variety of small interventions in our daily lives and activities to ensure that we do a wee bit more exercise. Much of the research and evidence indicates that even if we improve organised sport—I will cover that in my contribution—that applies to only 10 or 15 per cent of the population and the real target should be to encourage those who are presently inactive to engage in some form of physical activity.

**Mr Davidson:** Will the minister give way?

**Mr McAveety:** I will give way after I have made a few points.

There have been many references to walking as a form of exercise. The health statistics for my constituency in the east end of Glasgow show that it faces many challenges. I hope that if we introduce walking codes, they are not colour co-ordinated in the east end of Glasgow, because that can cause substantial confusion.

I turn to the real challenges that we face and I will knock on the head some of the points made in the contributions. Much of the evidence that is being produced indicates that it is not simply cost that is the barrier to participation in physical activity. There are many examples throughout local authority areas of free access to sport and physical activities and there have certainly been substantial increases in participation rates as a result of those initiatives. In training programmes organised by the Scottish Football Association and the Scottish Rugby Union, it can cost as little as £1.50 for up to two hours of coaching by qualified staff in many new sports centres. Partnerships have evolved through local authority initiatives, through health boards and through the Executive's better neighbourhood fund and quality of life fund.

It is important that encouraging physical activity is seen to be the responsibility of each and every organisation, agency and individual in our country; it is important that that cuts across portfolios. The fact that Peter Peacock, the Minister for Education and Young People, is not available for the debate does not indicate that he is not keen on developing the shared agenda in relation to outdoor education and physical activity in the curriculum. I hope that the report on that will be available early in the new year.

As Tom McCabe said, the debate is about broad definitions of activity and, more important, how we remove the barriers to it, such as the experiences that members related of organised PE lessons resulting in people having a disinclination to participate. We need a wide strategy.

**Mr McGrigor:** I made the point in my speech

that schools in England have two hours a week set aside for physical education, but in Scotland only one hour is set aside. Does the Executive intend to try to raise the threshold?

**Mr McAveety:** We have flexibility in the present Scottish curriculum. If schools feel that they can provide for two hours, there is nothing to prevent authorities from encouraging that. There is a passionate debate about that among those who are involved in physical education at school. Some wish there to be two hours of PE at school, but much of the emerging discussion is about other forms of activity, particularly in relation to the participation of girls of secondary-school age for whom taking part in formalised PE results in a disinclination to participate. That debate is at the heart of the task force's work and I hope that it will come to conclusions about it.

A number of members talked about the accessibility of sports facilities. In relation to how local authorities are endeavouring to develop the school estate through public-private partnerships, we have to take a holistic view on how to maximise the opportunities for using the facilities that that affords. A number of local authorities have modernised their approach and now have good arrangements. It is not the funding arrangements for school investment that matter, but the willingness of departments not to operate in silos and to ensure more effective development.

Robin Harper mentioned outdoor education, of which many people have had positive experiences. In the old Glasgow District Council days, my experience was that the outdoor education service provided a key feature of the annual school experience, broadened people's experience and contributed to their curriculum development and exam performance.

We are engaging with the Scottish advisory panel on outdoor education to try to develop outdoor education more coherently and to synchronise investment in it with the availability of money through the New Opportunities Fund and the school sports fund. I hope that we will make progress on that.

In my role as minister, I am taking a keen interest in the issue and, along with my health colleagues and Peter Peacock, I chair the ministerial implementation forum on the sport 21 agenda. In addition to sportscotland, a range of individuals and organisations will have to pull together to deliver on that agenda.

Duncan McNeil made a passionate, powerful, humorous and enlightening speech. Although my personal experience does not stretch as far back as his, I can say that he was right to identify that there have been many social and economic changes. He was also right to ask why, if we were

getting things right in the 1940s and 1950s, as some people have argued, the members of that generation are exceptionally inactive and more likely to face coronary heart disease and many other health problems as they face their 50s, 60s and 70s. We need to change and to shift the balance much more; that is why we need to be committed to a radical strategy.

As Duncan McNeil said, we want to get beyond the imagery of the Ken Loach film "Kes", in which Billy Caspar is chased around the playing field and brutalised by the character played by Brian Glover, who is more interested in his confidence and his experience than in the individuals in the school curriculum. We need to shift the balance dramatically to ensure that the necessary quality is there.

During the past few years, we have been doing many of the things that are necessary. The investment of £180 million over three years in the quality of life agenda will create opportunities for many local authorities to make a difference. In my local authority area, that difference is visible. Outside my constituency office, there is now a multi-use sports facility, which is used until 10 o'clock at night. It targets youngsters from the east end of Glasgow, to ensure that they have access. The cost is minimal and the quality of the experience and the coaching is high. That represents a marked improvement on the experience of 20 years ago in the same area. Just a mile away from that facility, there are fully-modernised and new swimming pools to which anyone who is under the age of 18, and anyone who is of pension age, have direct access without cost. Those initiatives have resulted in a fourfold increase in participation in sport and swimming in those areas. We need to pull such initiatives together much more effectively.

Last night, a number of members attended a meeting with the lottery distributors. The New Opportunities Fund has been one of the key tools in making substantial investment in schools, particularly in relation to dance and aerobics, to target young girls' participation in sport and activity. As Tom McCabe said, that is about getting a more flexible approach that recognises that attitudes have changed.

We must also recognise that, in many sports, much of the money that is being made available is for modernising at grass-roots level. This week and last week, there has been much debate about the dilemma that our football clubs and our national team face. We have an opportunity to change that situation through the resources that may become available over the next few years for the national regional sports facilities. That commitment has to be linked simultaneously to a commitment to grass-roots development. If we can

do that, I genuinely believe that we can make a difference to the health of the nation.

The issue is about sport, activity and engagement with citizens at a level that they feel is appropriate. Many folk have identified those issues in the past few hours of debate.

As I mentioned, Duncan McNeil referred to the 1950s. I hope that he will forgive me for referring to his favourite musical, "Carousel". I know that his favourite song from that film is "You'll Never Walk Alone". If we can get things right, I would be delighted if Duncan would march with me in the east end of Glasgow—on a non-parade day—singing "You'll Never Walk Alone". That would ensure that we linked walking and sport as complementary activities and would enable Scotland to march forward so that in future we can look forward to having celebrations for our national teams and our national sports like those that people down south will have on Monday. I hope that members will support the motion.



## Business Motion

17:00

**The Presiding Officer (Mr George Reid):** The next item of business is consideration of business motion S2M-651, in the name of Patricia Ferguson, on behalf of the Parliamentary Bureau, setting out a timetable for legislation.

*Motion moved,*

That the Parliament agrees—

(a) that the Justice 1 Committee report to the Justice 2 Committee by 5 December 2003 on the Act of Sederunt (Fees of Sheriff Officers) 2003 (SSI 2003/538); and

(b) that Stage 2 of the Vulnerable Witnesses (Scotland) Bill be completed by 12 December 2003.—[*Patricia Ferguson.*]

*Motion agreed to.*

## Decision Time

17:01

**The Presiding Officer (Mr George Reid):** There are seven questions to be put as a result of today's business. The first question is, that amendment S2M-660.2, in the name of Nicola Sturgeon, which seeks to amend motion S2M-660, in the name of Margaret Curran, on violence against women, be agreed to. Are we agreed?

**Members:** No.

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

### FOR

Adam, Brian (Aberdeen North) (SNP)  
 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)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Grahame, Christine (South of Scotland) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Kane, Rosie (Glasgow) (SSP)  
 Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Martin, Campbell (West of Scotland) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, 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)  
 Robison, Shona (Dundee East) (SNP)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

### AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Richard (North East Scotland) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Davidson, Mr David (North East Scotland) (Con)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 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)  
 Glen, Marlyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)

Goldie, Miss Annabel (West of Scotland) (Con)  
 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)  
 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)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 McMahon, Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Ms Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 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, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Tosh, Murray (West of Scotland) (Con)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 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)  
 Swinburne, John (Central Scotland) (SSCUP)

**The Presiding Officer:** The result of the division is: For 30, Against 72, Abstentions 8.

*Amendment disagreed to.*

**The Presiding Officer:** The second question is, that amendment S2M-660.1, in the name of Annabel Goldie, which seeks to amend motion

S2M-660, in the name of Margaret Curran, on violence against women, be agreed to. Are we agreed?

**Members:** No.

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

#### FOR

Adam, Brian (Aberdeen North) (SNP)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 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)  
 Davidson, Mr David (North East Scotland) (Con)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Grahame, Christine (South of Scotland) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Johnstone, Alex (North East Scotland) (Con)  
 Kane, Rosie (Glasgow) (SSP)  
 Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Martin, Campbell (West of Scotland) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 McFee, Mr Bruce (West of Scotland) (SNP)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Robison, Shona (Dundee East) (SNP)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Sheridan, Tommy (Glasgow) (SSP)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Tosh, Murray (West of Scotland) (Con)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

#### AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baird, Shiona (North East Scotland) (Green)  
 Baker, Richard (North East Scotland) (Lab)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)

Finnie, Ross (West of Scotland) (LD)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marilyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 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)  
 McMahon, Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Ms Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### ABSTENTIONS

Swinburne, John (Central Scotland) (SSCUP)

**The Presiding Officer:** The result of the division is: For 44, Against 67, Abstentions 1.

*Amendment disagreed to.*

**The Presiding Officer:** The third question is, that amendment S2M-660.3, in the name of Shiona Baird, which seeks to amend motion S2M-660, in the name of Margaret Curran, on violence against women, be agreed to.

*Amendment agreed to.*

**The Presiding Officer:** The fourth question is, that motion S2M-660, in the name of Margaret Curran, on violence against women, as amended, be agreed to.

*Motion, as amended, agreed to.*

*Resolved,*

That the Parliament approves the continuing progress made in implementing the National Strategy to Address Domestic Abuse in Scotland by raising awareness of the issue and increasing the protection of women and children experiencing domestic abuse and the services available to them and welcomes the work of the National Group to Address Violence Against Women in tackling this unacceptable behaviour but urges the Scottish Executive to consider making an equally strong commitment to tackle rape and sexual abuse.

**The Presiding Officer:** The fifth question is, that amendment S2M-661.2, in the name of Shona Robison, which seeks to amend motion S2M-661, in the name of Tom McCabe, on physical activity, 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)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Grahame, Christine (South of Scotland) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Kane, Rosie (Glasgow) (SSP)  
 Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Martin, Campbell (West of Scotland) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, 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)  
 Robison, Shona (Dundee East) (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)  
 Swinney, Mr John (North Tayside) (SNP)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

#### AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Richard (North East Scotland) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)

Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 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)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 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)  
 McMahon, Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Ms Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 Whitefield, Karen (Airdrie and Shotts) (Lab)  
 Wilson, Allan (Cunninghame North) (Lab)

#### ABSTENTIONS

Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 Davidson, Mr David (North East Scotland) (Con)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Johnstone, Alex (North East Scotland) (Con)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Swinburne, John (Central Scotland) (SSCUP)  
 Tosh, Murray (West of Scotland) (Con)

**The Presiding Officer:** The result of the division is: For 37, Against 60, Abstentions 15.

*Amendment disagreed to.*

**The Presiding Officer:** The sixth question is, that amendment S2M-661.1, in the name of David Davidson, which seeks to amend motion S2M-661, in the name of Tom McCabe, on physical activity, be agreed to. Are we agreed?

**Members:** No.

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

#### FOR

Adam, Brian (Aberdeen North) (SNP)  
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 Canavan, Dennis (Falkirk West)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Davidson, Mr David (North East Scotland) (Con)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Grahame, Christine (South of Scotland) (SNP)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Johnstone, Alex (North East Scotland) (Con)  
 Lochhead, Richard (North East Scotland) (SNP)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Martin, Campbell (West of Scotland) (SNP)  
 Marwick, Tricia (Mid Scotland and Fife) (SNP)  
 Mather, Jim (Highlands and Islands) (SNP)  
 Matheson, Michael (Central Scotland) (SNP)  
 Maxwell, Mr Stewart (West of Scotland) (SNP)  
 McFee, Mr Bruce (West of Scotland) (SNP)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Neil, Alex (Central Scotland) (SNP)  
 Robison, Shona (Dundee East) (SNP)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Stevenson, Stewart (Banff and Buchan) (SNP)  
 Sturgeon, Nicola (Glasgow) (SNP)  
 Swinburne, John (Central Scotland) (SSCUP)  
 Swinney, Mr John (North Tayside) (SNP)  
 Tosh, Murray (West of Scotland) (Con)  
 Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)  
 Welsh, Mr Andrew (Angus) (SNP)  
 White, Ms Sandra (Glasgow) (SNP)

#### AGAINST

Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Richard (North East Scotland) (Lab)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Curran, Frances (West of Scotland) (SSP)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)

Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 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)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Kane, Rosie (Glasgow) (SSP)  
 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)  
 McMahon, Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Ms Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Etrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 Watson, Mike (Glasgow Cathcart) (Lab)  
 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)  
 Sheridan, Tommy (Glasgow) (SSP)

**The Presiding Officer:** The result of the division is: For 41, Against 63, Abstentions 8.

*Amendment disagreed to.*

**The Presiding Officer:** The seventh and final question is, that motion S2M-661, in the name of Tom McCabe, on physical activity, be agreed to.

Are we agreed? That is agreed to. [*Interruption.*] I am sorry, you must shout louder. Is that agreed?

**Members:** No.

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

#### FOR

Adam, Brian (Aberdeen North) (SNP)  
 Alexander, Ms Wendy (Paisley North) (Lab)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baird, Shiona (North East Scotland) (Green)  
 Baker, Richard (North East Scotland) (Lab)  
 Ballance, Chris (South of Scotland) (Green)  
 Ballard, Mark (Lothians) (Green)  
 Barrie, Scott (Dunfermline West) (Lab)  
 Boyack, Sarah (Edinburgh Central) (Lab)  
 Brankin, Rhona (Midlothian) (Lab)  
 Brown, Robert (Glasgow) (LD)  
 Butler, Bill (Glasgow Anniesland) (Lab)  
 Byrne, Ms Rosemary (South of Scotland) (SSP)  
 Canavan, Dennis (Falkirk West)  
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)  
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)  
 Crawford, Bruce (Mid Scotland and Fife) (SNP)  
 Cunningham, Roseanna (Perth) (SNP)  
 Curran, Frances (West of Scotland) (SSP)  
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)  
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)  
 Eadie, Helen (Dunfermline East) (Lab)  
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)  
 Ewing, Mrs Margaret (Moray) (SNP)  
 Ferguson, Patricia (Glasgow Maryhill) (Lab)  
 Finnie, Ross (West of Scotland) (LD)  
 Gibson, Rob (Highlands and Islands) (SNP)  
 Gillon, Karen (Clydesdale) (Lab)  
 Glen, Marilyn (North East Scotland) (Lab)  
 Godman, Trish (West Renfrewshire) (Lab)  
 Gorrie, Donald (Central Scotland) (LD)  
 Grahame, Christine (South of Scotland) (SNP)  
 Harper, Robin (Lothians) (Green)  
 Harvie, Patrick (Glasgow) (Green)  
 Henry, Hugh (Paisley South) (Lab)  
 Home Robertson, Mr John (East Lothian) (Lab)  
 Hughes, Janis (Glasgow Rutherglen) (Lab)  
 Ingram, Mr Adam (South of Scotland) (SNP)  
 Jackson, Dr Sylvia (Stirling) (Lab)  
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)  
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)  
 Kane, Rosie (Glasgow) (SSP)  
 Kerr, Mr Andy (East Kilbride) (Lab)  
 Lamont, Johann (Glasgow Pollok) (Lab)  
 Livingstone, Marilyn (Kirkcaldy) (Lab)  
 Lochhead, Richard (North East Scotland) (SNP)  
 Lyon, George (Argyll and Bute) (LD)  
 MacAskill, Mr Kenny (Lothians) (SNP)  
 Macdonald, Lewis (Aberdeen Central) (Lab)  
 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, 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)

McMahon, Michael (Hamilton North and Bellshill) (Lab)  
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)  
 McNeill, Ms Pauline (Glasgow Kelvin) (Lab)  
 McNulty, Des (Clydebank and Milngavie) (Lab)  
 Morgan, Alasdair (South of Scotland) (SNP)  
 Muldoon, Bristow (Livingston) (Lab)  
 Mulligan, Mrs Mary (Linlithgow) (Lab)  
 Munro, John Farquhar (Ross, Skye and Inverness West) (LD)  
 Murray, Dr Elaine (Dumfries) (Lab)  
 Neil, Alex (Central Scotland) (SNP)  
 Oldfather, Irene (Cunninghame South) (Lab)  
 Peacock, Peter (Highlands and Islands) (Lab)  
 Peattie, Cathy (Falkirk East) (Lab)  
 Pringle, Mike (Edinburgh South) (LD)  
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)  
 Radcliffe, Nora (Gordon) (LD)  
 Robison, Shona (Dundee East) (SNP)  
 Robson, Euan (Roxburgh and Berwickshire) (LD)  
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)  
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)  
 Scott, Eleanor (Highlands and Islands) (Green)  
 Smith, Elaine (Coatbridge and Chryston) (Lab)  
 Smith, Iain (North East Fife) (LD)  
 Stephen, Nicol (Aberdeen South) (LD)  
 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)  
 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)

#### AGAINST

Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)  
 Davidson, Mr David (North East Scotland) (Con)  
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Gallie, Phil (South of Scotland) (Con)  
 Goldie, Miss Annabel (West of Scotland) (Con)  
 Johnstone, Alex (North East Scotland) (Con)  
 McGrigor, Mr Jamie (Highlands and Islands) (Con)  
 McLetchie, David (Edinburgh Pentlands) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)  
 Scanlon, Mary (Highlands and Islands) (Con)  
 Scott, John (Ayr) (Con)  
 Tosh, Murray (West of Scotland) (Con)

#### ABSTENTIONS

Sheridan, Tommy (Glasgow) (SSP)

**The Presiding Officer:** The result of the division is: For 97, Against 14, Abstentions 1.

#### *Motion agreed to.*

That the Parliament acknowledges the significance of the Scottish Executive's physical activity strategy *Let's Make Scotland More Active* as the approach to tackling the serious, nationwide problem of inactivity; acknowledges the need for urgency and the action taken thus far to tackle inactivity in Scotland as part of the Executive's wide-reaching programme to improve health in Scotland; welcomes the Executive's plans to emphasise walking as the means of increasing levels of physical activity in Scotland, and supports the Executive's intentions to secure national leadership for physical activity in Scotland.

## World AIDS Day 2003

### **The Deputy Presiding Officer (Murray Tosh):**

The final item of business today is a members' business debate on motion S2M-564, in the name of Des McNulty, on world AIDS day 2003. The debate will be concluded without any question being put.

#### *Motion debated,*

That the Parliament acknowledges the importance of World AIDS Day, 1 December 2003, both for Scotland and for all those nations and peoples most affected by the spread of HIV/AIDS; notes the need to combat HIV/AIDS-related stigma and discrimination which is highlighted by this year's theme, "Do you have time?"; further notes that there are now over 42 million people living with HIV/AIDS, including 50,000 people in the UK and nearly 4,000 people in Scotland; recognises that women account for half of those infected with HIV/AIDS and there are more than 13.2 million AIDS orphans; notes the importance of practical assistance for the poorer countries devastated by HIV/AIDS; believes that pharmaceutical companies and governments should take the steps necessary to allow access to appropriate antiviral treatments to all those who need them; congratulates and applauds all of the agencies that work with those living with HIV/AIDS in Scotland, the UK and worldwide, and encourages each MSP to raise awareness about the disease and work towards its global eradication.

17:08

**Des McNulty (Clydebank and Milngavie) (Lab):** I begin by thanking my co-sponsor, Sarah Boyack, and the 47 other members who signed the motion. Similarly, thanks go to representatives from Aid International, the Church of Scotland and HIV Scotland, who are in the public gallery for today's debate.

This is the first world AIDS day debate in the Scottish Parliament. I firmly believe that putting the issue of HIV/AIDS on the political agenda is an essential step. We cannot conquer the virus by ignoring the threat that it presents worldwide, or by assuming that its impact here in Scotland is being contained.

The raw statistics regarding HIV/AIDS are well known. There were 3 million AIDS deaths in 2002, which is more than 8,000 deaths a day, or five people every minute. The estimated number of people who were living with HIV/AIDS at the end of 2002 was 42 million, including 57,000 in the UK and nearly 4,000 people here in Scotland. The cumulative total of AIDS deaths by the end of 2002 was 28.1 million, and 45 million more people will die by the end of this decade unless we take immediate and decisive action.

The number of people concerned is so huge and the scale of the crisis is so vast that there is a danger that we will fail to react appropriately at a time when it is vital that we respond urgently and

effectively. The number of people worldwide who were newly infected with HIV last year was greater than the entire population of Scotland. There are more AIDS orphans than the combined population of the United Kingdom's 10 biggest cities—London, Birmingham, Leeds, Glasgow, Sheffield, Bradford, Liverpool, Edinburgh, Manchester and Bristol. There are 12 million people living in those cities, compared with 13.2 million AIDS orphans.

Although most HIV/AIDS victims live in the developing world, with a particular concentration in sub-Saharan Africa, HIV infection knows no boundaries. HIV infections acquired elsewhere in the world account for a significant share of new diagnoses in the Netherlands, Norway, Sweden and the UK. Next week, Professor David Goldberg, head of the blood-borne viruses and sexually transmitted infections section of the Scottish centre for infection and environmental health—SCIEH—will address the cross-party international development group of the Scottish Parliament on the topic of imported HIV infection.

There is a strong moral argument that we should do everything we can to assist poorer countries to prevent the spread of HIV/AIDS and to treat people who already have the infection. A series of issues affect us here in Scotland, too, and what happens elsewhere in the world is coming to us. It is important that everybody who is able to attend goes along to listen to what David Goldberg has to say. It is clear that HIV/AIDS is a global challenge, with implications for us all. None of us is immune from its effects or from the responsibility to fight it. It is a public health crisis everywhere. In South Africa, it is an economic crisis, as a consequence of one in 10 people having become infected. In parts of Kenya, Malawi and Uganda, between a quarter and a third of a whole generation of people are being lost.

However, we should not fall into the trap of thinking that HIV/AIDS is solely an African problem. The problem is growing right across Europe. According to the joint United Nations programme on HIV/AIDS—UNAIDS—among the 5 million people who became infected with HIV/AIDS in 2002 were 30,000 people living in western Europe. In Scotland, sexually transmitted infection rates are rising. They have risen by 870 per cent over the past six years. Despite the prevention work that has been carried out, significant increases in the number of HIV/AIDS cases have been recorded over the past two years. Two years ago, there was an 11 per cent increase in the number of HIV cases; last year, there was a 46 per cent jump.

The topic of this year's campaign for world AIDS day is "Do you have time?" The campaign hopes to increase awareness of the stigma and discrimination that are associated with HIV.

HIV/AIDS threatens the welfare and well-being of people. Combating the stigma against people who are affected by HIV/AIDS is, in my view, as important as developing new types of treatment. We know that new types of treatment are available in our society, which enable people who are infected with AIDS to live full and—now—much longer lives. In that context, it is shameful that people who are living with HIV/AIDS are often treated as second-class citizens. The media has recently featured stories about insurance companies that have refused to issue policies to HIV-positive people or that have doubled their premiums; about funeral rights being denied to HIV-positive people; and about educational establishments apparently refusing to teach infected children. I hope that the Scottish Executive will do everything in its power to outlaw discrimination of that type.

As a result of fears about discrimination and prejudice, people may be driven to conceal their HIV diagnosis, for fear of the possible consequences. That can result in other problems, such as increased anxiety, difficulty in forming relationships, a lack of access to information services and even unexplained absences from work. Even more alarmingly, some people opt not to get tested at all because they fear the difficulties that a positive diagnosis might bring.

If today's debate helps to make people in Scotland more aware of the facts around HIV/AIDS transmission, non-transmission, prevention and care, then the Scottish Parliament will have achieved something worthwhile. I am glad that the Parliament's online discussion forum is contributing towards a better understanding of HIV/AIDS. Similarly, the BBC News website is hosting online debates. I congratulate those who work on both those websites on their work to date.

One of the questions that was asked on the Parliament's website was:

"Has the battle not largely been won in the developed world, where the combination of health education and medication has seen HIV and AIDS largely contained?"

Unfortunately, the answer is no. Increases in the number of people with HIV stem from a failure to take the risks seriously. About 50 per cent of young people worldwide do not know how to protect themselves from HIV infection, and too many young Scots are among them. Unless unfounded myths are dispelled, and unless stigma and discrimination are eliminated, infection rates will continue to rise.

What can we do? We can end discrimination and the fear and prejudice that lie at the core of HIV. We can tackle it at community and national levels. A key task in Scotland as much as anywhere else in the world is to confront fear-based messages and biased social attitudes in

order to reduce the discrimination and stigma of people who are living with AIDS or HIV. By sharing and disseminating information about HIV and AIDS, we can all contribute to dispelling the myths and misinformation that feed stigma. By ending ignorance we will end prejudice.

On world AIDS day last year, Nelson Mandela said:

"We have to respond to the crisis that is threatening our communities. Through our involvement and leadership, a change in attitude towards the disease is possible."

I hope that not just the Scottish Executive but the whole Parliament will respond to the challenge by making the fight against HIV/AIDS one of our overriding and unifying goals.

I conclude by mentioning that one positive thing that came out of the recent state visit by United States President George Bush was the establishment of a UK-US task force to ensure that funds that are donated to the AIDS battle are spent according to the priorities of those who work in the countries that are most affected. The task force will initially target five African countries that have been seriously hit by HIV/AIDS: Ethiopia, Nigeria, Zambia, Kenya and Uganda. The Governments of the world's two biggest donor nations have signalled their willingness to listen to their African counterparts.

If HIV/AIDS is treated holistically and recognised as a poverty and justice issue as much as a health issue, that will be very welcome. We need to force a change. I very much welcome the opportunity that we have had to discuss the issue.

17:16

**Richard Lochhead (North East Scotland) (SNP):** I congratulate Des McNulty on securing this important debate. The Parliament always shines when we add an international dimension to our debates, so let me begin by addressing the international dimension to the AIDS debate before returning to the Scottish situation.

Internationally, there is an inextricable link between poverty and the spread of HIV and AIDS. Only last week, the United Nations Food and Agriculture Organisation published a report that contrasted different countries. It showed that countries with economic growth have been able to reduce hunger, which, in turn, has led to slower population growth and lower levels of HIV infection.

We are in the 21<sup>st</sup> century—in 2003—but 850 million people in the world will go to bed hungry tonight. The world is perfectly capable of feeding itself, yet the number of people who are undernourished is increasing by 5 million a year and has done since the mid-1990s. We must

tackle famine and world poverty if we are to tackle the spread of HIV.

AIDS is causing havoc in many developing countries by depriving them of their work forces. Families are losing their strongest and most productive members. Last year alone, an extra 5 million people were infected with HIV worldwide. One in five people in sub-Saharan Africa are infected by HIV. That is 40 million people in total. In the next decade, Botswana, which is one of the most developing countries, is set to lose a fifth of its agricultural work force through AIDS. That is an indication of how serious the situation is likely to remain in the next few years. Some UN reports indicate that teachers in some developing countries are dying at a faster rate than they can be trained. That gives another indication of how serious the situation is.

There is a vicious circle involving AIDS and poverty. Unless we tackle HIV infection, we cannot tackle poverty; unless we tackle poverty, we will not halt the spread of HIV. The west has a huge role to play in breaking that vicious circle. Recently, we have seen a welcome fall in the price of drugs for preventing the spread of HIV and for treating patients with HIV. Because of that, Britain's position is now that it will give cash towards treatment rather than just prevention. I believe that all of us in the chamber would share the view that the way in which the multinational pharmaceutical companies have held the developing world to ransom in recent years is absolutely despicable. Let us hope that we can put that behind us and allow affordable drugs to be supplied to the developing world.

In the past year alone, UN spending on HIV/AIDS has increased by 50 per cent, to £4.7 billion. That might seem to be quite a lot of money on the face of it, but it is just a fraction of what should be spent. During Bush's recent visit, he said that tackling AIDS is always on the agenda whenever global leaders meet these days. The difficulty is that they always have military spending and war on the same agenda, and those issues, unfortunately, are higher up the agenda than tackling AIDS is.

Before I sit down I want to make two points to the minister, which I hope he will address. First, there have been reports that the European Union is planning to cut the funding for the centres that monitor the progress of tuberculosis, AIDS and other sexually transmitted infections in 2004. That may be the plan, but at the same time, new states in which HIV rates are on the rise are entering the EU. I ask the minister to address that point. Perhaps he will investigate the matter and make representations to the EU if he thinks that that would be worthwhile. We have to find out more information about those worrying plans.



I also seek an update on plans to tackle HIV infection in Scotland. Lots of new initiatives have been adopted. One initiative is run by Grampian police who are now giving out clean needles to stop the spread of HIV among drug users in their custody. I look forward to the minister's responses on those issues.

17:20

**Sarah Boyack (Edinburgh Central) (Lab):** I congratulate Des McNulty on getting the motion on to our agenda tonight. When I saw the terms of the motion, I was happy to co-sponsor it. Des McNulty put the global context of HIV and AIDS extremely effectively in his opening speech.

The motion mentions that around 4,000 people living in Scotland have HIV and AIDS. In my few minutes tonight, I want to focus on the situation of black African people who have the virus and who are living in Scotland. Recent estimates from the SCIEH show that, of those diagnosed with HIV, two thirds are presumed to be from Africa. Black Africans throughout the UK are the group that has the fastest-rising rate of new HIV diagnosis. It is perhaps not surprising that Des McNulty and Richard Lochhead mentioned the huge number of people in sub-Saharan Africa who live with HIV and AIDS. The overall number of people who live in sub-Saharan Africa is more than 28 million.

Black Africans living in Scotland are disproportionately affected by HIV. Many of them live in desperate circumstances. They not only face the stigma of the virus, but frequently experience racial abuse. The confusion that often arises in the press around terms such as "refugee" and "asylum seeker" adds further to the discrimination that those people experience. Many of them have been disowned by their families and abandoned by friends. Most of the African community in Scotland who live with HIV are here to study or to visit family members. They are not here as asylum seekers or refugees. Much of the anecdotal evidence shows that many are professionals such as teachers and nurses.

Many of the Africans whom we know about in our communities in Scotland find out that they are HIV positive only at the point when they become unwell. At that time, they face tremendously difficult human choices about whether to remain in the UK and receive treatment or return home where they will receive no treatment whatever. That is a horrendous choice to have to make. Their situation can be further compounded by changes in immigration status that can leave them unable to work or study, without entitlement to benefits and sometimes absolutely destitute. I ask the minister to work with UK ministers to try to take some of the simple measures that could help people who are living in such circumstances. For

example, it would be possible to speed up the process by which people can apply to remain in the UK on humanitarian grounds so that they can receive treatment for their illness.

I want to highlight some of the superb and vital work that is being done in Edinburgh by Waverley Care's Solas centre, which is in my constituency. The centre offers support services, information and an informal meeting place for people who are living with HIV. An African outreach project has been set up to research the health needs of Africans living in Scotland who have been affected by HIV and AIDS. I hope that the project will provide better access to health services for African people and raise awareness among the African community. The African support worker is able to give practical and emotional support to black African people in the Lothians.

The growth in HIV, in Scotland and the rest of the UK, is part of the bigger picture that Des McNulty talked about. The mobility of many people nowadays is a feature of globalisation. We should not be surprised by the fact that many of the people in the UK who are HIV positive are black Africans. We need to ensure that a practical, effective and humane response can be made to their situation. We also need to ensure that people have support.

I congratulate Des McNulty on bringing the issue to the chamber tonight. I know that we will have a good debate and I hope that it will provide encouragement to people who are working in the voluntary sector. I hope that today's debate will help to tackle the stigma and prejudice that people are experiencing and to ensure that the services that are provided will be better in the future.

17:25

**Patrick Harvie (Glasgow) (Green):** I add my thanks to Des McNulty for initiating the debate. It is nice—in fact, it is a joy—to have a debate with him that is consensual and non-confrontational.

**Richard Lochhead:** I see that Patrick Harvie got dressed up for the occasion.

**Patrick Harvie:** I did not dress up specifically for the debate.

As some members know, before I was elected to Parliament I spent a number of years working in a sexual health project with a remit to promote sexual health among gay and bisexual men—including, but not limited to, HIV prevention. As the newly published draft sexual health and relationships strategy makes clear, sexual health is not merely an absence of disease; rather, it includes social, emotional, physical and mental elements of well-being in relation to sex and sexuality. That holistic understanding was central

to our work. I pay tribute to the organisation that I worked for, PHACE Scotland—Promoting Health and Challenging Exclusion—which still works hard and effectively on those issues.

World AIDS day always had an important place on our calendar. It was an opportunity to use methods—such as advertising, news coverage and television programmes—that were not always available to raise awareness of HIV and AIDS. We went out and did street stalls, put up posters and had social events. Many of those methods will be familiar to politicians from across the spectrum. World AIDS day gave us an opportunity to reach people whom we often did not reach at other times and to celebrate the lives and work of people in the HIV field, including those who were overcoming difficulties caused either by living with HIV or by the discrimination and prejudice that they faced because of their HIV status.

In recent years, one of the most predictable headlines around the time of world AIDS day was about heterosexually acquired HIV. Our job was continually to remind Scotland—the Scottish public and Scottish policymakers—that HIV prevalence among gay and bisexual men is still high and rising. Gay and bisexual men are still a key target group and a group that has never received a proportionate allocation of health promotion funding to reflect that prevalence. Funding should be available not only for specific health promotion projects, but to build equality and diversity training into all services and to tackle homophobia at root. That includes work in schools.

There is a need for other work that is targeted at men who have sex with men, who may not be gay or bisexual. That includes condom provision in prisons, and I am glad that some progress may be made on that shortly. We must also give the same high priority to support services and interventions for men selling sex as we do for women.

During my time working in the field, the proactive health activism that initiated gay and bisexual men's sexual health work largely gave way to a perception of voluntary organisations that were service providers for the statutory sector. Among the consequences of that change are insecure one-year funding and project funding without core funding. That has practical and emotional consequences for the people who work in the field. Tireless efforts are being made by hard-working, talented and professional individuals.

I have lodged a motion to bring to the attention of members the misinformation about sexual health that is spread around the world by several organisations. That issue is controversial because one of those organisations is a church, which spreads misinformation about the effectiveness of condoms as part of a sexual health strategy. That happens not only in developing countries, but has

happened—and probably still happens—in Scotland. I have encountered it myself. There must be a clear, assertive response to such misinformation. I hope that that forms part of the Executive's response when it endorses—as I hope it will—the sexual health strategy.

17:29

**Mike Watson (Glasgow Cathcart) (Lab):** I, too, am pleased that Des McNulty has secured the debate, four days in advance of world AIDS day on 1 December. World AIDS day is now an established mark on the calendar and it is appropriate that we in the Parliament should recognise it.

The revealing document that was published by the joint United Nations programme on HIV/AIDS and the World Health Organisation to coincide with world AIDS day contains some chilling statistics. I will not rehearse those statistics, because many of them were quoted by Des McNulty, but I am worried by the perception that AIDS is somehow yesterday's problem. The level of political activity of some of those who express that idea is surprising. The perception is that, although AIDS was a problem in the 1980s and the first half of the 1990s, drugs are now a bigger problem or that other issues have overtaken AIDS because things have moved on. Things have not moved on. How can they have moved on when every year many people die of AIDS or are infected with HIV, which leaves them, at best, with an uncertain future? One of the most chilling statistics in the document is about southern Africa. Sarah Boyack mentioned Africa, but southern Africa is home to about 30 per cent of people worldwide who live with HIV or AIDS, yet it accounts for less than 2 per cent of the world's population. That should give us pause for thought.

Des McNulty mentioned some organisations that campaign on the issue. I do not want to belittle or detract from them, but I will say a little about an organisation called Interact Worldwide, which has been lobbying MSPs strongly and effectively. Interact Worldwide is a human rights charity that provides sexual and reproductive health and rights services to millions of men, women and young people, locally, nationally and internationally. The charity works with partner organisations in developing countries to tackle reproductive health issues such as the rise of HIV/AIDS, which now affects more than 40 million people worldwide. Through the implementation of services including family planning, maternal health, education and information services, the organisation works to alleviate poverty in developing nations. I could not agree more with Richard Lochhead that the vicious circle of HIV and poverty must be broken

and that we will not effectively alleviate one without doing likewise with the other.

I am concerned about the situation in the UK—50,000 people in Britain now have HIV, which is a 20 per cent increase on last year's figure. We must consider the fact that HIV/AIDS is most prevalent among young people. The Executive is active in many ways in assisting people, not least young people, with sexual health and the recently announced sexual health strategy is welcome. However, I—like other members, I suspect—have received information from Barnardo's Scotland, which has worked for a number of years with children who are affected by HIV/AIDS in Dundee, Edinburgh and Glasgow. Barnardo's experience is that the needs of children who are affected by HIV/AIDS are often overlooked. The information from Barnardo's states:

"We know the numbers of people infected by HIV/AIDS through the collection of national statistics. However, there is no standard method of recording and identifying those children who may be in need of additional support because they are affected by HIV/AIDS."

I urge the minister to take steps to ensure that those statistics are collected and that the extent of the need is identified.

There is a danger that we will simply repeat what has been said already and I have no intention of doing that. I will close by quoting from the UNAIDS and World Health Organisation publication. A box on the back of the document contains the following wording:

"These are some of the most painful symptoms of HIV/AIDS."

The symptoms are quotations:

"I'm not allowed to talk to you ... You disgust me ... I trusted you ... How could you do this to me? ... You brought shame on our family ... You deserve it".

The document continues:

"Help us fight fear, shame, ignorance and injustice worldwide. Live and let live."

That is a suitable slogan for world AIDS day 2003.

17:33

**Mr David Davidson (North East Scotland) (Con):** In the time that the debate will take, approximately 300 people will die from AIDS. That is the background to our debate.

One puzzling and worrying figure is that a third of those who suffer in the UK remain undiagnosed. I back Mike Watson's point about the lack of information on young children who are affected. From July to September, there were 57 new cases of HIV in Scotland: 23 of them were a result of sex between men and 20 were in heterosexual couples. I back Patrick Harvie's comment on that

issue—the fear is that we are not considering the problem fully.

Another five of those 57 cases were injecting drug users, which is an issue we have known about for years. In the 1980s I set up with the local health authority a needle exchange system that was based in some of my pharmacies. Although I received support from the local health authority, I did not get support from anywhere else and indeed was criticised by my own profession for encouraging drug abuse. That was not the purpose of the scheme. The kits in question contained needles, syringes and condoms and we had a registration system that allowed drug and social workers to have access to the people in the drugs arena. That in itself helped to contain the spread of these diseases within the drug-abusing community. I think that Richard Lochhead mentioned that very point with reference to the police in Aberdeen.

When I was dealing with drug addicts, I found that there was a huge stigma about these diseases. Because the addicts were terrified to talk about their problems, they went undiagnosed. In fact, early diagnosis is the most vital area of the debate in the UK. How do we persuade people to take the tests at an early stage? After all, the later they have treatment, the less chance they have of surviving. We also need to find out early on whether patients are liable to develop resistance to the drugs. It is a fact of life that not everyone benefits from the drugs that are used.

Members have mentioned AIDS orphans. That issue is part and parcel of other matters that are related to famine victims and so on that could be dealt with collectively by international organisations. However, poverty is not the only problem in some of these areas; we must also take into account the lack of education and certain cultural aspects such as the acceptance of promiscuity. It is not easy to change a culture. Indeed, it is very difficult for people from outside a culture to insist that a particular group of people should change their ways overnight.

We have our own problems. We now have international movement of people: people will move around, no matter whether we are talking about the oil industry going into Africa or whatever. Our own people must be aware of the risks of going on alcohol and drug-fuelled holidays without thinking about their role in the worldwide spread of the disease.

Richard Lochhead mentioned the drug industry. As that is my background, I assure him that without that industry's profits we would have neither research and development nor the ability to cut the costs of drugs to people. The same drug companies also invest hugely in charitable foundations that have been the main supporters of

much of the activity that has been carried out to help such communities. We have to recognise that this is not a one-way street.

This debate is very important, because the issue in question is coming ever closer to home. We cannot ignore it forever.

17:37

**Susan Deacon (Edinburgh East and Musselburgh) (Lab):** I, too, congratulate Des McNulty on securing this important debate. I am pleased that the Parliament has this opportunity to address the international HIV/AIDS situation.

I am also pleased that we have had an opportunity to remind ourselves that this is a very real issue closer to home and in this city. It is worth remembering that, as of today, there are more than 1,500 cases of HIV in Edinburgh, which accounts for 42 per cent of Scotland's HIV population and 2.7 per cent of the total UK HIV population. Sadly, Edinburgh is still working through its dubious distinction of being a main HIV centre.

However, we must put that in a wider context. HIV is one of a number of sexually transmitted infections that are now on the increase. Chlamydia has reached almost epidemic proportions and syphilis and gonorrhoea infections, which many people thought were things of the past, are very much things of today. If cases of many other infections were to increase on such a scale and at such a pace, there would be a clamour for action, but the very nature of sexually transmitted infections means that we hear much less about them, although the problem is no less acute.

I am delighted that the draft health sexual strategy was published recently, because it provides us with an enormous opportunity to make a step change in our efforts in Scotland to tackle the spread of HIV and other sexually transmitted infections and to address a wide range of other issues that affect the sexual health of the population. It is worth reminding ourselves that the sexual health strategy has three key strands: the need to work to change culture; the need to provide people with knowledge, skills and appropriate education; and the need to ensure that we have in place access to all the services and support that people need.

People often wonder whether they can tackle all the problems and make a genuine difference. I believe firmly that if there is the will, the leadership and the investment, we can make that difference.

In the debate, which is by its nature depressing in some respects, it is worth holding on to the successes that there have been in living memory. It is only in the past 20 or so years that we have

seen a genuine national effort to combat HIV. We saw the combination of major awareness campaigns and although the approach that was adopted might not have been to everybody's liking, those campaigns played their part.

We also saw efforts such as the needle exchanges—which David Davidson mentioned—to address the spread of HIV among intravenous drug users. We saw a tremendous effort in the gay community, including the examples that Patrick Harvie spoke about, as well as work in the media, in our churches, in our schools and an increase in the availability of condoms. Those things together had an impact on sexual behaviour in the 1980s and therefore had an impact on the spread of HIV at that time.

We need to learn the lessons of the past and to step up our efforts once again for the future. In implementing the sexual health strategy, I hope that ministers will be prepared to be bold and radical and to recognise the extent of the problem, but also the extent of the opportunity that we now have to make a difference.

I hope that the views of the most important people of all will be listened to: those who have been infected by HIV and other sexually transmitted infections and whose health and well-being are being affected as we speak. We can make a difference and I hope that the debate today will have played some small part in adding to our effort.

17:42

**Robin Harper (Lothians) (Green):** I offer my congratulations to Des McNulty on bringing this important debate to us. One reflection of the importance of the debate is that Interact Worldwide—which used to be called Population Concern—has now realised that it is, at the beginning of this century, most important to address the health issues around reproduction.

I will reflect briefly on my work and acquaintanceship with the problems of HIV and AIDS as a guidance teacher for 14 years before I came to Parliament and on my visit to South Africa. I thoroughly endorse what Susan Deacon and other members said about the fact that there is no place in school education for complacency about AIDS. The level of support for guidance teachers and departments in the late 1980s and early 1990s was excellent and that level of support must be kept up through the sexual health strategy. I remember that when 3<sup>rd</sup> and 4<sup>th</sup>-years were having their first detailed relationships instruction, they said to me, "We wish we'd heard this earlier."

Acquaintanceship with condoms is absolutely essential. Every child in every school in Scotland

should have handled a condom in class before they leave school and preferably before they leave the 3<sup>rd</sup> and 4<sup>th</sup> years.

In several primary schools that I visited in South Africa, there were two signs on the walls. One of them addressed discrimination and stigma and it stated in capital letters, "MY FRIEND WITH AIDS IS STILL MY FRIEND". The other message was, "Use a condom". Occasionally there was a picture of a needle with a big cross on it. Let us not forget that those signs were in primary schools. Those three messages are being given out in South Africa from primary school onwards.

There is no reason for us to be complacent about AIDS in the population and say, "They have 30 per cent infection in South Africa." To add to that misery, 40 per cent of the armed forces in South Africa have HIV. Fifteen per cent of students and 20 per cent of teachers have HIV. If nothing is done to stop the spread of AIDS, it is predicted that by 2020 50 per cent of people under 15 will be infected through inheritance or sexual transmission. The country is in an absolutely appalling state.

Poverty is at the root of much of the problem in South Africa; it is almost impossible to imagine the extent of that poverty. When I visited Soweto, I found one hospital for over 2,000,000 people. There is no access to fresh water or to toilets, and people are living in shacks miles and miles away from health care facilities. What does South Africa get? It gets a President—Mbeki—who is not prepared to accept the real causes of AIDS. It gets the most appalling mystic beliefs; for instance, it is believed that if a man sleeps with a virgin he will not get AIDS, so the incidence of child rape in South Africa is beyond belief.

Cheap medicines are not enough; free medicines are needed. I am holding up a condom—100,000 of them arrived in South Africa a few years back. The one that I have in my hand I got at an AIDS campaign stall that carried the message, "More than this is needed." Why? It was because the condoms came from the United States and were all two years out of date when they arrived in South Africa.

I thank Des McNulty for bringing the debate to the chamber.

**The Deputy Presiding Officer:** I point out that there was a problem with the clock, but you got the same four minutes as everyone else, Mr Harper.

17:46

**Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD):** I shall start as Robin Harper left off, with congratulations to Des McNulty on

securing parliamentary time for this important debate. I am glad that some members have resisted the temptation of a certain other event that is beginning soon to attend the debate—I see that some are even preparing for that event as we speak. It is noticeable, however, that there is a party that is not represented in the chamber this evening. I hope that that party will not be represented at the dinner later this evening. This is an important debate that all parties should attend.

I shall not rehearse the eloquent description of the economic problems that have been caused by AIDS in Africa, with which Richard Lochhead began. I echo the views of Sarah Boyack on the personal experiences of those who are living with AIDS in Scotland but for whom Scotland is not their home. I shall direct my brief remarks towards Africa.

A number of years ago, I visited Malawi, a year after Malawi became a democracy after years under the corrupt dictator, Banda. I visited a village not far from Blantyre. If we consider connections between Scotland and Africa, there is no greater example than that of a city in Malawi having the same name as a town in Scotland and suffering many of the same problems. The village had never been visited by a white person before; I was the first white person to visit, only five or six years ago. When I arrived, a number of children crowded around me, curious to see this young but balding white man.

One of the Government officers who accompanied me on the visit explained to me that many of the children—roughly a quarter, in fact—had AIDS. The disease is cruel and it has affected a country that was being born into democratic enlightenment. If I were to visit that village now, I would see its population decimated by the kind of increase in the disease that Des McNulty talked about. Robin Harper talked about hospitals in South Africa; the situation is similar in Malawi, where hospitals have similar catchment areas to those in South Africa. There is a total lack of equipment and no visiting health workers. The problem is as acute as it could be.

It is important to stress, however, that Scotland has a role to play. In liaison with NHS Scotland, with our academic fraternity and with some of our churches, we can be extremely progressive in our relationship. This Parliament has had a visit from President Mbeki, and we have a role not only in educating other health professionals and workers in Africa, but in educating African leaders. I believe that the impact of President Mbeki's visit to this Parliament will be positive. I believe that our first visiting head of state was President Muluzi of Malawi, who took away many contacts with people in our health and educational communities.

I close with one observation that picks up on what Mike Watson said. AIDS is not yesterday's condition; it is very much tomorrow's. Although the media is not represented here today, I hope that world AIDS day will receive the media profile that it deserves.

Given the impact that severe acute respiratory syndrome—SARS—has had, over recent months, despite the very small number of people whom it affected in communities in the developed world, I hope that we do not give disproportionate consideration to a condition that affects the developed world less than HIV/AIDS affects the developing world.

17:50

**The Deputy Minister for Health and Community Care (Mr Tom McCabe):** I join other members in congratulating Des McNulty on securing a debate on a topic that concerns the well-being of millions of people throughout the world, whose lives are threatened by a virus for which there is, as yet, no cure. It is fitting that the Parliament should discuss this issue as world AIDS day 2003 approaches.

Along with the remarks that Des McNulty made at the start of the debate, the motion gives an insight into the scale of the problem. HIV/AIDS is one of the greatest ever public health challenges to confront mankind. Mention was made of the situation in sub-Saharan Africa, where the epidemic claimed 2.4 million lives in 2002 alone—equal to almost half the population of Scotland. That is such a sobering statistic that we might take a few moments to consider the enormity of it.

In Scotland, the cumulative number of HIV reports since the figures were first collected in the 1980s was 3,780 at 30 September, unfortunately including 1,300 deaths. The rise in the number of new reports in Scotland last year is a timely reminder that there is no room for complacency, as other members have rightly said.

The implications are much wider than sickness and death, tragic though those are. The motion refers to the existence of more than 13 million AIDS orphans throughout the world. That heart-rending figure highlights the hugeness of the task facing the caring and supporting agencies.

There are also economic problems. HIV, as it progresses, often means that men or women are unable to work to sustain their families. Employers have difficulties in recruiting staff to fill jobs. As a consequence, productivity drops and economic growth is impeded. That is a critical problem in many developing countries where HIV is rife. As Des McNulty rightly said, it is important that rigorous prevention programmes are put in place

and that there is an adequate response to care and treatment needs.

Richard Lochhead raised the issue of on-going funding and research. I am happy to say that the United Kingdom is in the vanguard of the international response, both as an advocate for a concerted approach and as a practical contributor to the global effort. International funding for HIV/AIDS is now \$1.8 billion annually, compared with around \$400 million in 1998, and the UK is the second-largest bilateral donor of HIV/AIDS assistance in the world.

**Richard Lochhead:** Would the minister be willing to investigate reports that the European Union is planning to cut funding for the HIV surveillance centres in Europe in 2004?

**Mr McCabe:** I noted that point earlier, and I will address it in a moment.

The United Kingdom was also instrumental in setting up the global fund to fight AIDS, tuberculosis and malaria and has committed \$280 million over seven years to ensure that it has long-term stability of funding. In addition, on another subject that was referred to earlier, the United Kingdom Government is pursuing a number of approaches to make essential drugs—including those for the treatment of HIV/AIDS—available in developing countries at affordable prices. The United Kingdom's record is good.

I note the points that Richard Lochhead has made and I will make inquiries into that issue. However, there seems to be a determination, within the EU, to pursue research and there are still plans for an EU centre on communicable diseases.

The communication that was issued by President Bush and the Prime Minister last week affirms the fact that the US and the UK will work together to strengthen efforts in HIV/AIDS prevention, treatment, care and support, beginning in five African countries.

**Patrick Harvie:** Does the minister accept that there are still concerns over the United States' policy of tying sexual health aid funding to abstinence-based programmes?

**Mr McCabe:** There will always be concerns. What I want to do tonight, and what the Prime Minister wants to do, is to concentrate on what is positive. If it can do nothing else, the United Kingdom can play a large part in influencing the United States' approach and attitude. I hope that we continue to do that on the matter to which Patrick Harvie referred.

As a result of events last week, a special joint task force will be established to focus our national efforts and enlist the support of others. A comprehensive approach will aim to expand the

delivery of HIV/AIDS prevention, care and treatment and will include greater access to safe and effective medicines, better health system delivery and the building of a skilled force of health workers. All of that shows the UK's commitment and contribution to the international effort, which has the Executive's full support.

Of course the global effort must continue unabated, but we cannot afford to slacken our work on the domestic scene. On the Executive's behalf, I assure members that we will remain totally committed to responding to the diverse challenges that HIV/AIDS presents in Scotland.

The report of the HIV health promotion strategy review group, which was published in 1999, provided the strategic framework for our approach in Scotland and proposed an integrated response under which all the partners and stakeholders work together.

In the absence of a vaccine, prevention is of paramount importance, so we give NHS boards more than £8 million annually to engage in or commission activities to prevent the spread of HIV. The voluntary sector, whose tireless and dedicated contribution I applaud, has a critical role to play. Some of that NHS funding supports that sector's activities. It also supplements the £500,000 that the Executive gives directly to voluntary organisations each year. Patrick Harvie referred to funding. Each year, £150,000 goes directly to the Healthy Gay Scotland project.

Working together, NHS boards and voluntary organisations such as HIV Scotland and Healthy Gay Scotland deliver diverse and innovative initiatives to raise awareness, prevent the spread of HIV and provide succour to those who need it.

Susan Deacon was right to refer to the need to include sufferers. Two projects—Body Positive and Positive Voice—work to reduce stigma and discrimination and to deliver prevention messages.

Nationally, NHS Health Scotland continues to raise awareness. For example, it recently issued a booklet that gives HIV advice to travellers abroad. That is available at Scottish airports.

The motion refers to stigma and discrimination, which Des McNulty was right to address. Such practices are unacceptable in the inclusive Scotland that we are striving to create. We will not tolerate such behaviour and we will work with voluntary organisations and other interests to eliminate it. The sexual health strategy that is out to consultation has been mentioned. The strategy deals with barriers to HIV testing and the problems that people experience in securing insurance.

We have the support of the people of Scotland in working towards eliminating stigma and discrimination. In September, the Executive

published the results of the 2002 Scottish social attitudes survey, which said that more than two thirds of Scots think that the country should do as much as it can to get rid of all kinds of prejudice.

Building a respectful society in which people can live their lives free from prejudice, stigma and abuse is a key element in the battle against AIDS. It is a cornerstone of the Executive's partnership agreement and I am certain that it is a principle that unites the Parliament.

Much is being done in Scotland and there are some signs of hope for the future. For example, last year, 10 new infections occurred from injecting drug misuse. That is the lowest annual figure in that group since records began. Measures to reduce the risk from drug misuse are clearly bearing fruit.

As expected, the debate has revealed a welcome consensus and determination to meet head on the real threat to world health and to reduce its impact domestically and on the international scene.

In Scotland and internationally, unity of mind and purpose is growing to address the challenging and complex issues to which HIV and AIDS give rise. We are committed to building on the solid foundation that exists. I am encouraged and delighted that the debate has reconfirmed the unity of purpose in Scotland and the shared commitment to the aims that we have all mentioned.

*Meeting closed at 17:59.*





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