

MEETING OF THE PARLIAMENT

Thursday 4 November 2004

Session 2

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Scottish Parliament

Thursday 4 November 2004

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

Pensioners

The Presiding Officer (Mr George Reid): Good morning. The first item of business is a debate on motion S2M-1940, in the name of Nicola Sturgeon, on a better deal for pensioners, and four amendments to the motion.

09:30

Nicola Sturgeon (Glasgow) (SNP): I begin by expressing my total incredulity at the fact that, as I understand it, no Scottish Executive minister is prepared to take part in the debate. Ministers have not stood up to correct me, so I take it that that is the case.

The Minister for Communities (Malcolm Chisholm): First, the member will hear that I am preserving my voice for this afternoon's debate. Secondly, she will note that all the amendments are party amendments, so there is no Executive position in this debate.

Nicola Sturgeon: There is no Executive position on the matter of pensioner poverty. That says absolutely everything that needs to be said.

Malcolm Chisholm *rose—*

Nicola Sturgeon: Unless the minister has something better to say, I will let him preserve his voice.

Tackling pensioner poverty should be a priority of the Executive, because it is clearly the Executive's responsibility. Shortly before her death, Barbara Castle said that the pensions policy of the Government in London was designed to

"extend substantially the number of pensioners on means test".

When that policy is leaving many pensioners in Scotland in poverty, any Scottish Executive worth its salt would have a position on it and would have something to say about it.

The Minister for Parliamentary Business (Ms Margaret Curran): I am fascinated by the tactics of the Scottish National Party. Every time that it has an Opposition debate, it chooses to debate reserved issues. In doing so, the SNP shows disrespect for the chamber and the powers of the Parliament. It would be fascinating to know

whether Alex Salmond debates devolved issues at Westminster, while Nicola Sturgeon debates reserved issues here. She knows perfectly well that we will properly tackle reserved issues as a party. Let me be absolutely clear—*[Interruption.]*

The Presiding Officer: Order.

Ms Curran: Let me be absolutely clear. Charges have been laid at the Executive's door that I must answer.

The Presiding Officer: Briefly, please.

Ms Curran: With the greatest respect, Presiding Officer, it is taking me so long because members are shouting and I am being forced to repeat myself.

Nicola Sturgeon: Come on.

Christine Grahame (South of Scotland) (SNP): This is a speech.

Ms Curran: If members will stop shouting at me, I will speak and Nicola Sturgeon will be able to get on with her speech.

The Presiding Officer: Please be brief.

Ms Curran: The Executive's position is that we tackle pensioner poverty using the powers that we have. Nicola Sturgeon is talking about reserved powers. She should at least have the honesty to explain that to people.

The Presiding Officer: The member may take another two to three minutes.

Nicola Sturgeon: If Margaret Curran had wanted to speak in the debate, she should have put her name on the list of speakers. Pensions policy may be reserved, but poverty is not. The pensions policy of the Government in London causes pensioner poverty. It is outrageous that ministers have chosen to hide from today's debate. That speaks volumes for their total lack of concern about the basic living standards of many pensioners in this country. They should be ashamed of themselves.

This debate is important for today's and tomorrow's pensioners. In Scotland, as in many other countries, we face the twin challenges of tackling pensioner poverty in the here and now and securing decent living standards for future generations during their retirement years. The SNP proposal to abolish means testing and introduce a citizens pension, at an initial rate of £106 for a single pensioner and £161 for a couple, and thereafter to maintain the real value of that pension by linking it with earnings, will help to meet both those objectives.

George Lyon (Argyll and Bute) (LD) *rose—*

Nicola Sturgeon: I will not take an intervention at the moment. I may come back to the member later, after I have made some progress.

I want first to deal with the issue of pensioner poverty. One in five pensioners in Scotland lives in poverty. In 21st century, oil-rich Scotland, that is just not acceptable. One of the main causes—perhaps the main cause—of pensioner poverty is means testing. Labour derided means testing when it was in Opposition, but in Government Gordon Brown has extended it year on year. When Labour came to power in 1997, just under one third of pensioners had to rely on means-tested benefits. That figure is now more than half. As reliance on means testing has increased, the value of the basic state pension has been steadily eroded. That is what Labour has done for our pensioners. It has reduced what should be theirs by right and made them go cap in hand for it.

Of course, many pensioners do not apply for the means-tested pension top-up. Some are too proud to ask for what should be theirs as of right. Others, particularly the most elderly and vulnerable in our society, do not apply because, in the words of Help the Aged, the system is “complex and bureaucratic”. In total, more than one third of pensioners in Scotland do not apply for the means-tested pension credit, which means that 145,000 pensioner households do not get what they are entitled to. Many of them live just on the basic state pension. Let us not forget that very few women qualify for the full basic state pension of £79.60 per week for a single person, but even for those on that pension it amounts to a mere 17 per cent of average earnings.

I dare say that some will argue that the solution to the problem is to improve take-up rates. However, the Government's target for take-up—presumably, the best that it thinks can be achieved—is just 73 per cent. That would leave a huge number of pensioners who were still not getting what they were entitled to. In addition, it costs 10 times as much to administer a system of means testing as it does to administer one of universal pensions. It costs £5 per pensioner to administer the basic state pension, but £54 per pensioner to process the means-tested top-up. Getting rid of means testing would save £20 million in administration costs alone—money that could be put back into the pockets of pensioners.

George Lyon: We welcome the SNP's adoption of our policies on this issue. The net cost of the SNP's policy of having a citizens pension for all over 65 would be about £8.8 billion for the United Kingdom. The cost of index linking to earnings would be a further £7 billion. How does the SNP intend to fund that?

Nicola Sturgeon: If George Lyon will be patient, I will explain in great detail exactly how we will fund it, so he should listen carefully. I hope that Liberal Democrat members will support us today in starting the process of getting rid of means testing.

However, their policy is to get rid of means testing only for the over-75s. We want to get rid of means testing for every pensioner in Scotland.

Getting rid of means testing and introducing a citizens pension would take thousands of pensioners out of poverty at a stroke. It would also take away a huge disincentive to younger people to save for their retirement. At a time when we should be encouraging people—perhaps even compelling them—to save for their old age, the means test sends a message to people who may be able to save only a moderate amount that it is not worth their doing so. We all know pensioners who have small private pensions or some money in the bank and who lose their entitlement to means-tested benefits as a result.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD) *rose—*

Nicola Sturgeon: I will not give way at the moment.

The pensioners to whom I referred end up feeling no better off for having scrimped and saved throughout their lives. That sends the message to younger people that they should not bother saving. A non-means-tested citizens pension, on the other hand, would be a solid foundation on which people could build with their private savings.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Will the member answer George Lyon's question?

Nicola Sturgeon: I must make some progress. I am sure that the Liberal Democrats will have a chance to tell us all about their policy later.

A citizens pension would be a solid, secure foundation. By restoring the link between increases in the pension and increases in average earnings, we could ensure that its value would not be eroded over time. For that reason, I am happy to support John Swinburne's amendment.

Mike Rumbles: How would the member pay for the citizens pension?

Nicola Sturgeon: I am coming to that.

It is only right that I pause to consider the Tory amendment, which also calls for the link between pensions and earnings to be restored. I have one question to ask Mary Scanlon: is her amendment a wind-up? I will read out some selected extracts. The Tories believe

“that linking the state pension to earnings would lift a million pensioners out of means-testing”.

They go on to acknowledge

“that only a Conservative administration at Westminster can implement these changes for the benefit of all Scotland's pensioners.”

The Tories might have short memories, but no one else in Scotland has forgotten that it was a

Conservative Administration at Westminster that broke the link between pensions and earnings in the early 1980s.

Mr Brian Monteith (Mid Scotland and Fife) (Con) *rose*—

Nicola Sturgeon: The Conservatives should sit down and listen. I remind Brian Monteith of what benefit that vindictive act of the Thatcher Government delivered to Scottish pensioners. If the link had not been broken back then, every single pensioner in Scotland would be £38.75 a week better off than they are now and every pensioner couple would be £62.05 a week better off than they are now. That is what the Scottish Tories have cost Scottish pensioners.

Mr Monteith: I am pleased that Nicola Sturgeon has allowed me to explain. She is not looking at the issue of when the link was broken. When the link was broken, inflation was at a very high rate, which we inherited from the Labour Government, and it needed to be controlled. Therefore, the pension was falling behind because it was linked to wages rather than to inflation. It is true to say that that link, having been changed, should have been changed back later. We will talk about that issue, but it is clear that the link had to be broken.

Nicola Sturgeon: I assure Brian Monteith that we will talk about that, because I know when the link was broken: it was broken when the Conservative Government broke it. That is why the Conservatives do not deserve to be given the time of day by any Scottish pensioner now or in the future.

Mr Alasdair Morrison (Western Isles) (Lab): Will the member give way?

Nicola Sturgeon: Not just now.

I will say one more thing about our proposal for a citizens pension before I go on to explain, not only to the Liberal Democrats but for their benefit in particular, exactly how it will be paid for.

Entitlement to the citizens pension will be based on residency, not on participation in the labour market. That will end, at a stroke, the disgraceful institutional discrimination against women that characterises the current pension system. Only 13 per cent of women in this country qualify for the full basic state pension, while the rest lose out because they have taken time out of work to bring up kids or care for sick relatives. That is “a national scandal”. Those are not my words, but the words of Alan Johnson, the Secretary of State for Work and Pensions in London, in a speech earlier this week.

Mike Rumbles: Will the member give way?

Nicola Sturgeon: Not just now.

I agree with Alan Johnson that it is a national scandal, but the difference between him and us is

that we intend to do something about it. A citizens pension will be paid as of right to every citizen of this country. For the first time ever in this country, that will mean genuine equality between men and women.

I turn to how we would finance the citizens pension. The resources that are currently spent on the basic state pension and on the means-tested pension credit would be reinvested in the citizens pension. We would add to that the administrative savings from the abolition of the means test, which as I said would amount to £20 million. That would leave a gap of around £160 million. We would take that sum out of the amount that is currently available for pension tax relief. *[Interruption.]* George Lyon asked me a question and I am answering it.

A total of £1.1 billion is spent on pension tax relief in Scotland and more than half of that sum goes to the richest 10 per cent of taxpayers. We would take £160 million, or 15 per cent, of that total amount and reinvest it in a citizens pension. That would leave 85 per cent of the tax relief pot available to provide incentives for saving, although we believe that those incentives should be provided by match funding rather than by tax relief. However, £160 million would be taken from the tax breaks of the richest and paid out in pensions for the poorest. For the avoidance of doubt, that is called redistribution. Members in the Executive parties used to believe in that principle; I am proud to say that the SNP still believes in it.

Our proposals offer a better deal for the poorest pensioners in our society, a better deal for those with modest savings or small private pensions and a better deal, at long last, for women.

I am sure that there will be no shortage of members of the unionist coalition of the Labour, Liberal and Tory groups in the Parliament who will be bursting to tell us that we cannot do this because we do not have the powers.

George Lyon: Will the member give way?

Nicola Sturgeon: No. I am finishing.

My answer to that point is simple. That is exactly why we need independence. We need independence so that we can get on with the job of delivering a better deal for all Scotland's pensioners.

I move,

That the Parliament agrees that Scotland must face up to the twin challenges of tackling current pensioner poverty and ensuring decent living standards for future generations of pensioners; believes that removing the pensions means test would help to achieve both of these objectives, and calls upon the Scottish Executive to bring pressure to bear on Her Majesty's Government to begin the process of replacing means-testing with a citizen's pension.

09:45

Karen Whitefield (Airdrie and Shotts) (Lab):

The motion that was placed before Parliament today by Nicola Sturgeon clearly demonstrates all that is wrong with the SNP. Nicola Sturgeon has not said very much about pensions before, but we will come to that.

Instead of working within the powers of the Scottish Parliament for the benefit of older people in Scotland, the SNP would rather play politics with this important issue. The SNP would rather use the issue as yet another spurious and contrived way of promoting independence.

Mrs Margaret Ewing (Moray) (SNP): Will the member give way?

Karen Whitefield: I have just started. I will give way in a minute.

There is a contradiction inherent in the stance that the nationalists continually take. On the one hand, they claim with their best "Braveheart" bravado that they represent the true aspirations of the people of Scotland, while on the other hand they choose to ignore the overwhelming majority of Scottish people who voted for devolution and a devolved settlement and who, in election after election, fail to vote for separation.

The supposed party of the people would rather not listen to the people of Scotland on the issue. Today's debate is a perfect example of how the nationalists seek to use the Parliament not to benefit the people of Scotland, but to fight the separatist cause.

Mrs Ewing: Will the member give way?

Ms Sandra White (Glasgow) (SNP): Will the member give way?

Karen Whitefield: I will take an intervention from Sandra White.

Ms White: If Karen Whitefield was a single person, could she live on £79.60 a week?

Karen Whitefield: Can Sandra White tell me why her party has just found this dedication to pensioners? I offer the nationalists a challenge. Today's debate is long, so that should give the SNP researchers plenty time to find out what the SNP has said about pensioners in the past.

Nicola Sturgeon: Will the member give way?

Karen Whitefield: No. Sit down.

The challenge is: how many times did the SNP manifesto in 2003 mention senior citizens or pensioners? That is a tricky question, so I suggest that Nicola Sturgeon tries phoning a friend or takes the 50:50 option. In the meantime, I will give her a little help. The manifesto's first reference to pensioners is on page 25, where the SNP

proposes to extend the central heating programme for pensioners as well as for other groups. That is a little late in the document, but it is a start and building on Labour policy is always the best way to begin. Surely, however, there must be much more to come. No—the manifesto's only other reference to the elderly is in relation to pensions, an area in which the Scottish Parliament has no powers. Why did the SNP include that in its manifesto for a devolved Parliament? The only answer must be that the nationalists would rather ignore all the actions that this Parliament can take to improve the lives of older people and concentrate instead on cynically using the issue for party gain.

John Swinburne (Central Scotland) (SSCUP): Will the member give way?

Mrs Ewing *rose*—

Karen Whitefield: That is the case again with Ms Sturgeon's motion. She would rather play political games than discuss heating and housing conditions for the elderly. She would rather champion independence than champion access to public transport for the elderly and she would rather have a go at Westminster than have a go at tackling antisocial behaviour, which blights the life of many of our senior citizens.

I will not participate in the nationalists' games. My amendment highlights the good work that has been done by this Labour-led Scottish Executive and briefly discusses the way ahead. I will leave detailed discussions on pensions to my colleagues at Westminster who, in case Ms Sturgeon has forgotten, were elected by the people of Scotland to deal with those very issues.

Of course, there is an issue of trust. My party trusts its colleagues at Westminster to do that job. Nicola Sturgeon's party does not trust her, which is why its members elected Alex Salmond to be their leader and hold her hand. It suffices to say that Alex Salmond and his nationalists want to scrap the targeting of resources to the pensioners who are most in need. Perhaps the SNP should take advice from one of its own members. In his book, "Building a Nation: Post-Devolution Nationalism in Scotland", Kenny MacAskill says that the responsibility of the state is to protect the vulnerable, not subsidise the wealthy. It appears that Mr MacAskill's colleagues disagree with him.

I am pleased that by targeting resources my colleagues at Westminster have taken 1.8 million pensioners out of poverty since 1997. Without prompting from the SNP, my colleagues have introduced a range of measures for pensioners, including a £200 winter fuel payment, free television licences for the over-75s and free eye tests.

Mrs Ewing: I am grateful that Karen Whitefield is now participating in a debate. It is tragic that she

has been told by the First Minister to raise the game and yet when we try to raise the game all that she does is denigrate us. Does she remember that when we started our campaign about fuel poverty in Scotland we were derided by the Labour Party and that it took years and years of effort to secure any concessions?

Karen Whitefield: I will not take lectures from the SNP on pensioners. For 18 years the Tory party destroyed pensioners' lives in Scotland and the SNP marched through the benches to put the Tories into power—[*Interruption.*]

The Parliament has much to be proud of in relation to improving the lives of older people in Scotland. It has introduced a range of measures, which include free personal care for the elderly and the establishment of care standards, which mean that our senior citizens can be secure in the knowledge that they have the right to a high standard of care, regardless of their personal circumstances. Importantly, the policies respond to the views and concerns of older people and the groups that represent them. The Labour Party is committed to working with older people to develop more responsive services that are appropriate to older people's needs. To that end, the Executive has helped to establish an older people's consultative forum, which involves the main older people's organisations in regular meetings with ministers and officials—[*Interruption.*] SNP members should not deride a measure that involves people, gives them a say and responds to their concerns.

The Executive has introduced off-peak free bus travel for elderly groups and I am pleased that the policy will be extended to enable pensioners to travel throughout Scotland. I have discussions with local senior citizens groups, who tell me that free travel is a popular policy and is heavily used.

The warm deal initiative and the central heating programme are helping to ensure that all older people in Scotland live in warm, dry, comfortable homes. Those measures are tackling fuel poverty—we are doing something about that, rather than just talking about it. I have visited a number of constituents who have benefited from the insulation, draft proofing and advice on energy efficiency that the warm deal initiative provides. The policy has made a real difference to those people's lives. I welcome the extension of the central heating programme to provide new systems to people over 80 who have a partial or insufficient heating system. That policy is especially important to areas such as North Lanarkshire Council's area, where the central heating systems that had been installed in most of the council's stock were much in need of replacement.

On health, the Executive has adopted a range of measures to improve the lives of older people.

Significant sums of money have been invested to tackle the problem of delayed discharge and have led to a reduction in the total number of patients waiting to be transferred to more appropriate settings from 3,116 in January 2002 to 1,785 in April 2004. That policy has been complemented by improvements in the provision of home care by local authorities. The elderly tell us that they want to be cared for at home.

I know from my experience at surgeries that crime and antisocial behaviour are key problems that affect many older people. We must be careful not to overstate the scale of the problem, but we cannot ignore the concerns that people raise with us all too frequently. Elderly people often feel threatened and the Antisocial Behaviour etc (Scotland) Act 2004 will ensure that the police and local authorities have the powers that they need better to protect communities from the small minority of people who act without thinking about the damaging effect of their behaviour on others.

Many members know that older people make a significant contribution to other people's lives through volunteering. Some 30 per cent of people aged 50 to 59 and 26 per cent of people aged 60 to 74 give up their time to do voluntary work. Most of my local voluntary organisations would cease to function if it were not for their volunteers over 50. I welcome the Scottish Executive's commitment to encourage and develop volunteering among the over-50s through the provision of funding to Community Service Volunteers, which is developing a project that makes good use of the wide range of skills and experiences that mature people have and harnesses those skills for the benefit of communities. The funding also supports the creation and operation of the older people's volunteering forum, which brings together agencies that have an interest in the field and promotes good practice. I am sure that more can be done to support older volunteers who want to continue to serve their communities, for example through improved and easier access to further education and training.

I spoke recently in a debate about young carers. Many carers and the people for whom they care are over 60. The Community Care and Health (Scotland) Act 2002 significantly extended the rights of carers in Scotland to an assessment of their needs. As a result of the 2002 act, carers are more likely to receive the support and respite that they need and the people for whom they care are more likely to receive a better standard of care. In enacting the 2002 act, the Scottish Parliament made a real difference for older people in Scotland, which I welcome.

Lest I be accused of picking on the nationalists, I want to say a few words about the Tories.

The Presiding Officer: You have only one minute left, I am afraid.

Karen Whitefield: It will take just a few minutes. The claim in the Tory amendment that

"only a Conservative administration at Westminster can implement ... changes for the benefit of all Scotland's pensioners"

flies in the face of the evidence of 18 years of Tory Government. During their time in office, the Tories increased the basic pension only once and imposed VAT on fuel. When the Tories left office, one in four pensioners was living in poverty. The Tories presided over the pensions mis-selling scandal, which caused misery to millions. Pensioners will not forget that.

The Tory amendment does not tackle the real, important issues. Nor does Miss Sturgeon's motion, which uses older people and their needs to further nationalist ends.

I move amendment S2M-1940.5, to leave out from "agrees" to end and insert:

"supports the vision of a Scotland in which every older person matters and every person beyond working age has a decent quality of life; considers that older people's lives have been improved through devolution across a wide range of areas such as health, transport, housing, social justice, volunteering, lifelong learning and tackling anti-social behaviour; recognises the range of measures specifically designed to improve the quality of life of all older people in Scotland, including free personal care for the elderly, free off-peak local bus travel, the central heating programme and funding for the Warm Deal; endorses the partnership between the Scottish Executive and Her Majesty's Government to tackle pensioner poverty, and welcomes the Scottish Executive's continuing commitment to improving the lives of all of Scotland's senior citizens."

09:57

Mary Scanlon (Highlands and Islands) (Con): I welcome a debate on older people in Scotland. However, like Karen Whitefield, I believe that the SNP should use the Parliament to debate issues in relation to which it has powers, rather than to lodge motions that tell our colleagues at Westminster how to do their jobs. The people of Scotland elect 72 members of Parliament to debate pensions at Westminster. I think that all members of the Scottish Parliament would have something to say if Scottish MPs started telling us how to run the health service and provide education in Scotland. The SNP is undoubtedly comfortable with taking orders from Westminster, but Scottish Conservatives acknowledge the devolution settlement. We have pledged to work within the powers of the Scottish Parliament for the people of Scotland and to let Scottish MPs represent our country at Westminster.

Karen Gillon (Clydesdale) (Lab) *rose—*

Fiona Hyslop (Lothians) (SNP) *rose—*

Tricia Marwick (Mid Scotland and Fife) (SNP) *rose—*

Richard Baker (North East Scotland) (Lab): Will the member give way?

Mary Scanlon: Not yet.

The main point is that the SNP will never be in a position to implement its pension promises, especially as it lost a quarter of its MSPs last year and more SNP losses are expected at the next election. Only the Conservatives provide an alternative to Labour at Westminster.

The pensions debate cannot be addressed simply by calling for a rise in pensions; the issue is far more complex than that. An irate pensioner visited my surgery recently to tell me that she had received a £12 increase in her pension through the new pension credit system, only to have to pay out £12.75 per week more because her housing benefit and council tax benefit had been reduced. Nicola Sturgeon mentioned the briefing from Help the Aged in Scotland, which says:

"means-testing ... has created a complex and bureaucratic system".

It goes on to say:

"145,000 pensioner households entitled to pension credit were not receiving it."

A pensions debate should also include a discussion of how to address the incentive to save. Help the Aged comments:

"many pensioners with moderate incomes still feel they are little better off than those who never saved. Means-testing could also dis-incentivise saving for young people."

For pensioners who want to continue working, every £1 of earnings reduces their pension credit by 40 pence, which is, in effect, a tax on the poorest pensioners at the highest rate of income tax.

The Conservatives have an eight-point action plan to address the pensions crisis, the first point of which is to restore the link between pensions and earnings and to remove the obligation to buy an annuity at 75. My colleague Bill Aitken inhabited the world of annuities in his previous life and he will address those and other pension issues.

Members: Where is he?

Mary Scanlon: I will tell members later.

The Presiding Officer: There are reasons for his absence, which I know about.

Mary Scanlon: There are very good reasons, and I hope that Labour members will respect that.

I will raise some issues that we can address in this Parliament from a survey that was carried out by the Highland senior citizens network, entitled "Better support for Older People in the Highlands". On chiropody services, more than 1,000 people

are being taken off the national health service list in the Highlands and many more have had their appointments cut. The service is being privatised with no regard to patient need or ability to pay. If we audited the health benefits of every public pound that goes into chiropody, the service might rate the highest, as quality foot care keeps elderly people mobile and independent and less likely to fall or need home care or hospital care. Foot care from a trained and qualified podiatrist can also pick up other problems that can then be referred to other specialists. It is disappointing that not one member of the SNP managed to find the time to come to the first briefing in the Scottish Parliament from the Society of Chiropodists and Podiatrists, although Christine Grahame gave her apologies.

Brian Adam (Aberdeen North) (SNP): I find it interesting that the Conservatives are now condemning the privatisation of public services. Would Mary Scanlon care to tell us which other services that her party privatised she would now bring back into the public sector?

Mary Scanlon: I am happy to talk about the privatisation of services, which we debated in Parliament and on which the Tories were open, honest, upright and accountable. I am complaining about the stealth of the privatisation that elderly people are facing in the Highlands as they are taken off NHS lists and forced to go private.

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): Will Mary Scanlon give way?

Mary Scanlon: No, I have to get on.

Highland NHS Board has come up with some innovative solutions to the problem, including suggesting to an elderly man in Nairn that he invite his friends round for a toenail-cutting party. One of his friends was blind, another had arthritis in his hands, another had mild dementia, and one had diabetes. The gentleman said to me that, if the new Minister for Health and Community Care would like his feet attended to by the group, he would be happy to arrange it.

Government leaflets state that dental treatment is free for pensioners, but that is only the case if they can find an NHS dentist. In some areas of the Highlands, there is a four-year waiting list. One elderly person in the Highland senior citizens network's survey stated that, after four years of waiting for a dentist, they had to pay £86 for a filling, not to mention the £150 registration fee. Another respondent in the survey states that, at older than 70, he was instructed to have full dental treatment before being accepted on a private list, but he could not afford to do so. That is typical for dental care in the Highlands and the situation is rapidly spreading across Scotland.

Mrs Ewing: I have heard many of those arguments before. Does Mary Scanlon accept that

it is the Health and Medicines Act 1988—which was passed by a Conservative Government—that has led to the crisis in dentistry services?

Mary Scanlon: No, I do not accept that. If Margaret Ewing asks pensioners in Moray and the Highlands about that, they will say that their podiatry, eye care, ear care and home care services have deteriorated in the past seven years.

On long-term care, it cannot be right that councils award themselves around £150 more per person per week for those in council-run homes than for those in independent homes. Council-run and independent homes have to meet the same standards, which are set by the Scottish Commission for the Regulation of Care, but they are funded differently. Other issues arise when someone enters a home with funding for personal care but their condition deteriorates to the point that they need nursing care. The care homes have to provide nursing care but, in some instances, the councils doggedly refuse to pay the higher rate, which brings horrendous problems for families. Of course, if an elderly person self-funds, they not only pay more for the same level of care in many homes but they can be assured that their discharge from hospital will not be delayed and that they will be placed instantly in a home of their choice. Five years into the Parliament's existence, we still have 1,932 patients in blocked beds, which is a reduction of 83 since 1999. My colleague David Davidson, who, I am pleased to see, has arrived in the chamber, will cover that issue.

In its 1999 Scottish Parliament election manifesto, the Labour Party pledged to eliminate fuel poverty over two parliamentary sessions—that is, by 2007. However, when the Executive's fuel poverty statement was issued in August 2002, the target had changed to 2016, which is a delay of nine years. Charles Gray, who has been a Glasgow councillor for 45 years, recently spoke of the consultation documents that are currently circulating on health, dental services, chiropody and digital hearing aid programmes and said that, although the intentions are good, the services become more unattainable as they get more expensive.

I move amendment S2M-1940.1, to leave out from "believes" to end and insert:

"condemns the Chancellor's promotion of the means test which acts as a major disincentive to save; believes that linking the basic state pension to earnings would lift a million pensioners out of means-testing over a four year period; calls for greater measures to encourage personal savings, and acknowledges that only a Conservative administration at Westminster can implement these changes for the benefit of all Scotland's pensioners."

10:07

Robert Brown (Glasgow) (LD): I return to the question with which the SNP must deal. It is a matter of another day, another SNP debate on an issue reserved to Westminster. That is the pattern of most SNP motions, amendments and speeches. Yesterday, we had an Executive motion on education, a matter for this Parliament, on which many policy options are available to us and on which the SNP had nothing to say. Today, we have a motion on pensions, a matter that is reserved to Westminster, on which the SNP has lots of rather woolly and insubstantial things to say but over which it can exercise no influence at all.

Nicola Sturgeon *rose—*

Robert Brown: I ask Nicola Sturgeon to let me get into my speech a bit, if she does not mind.

One wonders what the purpose of the small SNP Westminster contingent is. What, indeed, is the purpose of the SNP group in this Parliament if it cannot properly fulfil its principal function of holding the Executive to account?

In contrast, the Liberal Democrat-Labour Scottish Executive has already made a substantial difference for Scotland's older people. Using the extensive powers of this home-rule Parliament, we have made major inroads into pensioner poverty. I have frequently said that the free central heating and insulation scheme is one of the most important achievements of the Parliament. Besides that, there are the popular scheme for free off-peak bus travel and the ground-breaking introduction of free personal care for the elderly. Those are all major achievements, which make a major difference to the quality of life of many older people in Scotland.

Tommy Sheridan (Glasgow) (SSP): On off-peak bus travel, does Robert Brown agree that the Parliament should at least seek to match the ambition of the National Assembly for Wales and introduce a universal scheme without any time restrictions for our elderly people?

Robert Brown: There is a range of issues in that question, but I do not want to go into them, because we are dealing with a wider issue. As Tommy Sheridan is aware, there are proposals in the partnership agreement to extend the scheme to a national one, which will be a major achievement of the Executive's second term of office.

Liberal Democrats want to do much more and, unlike the SNP, we are able to play a leading role in the delivery of reforms, through the partnership agreement for Government in this Parliament, and to challenge the Labour Government effectively throughout the United Kingdom. We have already used that influence to secure agreement on the

forthcoming review of the council tax, which will allow us to pursue our proposals for a fair local income tax, which could save pensioners somewhere between £611 and £1,600 a year.

The pensions debate will rightly be a significant issue in the forthcoming Westminster election. Pensioners are some of the poorest people in Britain, but the Labour Government, which was elected with the support and good wishes of many of them, has failed to ensure that they get the support that they need. People remember only too well the insulting and derisory 75p a week pension rise given by Labour in the previous Parliament. The Liberal Democrat campaign on that was widely credited with playing a major part in forcing the Government to deliver a larger rise of £5 a week the following year.

However, the biggest debate is about the demeaning and unworkable means tests that are the basis of the pension credit. Almost 2 million people—a quarter of those entitled—do not claim the pension credit; indeed, the Government actually budgets on the basis that 1.4 million people who are entitled will not claim. In Scotland, about 128,000 old people do not get their entitlements.

The Institute for Fiscal Studies pointed out last year that Labour and the Conservatives had switched sides in the pension debate. It said:

"In opposition, Labour argued that pensioners should no longer be subjected to means testing, but in government they extended it. Now it is the Conservatives in opposition who say means-testing should go, despite raising means-tested benefits more than universal support while they were in office."

Of course, it was the Conservatives who broke the link between pensions and earnings, which now costs a single pensioner more than £30 a week, and a couple more than £50 a week.

Mr Duncan McNeil (Greenock and Inverclyde) (Lab): Robert Brown has just mentioned the earnings link. David Willetts, the Tory spokesman, said:

"I know that many campaigning pensioners would like to see the earnings link restored. It is not affordable, and would not be targeted."

What does Robert Brown say to that?

Robert Brown: We are restoring it, and we are moving forward on a costed basis. I will come back to that point because it is an important one.

As Nicola Sturgeon touched on, we sometimes forget that the basic pension is paid on the basis of contributions made over our working life. That badly penalises many people—particularly women, who may have paid the married women's stamp or may have given up work to look after children or other family members.

Without wanting to widen the debate too much, I point out that there is a well-publicised hole in company pension schemes, private pensions and saving schemes, and a lack of a clear vision from the Labour Government about the relationship between the basic pension and second pension or other similar arrangements. In short, the Government's pensions policy is in something of a mess.

In fact, the Liberal Democrat party is the only party that is genuinely and has been consistently committed to providing an adequate and costed basic state pension; not surprising, as we are the party that introduced the pension in the first place, many years ago. It must be the first and most solid building block of an adequate retirement income. That is why we have proposed the introduction of a citizens pension, initially for those over 75, with entitlement based on residency not national insurance contributions. That would get rid of means testing for 1 million UK pensioners and would make older single pensioners £25 a week better off.

Nicola Sturgeon: The SNP motion calls on Her Majesty's Government to begin the process of replacing means testing with a citizens pension. That sounds to me as if it is exactly in line with the Liberal Democrat position. If the Liberal Democrats' amendment is not agreed to, will Robert Brown back the SNP motion and send a clear message to Her Majesty's Government that—to use his words—its pensions policy is failing?

Robert Brown: The matter is one for Her Majesty's Government and if a political party wants to campaign on it, it should recognise that. In addition, the debate has to be seen against the background of the SNP's proposals, the details of which are flawed and unfunded. However, since imitation is the sincerest form of flattery, I congratulate the SNP on piggybacking on the Liberal Democrats' policy.

If there is any doubt that that is what it has done, we should consider the SNP's pension paper, which is based—at least in part—on answers to parliamentary questions from Steve Webb for the Liberal Democrats in Westminster. Liberal Democrat manifesto proposals in recent years have always been rigorously costed, and our pension proposals at the most recent election, funded by a 50p tax rate on those earning more than £100,000 a year, were independently approved by the Institute of Fiscal Studies.

There is insufficient detail in the SNP pension paper to do a proper analysis, but its proposal would cost, in the UK, about £8.8 billion net at current values, without including the rising cost of the link to earnings, but after allowing for the money already used for the existing pension and

the existing pension credit, as well as the administrative savings of abolishing means testing.

I could not follow Nicola Sturgeon's figures: £8.8 billion for the UK does not translate into £160 million for Scotland. There is a big hole in the SNP's figures. It is not clear whether the SNP would use the proceeds of council tax benefit, which is referred to in its paper, or what it describes as the "reform of tax relief" on private pensions, off which, in fairness, it has said that it would take 15 per cent. However, since its paper also says that it will use those savings to introduce a new scheme of state matched funding of private pensions, and since the state matched funding proposal is said to be cost neutral, it rather looks as if the SNP is creating one of those magical funding arrangements for which it was so renowned under the previous reign of Alex Salmond, the leader over the border.

The provision of a better quality of life for our older people, rightly called for in the Labour amendment, requires action on two fronts. It needs the actions of the Executive within the powers of the Parliament, which I described earlier; however, it also needs radical action on pensions, which is the preserve of Westminster. The SNP motion seems to have no concern for our actions in the Parliament, while the Labour amendment offers nothing in the realm of pensions. Liberal Democrats will be voting against both.

This is an important debate on an important matter. None of us in Scotland's Parliament can be indifferent to the quality of life of our older citizens. We must build the solutions on a sound basis, and we must be able to inspire trust in a group of people who are, after all, a mainstay of our democratic society and of whom many fought for our way of life in world wars. I ask the Parliament to support the Liberal Democrat amendment as the basis on which we can move forward.

I move amendment S2M-1940.4, to leave out from "agrees" to end and insert:

"welcomes the progress made by the Scottish Executive in ensuring a better deal for pensioners through the introduction of free personal care, a national free off-peak bus scheme and a free central heating and insulation scheme; recognises that pensions policy is reserved to the UK Government; believes that the UK Government's policy on pensions has failed as nearly 2 million pensioners are missing out on the pension credits that they are entitled to and deserve due to demeaning and unworkable means-testing, and further believes that the state pension must be reformed to ensure that everyone has a decent income in retirement by implementing the Liberal Democrat proposal for a Citizen's Pension, initially for those over 75, with entitlement based on residency and not National Insurance contributions, restoring the link between earnings and pensions, making older pensioners better off by £25 per

week for single pensioners and lifting one million UK pensioners out of means-testing."

10:16

John Swinburne (Central Scotland) (SSCUP):

It is a long while since I have heard so much rubbish spoken in this place. For decades, I have watched in sheer disbelief as successive Governments of various political persuasions have proposed and adopted policies relating to senior citizens' pensions, all resulting in the continuation of pensioner poverty. It has become politically correct and acceptable to propose policies that are guaranteed to continue and even exacerbate the impoverishment of senior citizens, many of whom are vulnerable and frail and, quite frankly, have been shamefully let down by every governing party since the war.

Now, lo and behold, the SNP has woken up to the fact that there are a number of disillusioned grey voters out there and that, if it does not move to rectify the situation, it could cause countless senior citizens to switch off and turn away from the SNP. It is laudable that the SNP has noted that there is a problem; other parties do not even want us to talk about the problem.

I say to Gordon Brown—or Andrew Smith—that the flagship policy of pension credits has failed miserably. Due to its means testing, there has been a pathetic uptake of only 53 per cent, not the figure quoted earlier. Fifty-three per cent might have been enough to see George Bush re-elected, but I say to Gordon Brown, "Don't hold your breath."

To be impartial and fair, the same Gordon Brown has done a splendid job in bringing virtually full employment back to the UK. Nevertheless, the history books will show that he has been an abject failure with regard to pensioners' conditions. Means testing is his flagship policy, and not only has it failed miserably, but it costs a fortune to implement. Forty-seven per cent of my generation refuse to jump through hoops for a sad pittance. They proudly refuse to parade their poverty and virtually beg for the just pension that should be theirs by right.

The SNP deserves credit for proposing the abolition of means testing. However, I would advise it to get back to the drawing board because, according to the media—the figure has not been quoted here today—its target is a pension for all, initially, of £106 a week, or £5,532 per annum, without means testing. That is a benefit. The guaranteed minimum wage is £4.85 an hour, which equates to £194 a week, or £10,088 per annum. Why should a pensioner be expected to live on roughly half the guaranteed minimum wage? Age Concern commissioned a university study, which concluded that £160 a week was the minimum amount required to allow a

pensioner simply to make ends meet. That princely sum would not allow them to run a car, go on holiday, smoke, drink, or have a wee flutter at the bingo or on the horses. That is the minimum amount that would allow them simply to make ends meet on a weekly basis. That is why the Scottish Senior Citizens Unity Party demands £160, index linked to earnings—or to the cost of living, whichever is the greater—to give all our senior citizens back their dignity. It is well within the capability of the fourth richest economy in the world to pay senior citizens £8,320 per annum.

Where will the money come from? The answer is easy: bring back our troops from Iraq, scrap Trident and tell Tony Blair that the cold war is over, or set aside a larger percentage of our gross domestic product. Currently, the percentage stands at 5.5 per cent, which is the second lowest of fifteen European countries. Austria allocates 14.5 per cent, Greece 12.6 per cent—this is beginning to sound like the Eurovision song contest—Germany 11.8 per cent and Sweden 9 per cent. Sadly, Gordon Brown boasts that his long-term plan is to reduce our share of GDP from 5.5 per cent to 4.4 per cent, while every other country will greatly increase its share. Other countries are planning ahead—they realise that a demographic time bomb is ticking—but Gordon Brown simply ignores the problem and hopes that it will go away.

Gordon Brown refuses to increase income tax for the mega-rich by pegging the top rate at 40 per cent, while idly watching as 2,500 senior citizens in Scotland die winter-related deaths. Our Executive has a praiseworthy free central heating scheme for the elderly, but, sadly, Gordon Brown has negated that good scheme by ensuring that all too many pensioners simply cannot afford to switch their heating on. He should get real, for goodness' sake. Members should not talk about the £200 winter allowance, by the way, which equates to just £4 per week on top of a miserable pension of about £70.

Pensioners in Shotts high-security prison enjoy facilities that many senior citizens would dearly love to have. The criminals enjoy three square meals per day, free central heating, double glazing, en suite toilet facilities, games rooms, libraries, free televisions and so on at a cost of £30,000 per annum each. Senior citizens, the vast majority of whom have never committed any crime, receive a free television licence when they reach 75 years. If they qualify for pension credit, they receive £5,460 per annum. We are the good guys and the criminals are the bad guys. Pensioners who are taken into residential care, which often falls short of the Shotts standard, might have their home sold to pay the cost of keeping them in residential care. It is not so for the

murderer or rapist in Shotts high-security rest home. This is an ill-divided world.

What on earth has happened to the suffragette spirit among our opposite sex? In 1909, Lloyd George—a good Liberal—instigated the first ever old-age pension scheme. The average working wage was just over 12 shillings per week. On reaching 70, a pension of 5 shillings per week was paid to both men and women. In the 21st century, we find ourselves with men getting 100 per cent, while a spouse receives a mere 50 per cent. Thankfully, Nicola Sturgeon addressed that issue. It is high time that the rest of the ladies who rightly complain about the inferior rates that women are paid for the same work in the workplace started suffragetting once more and put an end to this inequality nonsense. The SSCUP demands £160 per week for both men and women—there are no second-class members of our party. Can any other party make the same boast?

When people reach 80, their pension rises by a massive 25p per week. That is not even enough to buy a first-class stamp to write and complain about the insult, yet these are the people who were on the beachheads on D day and who landed at Arnhem and so on—they are the heroes. Ministers will stand there in a week's time with crocodile tears running down their faces when, in far too many instances, they have pensioners in total poverty.

Politicians seem to be completely unaware of the massive problem that faces the elderly in our country. I say to politicians: neglect the elderly at your peril. They have had as much as they are prepared to take from politicians and they are starting to fight back. Uncaring political parties continue to ignore our plight at their peril; the elderly can and will strike back by putting their cross elsewhere in future. Grey power will triumph in adversity—just watch this space.

I move amendment S2M-1940.2, to insert at end:

“and restore the link, broken in 1982, between pensions and average national earnings.”

The Deputy Presiding Officer (Trish Godman): There are 14 back benchers whom I want to include in the debate, so I immediately reduce the time for speeches to five minutes—and I mean five minutes; I do not want to have to reduce further the time that is allocated to members who speak later. I call Alex Neil, to be followed by Richard Baker, for a strict five minutes.

10:25

Alex Neil (Central Scotland) (SNP): I am glad that it was Karen Whitefield who moved the Labour amendment this morning, because she reminded me of one of our forebears, the late

Peggy Herbison, who was minister for pensions and national insurance in the 1964 Wilson Government. She resigned from that Government on a point of principle, which was that means testing does not work. When the Cabinet decided to introduce means testing, she did the honourable thing, as she always did, and resigned. That is the difference between old Labour and new Labour. New Labour believes in means testing and looking after its rich pals in the City. Old Labour stood up for the poor, the pensioners and those in our society who need help. Old Labour had principles but new Labour is just a bunch of chancers. I say to Karen Whitefield that she should go and read Peggy's resignation statement—she might learn a thing or two about poverty and principle.

Peggy Herbison resigned because means testing had been tried time after time. It was tried in the 1930s, when the Labour movement led the fight against it. The Tories did it again in the 1950s, the Wilson Cabinet did it in the 1960s and Heath did it in the 1970s. Now, we have Gordon Brown and Tony Blair doing the same thing. How is it that after seven years of Labour Government in London and with a Lib-Lab pact in Edinburgh 30 per cent of our pensioners still live in poverty? Surely that is proof enough that means testing does not work. The argument goes that the Government targets the poor, but if it does so successfully how are there more poor pensioners today than there were seven years ago?

What really angers pensioners, and quite rightly so, is when they draw a comparison between what new Labour is doing for the rich and what it is not doing for the poor. Gordon Brown has just introduced rules that give 40 per cent tax relief up to £1.7 million. People can build their private pensions up to that figure and get 40 per cent tax back. Our pensioners would be lucky to get 1 or 2 per cent of that figure. They get a miserable £79 per week and new Labour does not care.

Robert Brown: Will the member take an intervention?

Alex Neil: I will come to Robert Brown in a minute.

New Labour does not seem to understand the problems that old people face. This week alone, we heard announcements of 12 per cent and 17 per cent increases in electricity prices, which, combined with the increase in council tax, will make our pensioners even poorer. I will take Robert Brown's intervention now.

The Deputy Presiding Officer: This should be a very quick intervention.

Robert Brown: Can the member cast any light on the problem that was left after Nicola Sturgeon's speech—the hole in the SNP's proposals? It is all very well to wax lyrical on the

matter, but what would the SNP do about it? What are its proposals?

Alex Neil: Churchill used to call the Liberals mugwumps, but I think he was being unfair; they are just mugs. Robert Brown should read the policy statement and understand it. The figures are all there—I am an economist and I have checked them out. They add up much better than his figures do.

We have heard all this discussion about scoring cheap points and reserved matters. The weather is reserved, but that does not prevent us from talking about it. The Scotland Act 1998 places a responsibility on the Parliament not only to legislate on competent matters, but to stand up for the people of Scotland.

Nicola Sturgeon's motion is clear: it calls on us to put pressure on the Westminster Government to lift our pensioners out of poverty. How can anyone who cares about pensioners vote against a motion that asks us to pressurise other people to lift our pensioners out of poverty? I support the motion not because of what I heard from Karen Whitefield, but in Peggy Herbison's memory.

10:31

Richard Baker (North East Scotland) (Lab): I welcome the opportunity that the debate presents to discuss how the Parliament is making a real difference for the better to older people's lives in Scotland. Scottish Labour's amendment focuses on what our party and our Executive are achieving for older Scots in health, transport and social justice. We are giving more older people better opportunities to enjoy a more active and healthy life and we are giving back to many older people the dignity and opportunities in retirement of which Tory Governments robbed them. We are forging a society that provides our older people with security and care.

Once again, Labour members seek to discuss issues on which the Parliament can make and is making a difference, whereas the SNP seeks to discuss matters that are within the Parliament's competence to affect and that are—rightly—issues that are decided in Westminster.

Margo MacDonald (Lothians) (Ind): On what we are competent to talk about and what we are not competent to expedite, do I take it that Labour members will not talk or listen to the next group of pensioners that arrives at the Parliament to discuss its concerns?

Richard Baker: Not at all. I am saying that we in the Parliament should focus on what we can do and on what we can make—and are making—a difference on to benefit Scotland's pensioners.

It is surprising that the SNP persists in discussing matters that are outwith the

Parliament's competence when its leadership is based in Westminster. I have no doubt that it has ample opportunity to raise reserved matters there.

It will benefit Scotland to be part of a UK strategy to address the needs of future pensioners. We will of course be likely to need greater investment from the Government and from society as a whole to meet the financial challenges that the demographics not only of Scotland, but of the UK, present. The economic prosperity and stability from which Scotland benefits as a result of being part of the UK economy—especially from a long-term perspective—will be a key advantage in meeting those challenges.

In any event, I disagree with the assessment that the pension credit, which is designed to encourage saving, should be scrapped, or that we should abandon prioritising investment to provide more help to the neediest pensioners. It would be wrong to abandon the minimum income guarantee, which has been a vital financial boost to many of our most vulnerable older people.

Mike Rumbles: Does Richard Baker recognise that the point is that such targeting does not reach all our pensioners? Not all the people who are in need receive the money.

Richard Baker: Such prioritisation helps millions of older people. It is fundamentally wrong and bizarre to make take-up—which we are trying to increase—an argument for giving older millionaires a financial boost.

Of course, important points of agreement exist on meeting our older people's needs. The SNP motion talks about facing up to the challenge of pensioner poverty, which is exactly what we are doing and on which we should all be able to agree. Our Executive has done a huge amount to tackle pensioner poverty and to help our most vulnerable older people. I am angered when I hear from some members the totally misleading and misinformed accusations that the Executive has forgotten Scotland's older people and has not done enough to help pensioners. Nothing could be further from the truth. Older people have probably benefited from devolution more than any other group in our society.

When I worked at Help the Aged in Scotland, we always campaigned for a better deal for older people, but the charity—along with other older people's groups—acknowledged the progress that had been made. That progress has been made through the Executive, working in partnership with the UK Government.

Of course we have more to do, but it is vital to recognise that we have reduced the number of pensioners who live in relative poverty by a quarter since 1997 and that absolute pensioner poverty has reduced by two thirds. That means

that 170,000 of our poorest pensioners are better off. That is Labour working for poorer pensioners. Fuel poverty has been halved and we have a free central heating scheme. Older people have benefited from Labour's massive investment in the NHS and from free personal care.

The list of achievements for Scotland's older people goes on and on. The Executive and Labour at Westminster have made important progress. We have more to do but, in looking to continue to improve pensioners' lives and to ensure that the older people of the future also benefit from the progress that we have made for older people today, members are wrong to reject the Government's strategy of focusing investment on the neediest older people while creating incentives to save.

Most important is that we in the Parliament should focus on what we can do for our older people. It has been made clear in the debate that Labour is doing that. That is how the Executive has made life better for older people and why we will achieve our goal of a better quality of life for all Scotland's older people.

10:36

Mark Ballard (Lothians) (Green): I am glad to see a growing consensus in the Parliament that means testing does not work. That consensus goes from the right to the left—it just misses the Labour Party. It is disappointing that the Labour Party does not reflect more on the consensus, in a consensual Parliament, that means testing has failed and will continue to fail.

I welcome the growing consensus that we need a citizens pension and I am pleased to support the SNP's motion, with John Swinburne's amendment. In John Swinburne's debate on pensioner poverty back on 11 March 2004, I said:

"The radical solution that a Scottish Parliament with full powers should adopt is integration of the tax and benefits systems through the introduction of a citizens income that is available to all citizens who are over 18. A citizens income would give pensioners and others in society the flexibility to continue to work, to retire or to use the savings that they have accrued over a lifetime of work without the fear that means testing would reduce or eliminate their savings."—[*Official Report*, 11 March 2004; c 6517.]

We should reflect on that as we talk about pensioner poverty.

Who are the pensioners in poverty?

Jeremy Purvis: Will the member give way?

Mark Ballard: No. I am in the middle of making a point.

Five per cent of Scotland's pensioners are well-off, 45 per cent are comfortably off, 25 per cent live below the Government poverty line and have the option of benefits and credits to take up, but

the other 25 per cent are caught in the poverty trap. The 25 per cent of pensioners who have saved a bit and put a bit aside are being hit the most by the current iniquitous means-testing system. The introduction of a citizens pension would do the most to help those pensioners.

We still occasionally hear the term "third way" from new Labour. It means something like a middle course between public provision and private provision of education, health and pensions, as if a real middle way existed. However, we do not hear about the importance of the state—of society—in providing the bedrock that allows every citizen to purchase essential goods and to have a warm home and that gives the private sector the flexibility to provide non-essential goods. Nowhere is that clearer than in pensions.

Society as a whole believes that elderly people are entitled to a minimum living standard. Beyond that is a living standard to which people have legitimately become accustomed by virtue of their earnings. Beyond that are plans that people have developed for their retirement. As it is a necessity, the first standard is best provided for by a state pension and the best and most effective way of achieving that is through a universal, non-withdrawable, flat-rate citizens pension. The second standard is best provided for by employer pension schemes or similar measures and the third standard is best provided for by private provision through savings.

That model is also useful in relation to how we should deal with wider societal income and the provision of income throughout the rest of people's adult lives. The model of a citizens pension, which the SNP has accepted, should be extended to include flat-rate, non-withdrawable benefits to all, which will bring people out of the poverty trap.

Labour and Liberal Democrat members have talked about holes in that system and have said that it will not work. I point out to them that a similar system in New Zealand works. I recommend that people read the Pensions Policy Institute report that demonstrates that a pension set at something like 25 per cent of the national average income—around £115 a week—would be affordable and sustainable.

We are talking about a vital step towards a situation in which no pensioner lives in poverty. The proposal is affordable and workable and should be the start of moves by a Scottish Parliament with full powers over our tax and benefits system to remove all poverty traps, not just those that affect pensioners.

10:41

Fiona Hyslop (Lothians) (SNP): Poverty is not a reserved matter. There are no legal or

constitutional boundaries on the pain and the anger of poor pensioners. We cannot have the frustrating situation in which the job of the Scottish Parliament is to ameliorate the consequences of poverty without having the powers to tackle the root causes of that poverty. We will return to that issue time and again.

The Scottish National Party's proposal is a positive contribution to the debate. This is a real debate. This Parliament should be debating real issues and there is nothing more real than one of the biggest debates in the country, which is on the pensions crisis. We should treat the debate seriously.

We must address two issues. One relates to the problems of pensioners at present and the other relates to the pending pensions crisis. We have a debt generation of people in their 30s and 40s and, unless we sort out that crisis, people down the line will increasingly have to deal with the problems associated with the root causes of poverty. It is right that we take note of the Turner report and that all parties, whether they be in the Scottish Parliament or the UK Parliament, state their case.

There is a genuine debate to be had about targeting and universal benefits. I appreciate where those proposing more targeting are coming from in terms of their values. However, as well as the moral case against means testing, which Alex Neil set out, there is also an administrative issue. It is not efficient government to have to spend 10 times more on means testing while 25 per cent of pensioners are left out. Under our citizens pension proposals, no poor pensioner would be left out; under Labour's proposals, 25 per cent—and rising—of pensioners will be left out.

George Lyon: During this debate, we have asked one question consistently. The total cost of giving a citizens pension to all those over 65 is £8.8 billion at the UK level, with a further £7 billion over the lifetime of a Parliament to fund the link to earnings. The SNP has offered up only £160 million from the redistribution from tax savings and £20 million from administrative cost savings. That does not even begin to meet the cost of the proposal in Scotland. How will the SNP pay for it?

Fiona Hyslop: The Liberal Democrats had better be careful that, in the debate about citizens pensions, they do not start arguing against their own position. If we take the basic state pension, tax credit problems and means-testing administration costs, we can come up with a proposal that is fit for purpose and provides a citizens pension. That is what New Zealand has done and it is what the SNP wants to do.

The point about how we can encourage people to save is important. The pensions crisis will hit

Scotland harder than elsewhere because of the size of our public sector. We must all face up to that. One of the ideas that lie at the heart of the citizens pension proposal is equality and fairness for all. That idea not only helps those in poverty but does something else important. As those in the Labour Party who remember the arguments for universal benefits will know, it ties society together and gives people a stake in the future.

Remember, one of the first things that Gordon Brown did after the 1997 election was to raid the pension funds and create a disincentive to save. Grandchildren watched their grandparents and realised that there was no point in investing if the money was going to be clawed back. We must address the growing dislocation in society that is characterised by those in the private pensions sector looking with envy at those in the public pensions sector. If we are to make a meaningful contribution to this debate, we must address that issue.

We have a complex and unfair pensions system. As John Swinburne said, it treats women unequally. The Scottish Parliament has one of the highest percentages of women members in the world. If we want to tackle inequalities, we must tackle the position of women in society and the citizens pension will do that.

The SNP proposals would deliver a fairer deal for pensioners, women, people on low incomes and people on modest incomes. Within the wider system of local income tax and integrated tax and benefits that we propose, we provide a vision for a positive future for pensioners and the rest of society. We must have a serious debate about the issue because that is what the people out there are debating.

10:46

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): The issue is not whether we agree with some of the SNP's analysis. We do. The problem is that we do not trust its finances and therefore cannot support its motion. We do not disagree with the view that the coalition Government in Scotland is making a difference. It is. The problem is that the UK Labour Government is offering a bad deal to pensioners, which means that I cannot support its position.

I agree with the key choices that are outlined in the SNP's policy paper "A Secure Retirement for All" and note that it asks questions about the retirement age, compulsion in relation to voluntary contributions, universality versus means testing and the reform of tax relief. I also agree with the paper's view that

"These proposals do not constitute a magic wand".

I am not sure when the SNP gave up its policy on magic wands, which seem to be involved with almost everything that SNP members say in the chamber, but I welcome the refreshing admission in the policy paper, which states:

"There are no easy answers. The problems facing today's—and tomorrow's—pensioners will not be solved overnight, or in isolation."

My observation is that the SNP is asking for precisely that—it is asking for isolation. It wants Scotland to be independent, with a separate pensions and tax system that is funded fundamentally from oil revenue. Nowhere to be seen in the pensions paper is any indication of how the policy would be funded.

It is interesting to see that the SNP policy paper was written in London, uses UK statistics and is based predominantly on a Liberal Democrat MP's parliamentary questions. I am not sure exactly where the Opposition's Short money goes, but it is obviously all going down to London; none of it is up here.

Only this morning, Nicola Sturgeon said that the policy would be funded through efficiency savings and a 15 per cent reduction in pensions contribution relief. However, because the paper uses only UK statistics—there is not one footnote that quotes Scottish statistics on pensions or finance—it effectively hides the fact that, given the slightly lower incidence of higher-rate tax payers in Scotland than in the rest of the UK, there is likely to be less scope to curtail contribution relief for higher-rate taxpayers alone in order to increase the basic rate pension to anything like that envisaged by the SNP. The abolition of tax relief for pensions contributions would have to be wider than simply abolishing relief at the highest rate. Even so, that would go nowhere near funding the total cost of £8.8 billion across the UK.

At a UK level, the Liberal Democrats' policy for the over-75s would cost £5 billion and would be funded by scrapping the Department of Trade and Industry and the child trust fund.

Alex Neil: From what Robert Brown and Charles Kennedy have said, I understand that Liberal Democrat policy is that a citizens pension would initially apply to over-75s but that, eventually, it would apply to those aged 65 and over, which is a similar policy to that of the SNP. Could the member clarify the situation?

Jeremy Purvis: That is indeed the case. We will be approaching the general election with an honest proposal that we will set out in a costed manifesto. The old SNP, which Alex Neil represents, and the new SNP, which Jim Mather represents, are consistent in their reluctance to have a funded manifesto.

There is hypocrisy at the heart of the SNP as well as a dichotomy. The dichotomy in the SNP

policy paper is that the section in which the removal of the incentive to save is proposed is followed by a section on a compulsory second pension. Despite the fact that this morning we heard the most strident performance from Nicola Sturgeon, the SNP does not have a view. Instead, it calls for

"a consensus on how to introduce greater compulsion to pension saving."

The hypocrisy is that, although the SNP calls for tax redistribution and cutting tax relief for savings, it would also cut corporation tax. Alex Neil says that all the figures are in the SNP policy paper and that they all add up. However, the paper contains no figures and those that Nicola Sturgeon outlined this morning do not add up. Instead of calling for a universal pension tagged on to earnings, the SNP would be more honest to call for a universal pension tagged on to the price of crude oil. That is the only policy approach that the SNP can claim would fund its pensions policy. The SNP is being dishonest and is offering nothing to the electorate.

If the SNP debates between now and the general election are going to propose UK policies to aid the party's fortunes in that election, I will look forward to them, because every one will have a fundamental flaw: the SNP cannot afford—and cannot put forward a budget or make any financial proposals that would fund—any of its policies.

10:51

Mr Brian Monteith (Mid Scotland and Fife) (Con): Jeremy Purvis's speech was most interesting and enjoyable. It is a shame that Karen Whitefield is not in the chamber, because I wanted to tell her that Conservative members will take no lectures from the Labour Party on pensions and pensioners. We are talking about the party of Robert Maxwell, the darling of the Labour Party, who plundered his workers' pensions and left many in penury. We are talking about the party of Helen Liddell, who worked for and constantly defended Robert Maxwell and then—just to outdo him—as a Treasury minister presided over the removal of tax credit on pension funds, costing people who save for their pensions £5 billion a year. That cost has occurred every year for the past seven years and it will do so until next year, when we will get rid of the Labour Government.

Labour is the party of Gordon Brown, who had the hypocrisy to attack the Tories for not restoring the state pensions link with earnings, but has done nothing in the past seven years to restore that link. He is the same Labour chancellor who extended means testing so that, if someone wants to save for a pension, they will now have to have a fund worth more than £142,000 by the time they are a pensioner to be able to escape the means test. His pension tax credit makes the savings system

more complicated than the Gordian knot. As Mary Scanlon said, for every pound saved, a pensioner keeps only 60p because Gordon Brown claws back 40p. I accept that we have lessons to learn, but we will take no lectures from the Labour Party. Instead, like Alexander, we shall take a sword to this Gordian knot.

Our record in government has been the subject of some debate. In 1982, 400 economists said to the Government that, although inflation was coming down, it would remain higher than earnings for the foreseeable future. At that time, a failure to break the earnings link would have meant many pensioners being worse off. The mistake that the Conservative Government made was that, after it had successfully turned round the economy and seen earnings rise above the rate of inflation, it did not recognise that that was the time to redress the situation.

Alex Neil: The member is being a bit disingenuous. The rule was that pensions should be increased either by the increase in earnings or by the increase in inflation, whichever was higher. That link was abolished when the Tories used the lower figure.

Mr Monteith: We took the higher of the two figures, because earnings were falling behind.

Fuel poverty has been mentioned. The most important factor in attacking fuel poverty has been the privatisation of the utilities.

Tommy Sheridan: Nonsense.

Mr Monteith: Mr Sheridan might say "Nonsense", but since 1990 domestic energy prices in Scotland have fallen in real terms by 20 per cent for electricity and 16 per cent for gas.

Tommy Sheridan: Is the member willing to accept that every economic analysis of the privatisation of the two energy utilities has shown that not one price decrease has been due to privatisation? Prices would have decreased in any event. The only difference now is that we no longer get the revenue that is generated from the profits of those companies.

Mr Monteith: I do not accept that, because with privatisation came the freedom to make decisions about investment and the competitiveness that drove down the prices. The UK energy report states that the number of fuel-poor households fell by at least 0.5 million between 1991 and 1996.

The Conservatives will tackle the pensions problem in a variety of ways, of which I shall mention only three, as I do not have much time. We shall restore the link between state pensions and earnings, increasing the pension for a single pensioner by £7 and for a couple by £11. We shall introduce a lifetime savings account, similar to what some parties have been talking about today,

and, using the buy-one-get-one-free principle, the Government will match savings. We shall remove the cap on total pensions contributions for senior executives, provided that all employees at a company are eligible to choose the same pension scheme. In Scotland, we shall give councils the opportunity to reduce the council tax by 35 per cent on average. That is a policy that we can deliver in Scotland that will make a difference to all pensioners.

Saving Scotland's regiments or restoring Scotland's pensions can be done only at Westminster, which is why people should trust the Conservatives.

10:56

Michael McMahon (Hamilton North and Bellshill) (Lab): As has been said this morning, we are here again discussing a reserved matter. The SNP has ensured that there is nothing new in that. We can do it, as Alex Neil said, and we have done it before. The difference this time is the underlying reason why we are doing so. The SNP's message this morning is that the party has accepted that it is led from London. It cannot bring Mr Salmond up from London, so it has to waste valuable debating time in this chamber massaging his ego, which can almost be seen from London. He is obviously so full of his own importance that he probably hopes to die in his own arms.

Everyone can see through the SNP's ploy. The debate shows that Mr Salmond pulls the strings from afar and has no difficulty in causing his party to hinder the business of Holyrood. In doing so, however, he exposes yet again the paucity of serious policy emanating from the SNP. As was evident from her speech, Nicola Sturgeon is clearly intent on condensing the most words into the least amount of thought. Mr Salmond was once seen in political circles as someone with genuine promise. Now he is just full of empty promises. He therefore has no qualms in demanding that the SNP impedes the discussion of matters that are genuinely appropriate to the devolved powers of Scotland in order to show that he is the boss.

One advantage of having this debate is that the SNP has exposed that it is at least consistent in failing the poor of Scotland on vital issues. Its record shows that it could not support anti-poverty measures such as the minimum wage and the working families tax credit. It would now add to that catalogue of disgrace by abolishing the pension credit that is targeted at the poorest pensioners. Of course Scotland has an aging population, but that section of society is currently benefiting from Labour policies. On average, our pensioners are £19 a week better off from having the pension credit and other measures than they

would have been if an earnings link had been applied to the basic state pension from 1997.

Mr Bruce McFee (West of Scotland) (SNP): In all honesty, does the member not think that it ill behoves him, earning more than £50,000 a year, to deny a single pensioner a basic state pension of £106 a week?

Michael McMahon: I do not want someone on my earnings to receive a bigger pension because the SNP will not make the hard decision to focus the money on the poor who need it. Unlike our time-wasting colleagues in the SNP, we have helped to reduce absolute poverty by two thirds and the number of people who are living in relative poverty by 0.5 million. In 2003-04, Scottish pensioner households were on average £1,400 better off as a result of UK measures introduced since 1997. Unlike the SNP, with its short-term vision, Labour is committed to creating a better life for older people in Scotland—permanently. We will do that by enabling older people to live healthy, independent lives and by ensuring that a long-term strategy is applied for the challenges that lie ahead.

Since Labour came to power, there have been many advances that have enriched and improved the quality of life of our aging population, boosting the overall fundamental entitlements of older people in Scotland. The SNP, having nothing to offer pensioners, is attempting to con Scotland's pensioners into giving up many of the major benefits that they have received under Labour. Through the Labour-led Scottish Executive, the UK Department for Work and Pensions, local government and voluntary organisations, the partnership against poverty working group can encourage older people to claim what they are entitled to.

It is disappointing that, instead of encouraging pensioners to claim what they are entitled to, the Lib Dems are, typically and for political point-scoring purposes, joining the SNP in finding fault. They would rather cut the benefits that are available and add the complication of a new benefit. By being part of the Scottish Executive, the Lib Dems have the benefit of the economic success of the Labour Government in London, but they want to pick away at the sensible economic basis for that success. There is no better example of people who, having been given a bar of gold, complain that there is no handle on it to help them to carry it to the bank. Robert Brown's amendment is characteristic of that attitude. The Lib Dems have no ideas about how to create the stable economy at the UK level from which pensioners in this country can gain, but they have any amount of ways to criticise the Labour Government that has delivered the success from which the Executive has benefited financially.

The SNP's proposed divorce from the rest of the UK could seriously put at risk the stability and security that have been created by Labour's economic progress to date. The Lib Dems' vacuous point scoring is little better. How can any of them help poorer pensioners in Scotland by undermining the economic benefits that are being harvested by Whitehall? If political idiocy reached the same levels as current oil prices, the SNP could pay for its spending plans by selling the drilling rights to the Lib Dems. I endorse what the Executive is doing and encourage the Parliament to support what the Executive has succeeded in doing.

11:02

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): I am very pleased to follow Michael McMahon's speech. One of the measures of a decent and civilised society is how well it treats its senior citizens. There is no doubt that pensioners, by and large, receive a raw deal from the Labour Government in London. According to Adair Turner, the Government's pensions guru, we have one of the least generous pensions systems in the developed world. Although the Labour Government is responsible for current pensioner poverty, the Tories cannot escape their responsibilities. As we all know, it was Mrs Thatcher who severed the link between pensions and earnings.

I have no truck whatever with the argument that is put forward by Labour politicians such as Michael McMahon that they are targeting benefits at those who are most in need. What rubbish.

Des McNulty (Clydebank and Milngavie) (Lab)
rose—

Mike Rumbles: By the demeaning and unworkable policy of means testing, they are deliberately ensuring that many of the poorest in society slip through the net of what should be a modern and effective welfare system.

Des McNulty: Will the member take an intervention?

Mike Rumbles: It is just not acceptable to argue that all pensioners who are in need receive pension credits—they do not. The House of Commons library estimates—

Members: Take an intervention.

Mike Rumbles: Does someone want to make an intervention?

Members: Behind you.

The Deputy Presiding Officer (Murray Tosh): You have brought that on yourself, Mr Rumbles. However, Mr Rumbles should be allowed to speak.

Mike Rumbles: I will repeat that, just in case members missed it—no, I will take an intervention from Des McNulty.

Des McNulty: Would Mike Rumbles like to confirm that means testing was invented by the Liberals?

Mike Rumbles: Oh, come on. For goodness' sake. That is ridiculous. Let us get our facts right. It was the Liberals who invented the pension.

The House of Commons library estimates, using the Government's figures, that 88,000 Scottish pensioners who are entitled to pension credit do not claim it. That is worth an average £39 a week, which our needy pensioners can ill afford to lose. I heard Anne Begg, the Labour MP for Aberdeen South, on Radio Scotland this week trying pathetically to argue that we are talking only about pennies. Michael McMahon gives the same impression. That is shameful. In my view, it is a cynical attempt to justify the unjustifiable. It did not reflect well on her and does not reflect well on Michael McMahon.

Labour politicians' attack on our policies of ensuring a level playing field for all pensioners and those in need has been highlighted by the continued attacks on the Scottish Executive's policy—a Liberal Democrat policy—of free personal care for the elderly. Labour politicians such as Sam Galbraith and Lord Lipsey continue to attack one of the most successful policies to have been adopted by the Scottish Executive. Frankly, I am more than a little fed up of tackling those two political dinosaurs—and I think that we have more political dinosaurs—as they delight in misrepresenting the affordability of our policies. Free personal care for the elderly is one of the most far-reaching, progressive and successful policies that we have introduced since devolution. It is so successful that the Liberal Democrats will introduce it south of the border if and when we get the chance. Let us face it, neither the Tories nor the Labour Party will advocate that policy across the UK because, at the UK level, they are both hostile towards it. We have seen some of that hostility today.

A decent level of pension, based on residency and not on so-called national insurance contributions, coupled with real and effective health schemes for those in need, such as free personal care for the elderly, are the mark of a civilised society. It simply is not good enough for the Labour Party—not to mention the Tories at Westminster—to say that it cannot provide those things. We know that it can if it has the political will; it just does not have the political will. Our proposals, including the introduction of free personal care for the elderly, will be funded by a 50 per cent tax on all those who earn more than £100,000 a year, for example. Our plans, in

contrast to those of the SNP, are clear, costed and effective.

Only the Liberal Democrats can deliver decent pensions and health care policies for the 21st century. That is why we will not support the amendments of the Tories and the Labour Party, or the SNP's motion. We have lodged our own amendment and I urge Parliament to support it.

11:07

Ms Sandra White (Glasgow) (SNP): Let us be clear about what we are talking about. Michael McMahon says that we are wasting time, but talking about pensioner poverty is not wasting time and he should be ashamed of himself for starting his speech by saying that. We are talking about thousands of elderly people, some of whom are in very vulnerable positions, who should be able—like us and like the rest of society—to enjoy their lives without having to rely on state benefits and means testing.

As has been mentioned, 145,000 pensioners in Scotland who are entitled to benefits do not take up the pension credit. They do not take it up because they feel that they are being penalised for being pensioners. We do not have to take up the credit, so why the heck should they? Twenty-two per cent of single pensioners have an income of less than £6,000 a year. That is a national scandal and a disgrace. They do not take up the credit because they feel so stigmatised and demeaned that they will not fill in the form. Sometimes, they do not even understand how to fill in the form. It is disgraceful that, in this day and age, we have to put up with that.

Labour members should be ashamed of themselves for talking about the problem in such a flippant manner and saying that we should not be allowed to speak about it in the Parliament. The vast majority of people in Scotland are of pensionable age. They are the ones who vote us in and we are here to discuss issues on their behalf, not on behalf of the Labour Party, the Liberal Democrats or the Tories.

Karen Gillon: Will the member take an intervention?

Ms White: No, I am sorry. I will not take an intervention.

Let us look at the findings of some of the research that has been carried out. The Department for Work and Pensions has discovered that half of those who are entitled to attendance allowance—disabled people, who are among the most vulnerable people in society—do not take up that benefit because they find the process confusing and tiring. We must ensure that people get the support to which they are entitled.

They will not get it through means testing, but they will get it in full through our citizens pension.

Robert Brown: Will the member take an intervention?

Ms White: No, I am coming to the Lib Dems.

We had a lovely wee debate between Michael McMahon, Mike Rumbles and Des McNulty—it was a kind of half war. I tell them that I am not fooled by their smokescreens. Let us have a wee look at both the Labour and the Liberal Democrat amendments. Both mention free personal care, free bus travel and the central heating programme—the amendments are practically identical. Labour and the Liberal Democrats are Executive parties—*[Interruption.]* Let me finish. Why did the two parties not lodge a dual amendment and be done with it? The only difference between the amendments is that the Lib Dems reminded us once again that pension policy is reserved. How marvellous is that? How typical of the Lib Dems—they are all things to all people. Let us stop kidding people on: the Liberal Democrats prop up the Labour Executive in this Parliament.

I am the convener of the cross-party group in the Scottish Parliament on older people, age and aging, and other MSPs here are members of that group. We are aware of all the issues, including pensions, that affect older people. Michael McMahon said that we need a long-term strategy. Where is that long-term strategy? In a place called Wales, which has the National Assembly for Wales, there is “The Strategy for Older People in Wales”, which includes setting up a Cabinet sub-committee for older people’s needs—that is a very good thing to do. There is also a national forum to advise the Assembly on what is happening with older people. Here is one for members to think about—the strategy covers the development and support of post offices in deprived and rural areas. We are told that we cannot talk about post offices in this Parliament, yet that Assembly can talk about such matters and even set up a fund—that is a strategy for Executive parties to consider. The strategy also includes free bus travel not just for pensioners but for disabled people. If an Assembly can do that, this Parliament can. Where is our strategy on that? The National Assembly for Wales plans to take

“Action to support the recruitment and retention of older people.”

The Welsh will talk to the Department for Work and Pensions about an age positive initiative. What do we do in this Parliament? We do not do that.

Let us look at other matters and at housing for elderly people in particular. Where is our strategy on housing? We are supposed to have more

powers than the National Assembly for Wales has and yet the Assembly has done more for its older people than we have done for ours in this Parliament. I say to the Executive parties, “Get off your knees, get to Westminster and tell them there that we want more powers in this Parliament to help our elderly people.”

11:12

Tommy Sheridan (Glasgow) (SSP): Over a third of the members of this Parliament believe in an independent Scotland. It is therefore perfectly legitimate when one of the Opposition parties has debating time that some of that time is devoted to arguing that some of the primary problems, chief among them pensioner poverty, will be solved only when we have an independent Scotland with the economic levers at its disposal to eliminate pensioner poverty and poverty throughout Scotland. It is ridiculous that members of those parties that believe in maintaining the British state feel that we should not discuss in Parliament getting rid of that British state, which is part of the problem and not the solution.

However, we should have consensus in the chamber on means testing. The old Tories were the champions of the means test. They broke the link between pensions and average earnings and/or prices—whichever rose the furthest—which is why Brian Monteith’s points are so economically illiterate. If that link had been maintained, pensioners’ incomes would have risen regardless of whether it was inflation or earnings that rose faster. Brian Monteith should try to learn that that was the link that was broken.

However, today we have the defence of the means test not by the old Tories but by the new Labour Tories. They are the ones who are breaking the consensus in the chamber today. It was interesting to read a quote from Rodney Bickerstaffe, who I believe is still a member of the Labour Party, and who is now president of the National Pensioners Convention and who used to be the leader of the largest trade union in this country. In relation to the Turner report on pensions, which highlighted the crisis that faces us, he said:

“A consensus is now emerging that we need a much bigger basic state pension for every older person, that is linked to earnings and free from means-testing.”

Is it not a pity and shameful that the people who argue today to retain the means test are the Labour Party members? They are the very people who used to pride themselves on fighting against means testing, but they have now reduced themselves to defending means testing and fighting to keep the means test. That is a disgrace and a shame for which they should be exposed at the next election, and I am sure that they will be.

We must address the fundamental problem, which is not only the pathetic level of the basic state pension. John Swinburne is absolutely right in what he says about pensioner couples. We must get rid of the notion that somehow a woman pensioner should be counted as less than an individual citizen if she is in a relationship. We should be paying pensioners as pensioners and not as part of couples. The basic state pension should be a minimum of £150 a week per pensioner.

People ask, "How do you pay for things like that?" For goodness' sake, new Labour wants tax cuts for the rich and tax breaks for the wealthy but means tests for the poor and the pensioners. If only members of that party were willing to stand up to their rich friends and increase top-rate taxation—an extra 10p on salaries of £50,000 to £100,000 and an extra 20p on salaries of over £100,000 would generate more than £7 billion a year, which could easily pay for an increased pension. Why stop there? What about new Labour's other rich friends? The real scroungers in society are the Rupert Murdochs of the world; every year, his News Corporation and its 101 subsidiaries refuse to pay corporation tax in this country. Last year, they avoided paying £350 million of corporation tax and, throughout the UK, between £25 billion and £85 billion a year is lost in tax evasion. Why will Labour not take action on that? Because that would mean upsetting its rich friends.

The question that we really need to address is who owns and runs the pensions industry. Instead of that industry being owned privately and run for private profit, let us have a publicly owned pensions industry that uses the pension funds to invest in the public sector, in schools and hospitals with a guaranteed rate of return to ensure security for our pensioners instead of profit for the private owners.

The Deputy Presiding Officer: I invite Des McNulty to speak and then we will see what time is left.

11:17

Des McNulty (Clydebank and Milngavie) (Lab): I thought that Tommy Sheridan won the rhetorical wars in a dead heat with Alex Neil, but neither of them contributed anything meaningful to a future debate on pensions. It is a bit disappointing that Nicola Sturgeon, who was here to kick off the debate this morning, has not spent a lot of time listening to what people have had to say.

There is a genuine debate to be had in Parliament about the important subject of older people and pensions. I am happy to have that

debate, but we need to have a serious debate on pensions and one that is grounded in what can be achieved and in the financial underpinnings of the pension industry—it must not become a party-political knockabout.

Robert Brown spoke about the invention of the old age pension, which was invented by the Liberals in 1911. That was a considerable contribution in the past century to the development of our society and it established an important principle. At the same time, however, the principle was established of trying to target resources at the poorest people. If one is to get the best purchase on dealing with the problems of misery, neglect and poverty, a combination of universal and targeted benefits must be employed.

Everybody who understands poverty and how best to tackle it recognises that there must be a balance between universal and targeted benefits. We can debate how targeted benefits should be developed and managed and how they could be managed more effectively.

Tommy Sheridan: Will the member give way?

Des McNulty: Sorry, but Mr Sheridan has spoken enough.

What we cannot do is wish away the choice or think that money can somehow be created to solve the pensions problem without making hard choices—they must be made. I accept what Rob Gibson said on behalf of the SNP. However, it is, frankly, ludicrous to say that a citizens pension can be introduced at a cost of £160 million. That just does not even begin to add up. That SNP proposal is even worse than that party's proposal to introduce a local income tax that, for a cost of 3p in the pound, would deliver all the things that the council tax currently does. Everybody knows that the minimum tax increase would actually be 8p in the pound.

We need honest debates in this place. That is what people out there expect. They want us to understand and take a serious approach to issues of this importance. Nicola Sturgeon's motion states that we

"must face up to the twin challenges of tackling pensioner poverty and ensuring decent living standards for future generations of pensioners".

Tommy Sheridan might well believe that putting up taxes will deliver a solution for pensioners, but I do not believe that any other political party is saying that. They are saying that the pensions system must be based on social insurance. We know that that is the case in other European countries. Every country in Europe is debating pensions because they are faced with demographic problems, taxation issues and other economic arrangements. The reality is that to deliver better pensions we must get more people to save more. Pensions

cannot be delivered through taxation. A quick fix is not possible.

The serious debate that we must have in Scotland and across the UK is about how we can gradually improve the situation of pensioners by putting in place proper mechanisms to allow people, through their working lives, to make the financial resources available to deliver a decent period of retirement for themselves.

The quick-fix proposal is fundamentally dishonest. In fact, in order to deliver something that does not add up, the £160 million would create a disincentive for people to save. The SNP must provide a better answer than that. Fiona Hyslop posed good questions, but she did not come up with good answers. Every political party in the Parliament must face up to the realities, make an honest appraisal, and do what Beveridge did and come up with something that will satisfy the interests of the people of Scotland. That is our duty and that is what I believe we are here for.

The Deputy Presiding Officer: There is almost no time left, so I will give one minute each for a bullet point to Margaret Ewing and Gordon Jackson.

11:23

Mrs Margaret Ewing (Moray) (SNP): So much to say, but so little time.

When we, as a Holyrood parliamentary group, lodged our motion, I hoped that there would be a serious debate in the chamber. Sadly, there has not been an effective debate. I heard from the unionist parties nothing but rant, the wringing of hands and, "It wisnae me. It wisnae my party that caused this problem." If we lack the drive and run away from having a vision and having the political will to implement policies here in the Parliament of Scotland, on which so many people have pinned their hopes, how can we expect the people to support the concept of the Scottish Parliament?

I was going to speak on fuel poverty, on which my views are well known. I welcome the initiative that the Minister for Communities announced earlier. I do not denigrate in any way the work that has been done by the Parliament in assisting people who live in fuel poverty, but I wonder what estimate has been made of the people who will come into fuel poverty through the obscenity of the suppliers' price hikes.

11:24

Gordon Jackson (Glasgow Govan) (Lab): I agree with Margaret Ewing that there have been far too many opportunistic rants. Even my good friend Alex Neil was not immune to that. Des McNulty is right: this is a serious, complex issue.

Targeting and means testing are always difficult. I sympathise with the view that means testing has disadvantages because it stigmatises and disincentivises and that the right approach is often the universal benefit one. However, that is not always the right approach and there must be a balance. There are occasions when we need to target the worst off and those who need help most. A system of pension credits does that. We are trying to get the balance right.

I read with great interest the Help the Aged briefing paper, which I thought was helpful and had interesting things to say. I agree with it that we must increase the pension credit take-up rate. I suspect that it is not nearly as good as it should be. Anybody who has tried to help people through the benefits system realises that it is a nightmare of bureaucracy. We need to sort that somehow. I am the first to say that that needs to be better. Perhaps we also need other ideas, such as allowing people to work a little more even when they get pension credit.

We must be imaginative, but Des McNulty is right that there is no quick fix, because the issue is complex. I am sorry that, in some ways, we have not tackled it as we might have.

The Deputy Presiding Officer: I express my regret to members for the unsatisfactory way in which the timing ended up being allocated. I now have to go to the winding-up speeches. Campbell Martin is first, to close for John Swinburne's amendment.

11:25

Campbell Martin (West of Scotland) (Ind): On the basis that a change is as good as a rest, I will support the SNP motion at decision time this evening. I am sure that the SNP will be delighted to hear that. The citizens pension that the SNP proposes would be a major step in the right direction. Certainly, it would be far better than anything that is offered by the present Government. However, I have a couple of concerns about the citizens pension, which are principally to do with the level at which such a pension would initially be set and the compulsion to have a second pension.

I believe that the SNP is perfectly right to bring the pensions issue to Scotland's Parliament for debate, because the issue affects so many people across this country. Just because the unionists in the chamber accept that people in a Parliament in another country should legislate for us does not mean that we should accept that lack of ambition for Scotland. The SNP is right to bring the pensions issue to the Scottish Parliament.

The Labour amendment paints a picture of a sort of pensioner paradise that few of our

pensioners will recognise out there in the real world. That is unfortunate. The Labour Party's contribution to the debate lacked any real commitment to tackling the problem of pensioner poverty in Scotland and, like the Tory and Liberal amendments, was more to do with a forthcoming Westminster election, which we will probably see next year. That was an opportunity missed and I am sure that our pensioners in Scotland will have recognised that.

It is a national disgrace that one in four pensioners in Scotland continues to live in poverty. Let us be clear that we are talking about people living in poverty and not people who could just do with a few extra bob a week. These are people who are struggling to survive and who live in deprivation in Scotland in the 21st century. That is what we should have been discussing in the debate, rather than looking forward to political seats in another Parliament at another election. Certain members have missed an opportunity by failing to raise their game and tackle the real issue.

It does not have to be like this. It does not have to be the case that one in four of our pensioners lives in poverty. They do not live in poverty by chance or as the result of an evil spell by the bad pixies. They live in poverty as a consequence of decisions that have been taken by politicians. It is politicians who set the pensions policy across the so-called United Kingdom and it is politicians who set the level of pension so low that one in four of our pensioners lives in impoverishment.

There is no excuse for the continued existence of pensioner poverty in Scotland, because Scotland is potentially a wealthy nation. If Scotland were an independent nation, we would have the powers to tackle pensioner poverty here. If this were a real Parliament, with all the powers that we need, we could take a decision today that could eradicate pensioner poverty. However, we do not have the powers in this Parliament to take such a decision. Instead, we will discuss the issue today and ask London to listen to us, they will ignore us and Scotland's pensioners will continue to live in poverty. That is the national disgrace that we are failing to tackle today.

Let us not argue about encouraging a better take-up of means-tested benefits. Let us establish the principle of the entitlement to a decent basic state pension. That is what is needed to eradicate pensioner poverty in Scotland. Pensioners in this country deserve a decent standard of living. They should not be subjected to the demeaning indignity of means testing. Let us stop arguing about repackaging and promoting means-tested support as the way forward—it is not. Let us make it clear that the most effective way of tackling pensioner poverty in Scotland is a public sector

state pension that is set at a level that allows our pensioners to have a life and a decent standard of living.

Politicians have an obligation and a common responsibility for the well-being of the citizens of Scotland. To fulfil that obligation, we must ensure that the state pension is increased substantially and redress the loss that has occurred since the link with earnings was cut back in the 1980s. I do not want people to tell me that we cannot afford it. If we can afford to spend billions of pounds building and maintaining weapons of mass destruction, we can afford to look after pensioners in Scotland. If we can afford for our Chancellor of the Exchequer to sign a blank cheque to support an illegal American war in Iraq, we can afford to look after our pensioners here in Scotland. Politics is about priorities and if a political party gives a higher priority to killing weans in Iraq than to looking after pensioners in Scotland, that is the shame that that party must live with. Labour Party members in the chamber should hang their heads in shame.

The reality is that some of us who are in our 40s will be facing the same problems that today's pensioners currently face if there is not a basic state pension that is adequate to allow a decent standard of living by the time we get to pension age. The solution to that problem is the same as the solution to the current problem of pensioner poverty. We need a decent public sector state pension that is set at such a level that people can afford a decent standard of living. A well-funded universal state pension should be a right. If we were a real Parliament in a real independent country, we could address that issue today and make a decision on it today, and the lives of Scottish pensioners would be improved as of tomorrow. However, let us do what we can in this limited devolved Parliament to ensure that our pensioners have a better life.

11:32

George Lyon (Argyll and Bute) (LD): This has been an interesting debate, and there seems to be some enjoyment and real pleasure on the coalition back benches at the dogs being let loose. I have no doubt that, before we reach the end of the debate, we shall hear from one or two others who have still to complete their part.

The Liberal Democrats believe that everyone should be entitled to dignity, security and a decent standard of living in their retirement. We believe that, to deliver that agenda, we must see the end of the demeaning and unworkable means test. It must be brought to an end because it does not deliver that vision.

Alex Neil: Will George Lyon give way?

George Lyon: I need to make some progress. As you have said, Presiding Officer, time is very tight, and I am coming to Alex Neil later in my speech anyway.

Means testing is not only demeaning; it puts pensioners off claiming their due entitlement. Indeed, the UK Government, as Robert Brown said, budgets for 1.4 million pensioners each year not bothering to claim the guaranteed credit. That is an astonishing figure.

Alex Neil: Will George Lyon take an intervention?

George Lyon: I shall take a quick intervention if I can get extra time to make up for it.

The Deputy Presiding Officer: You do not get extra time, Mr Lyon. I call Alex Neil.

Alex Neil: I shall be very quick.

I agree entirely with George Lyon about the problem with means testing for the pension credit. Why is it, then, that the Liberals want to maintain means testing for 65 to 75-year-olds?

George Lyon: I shall come to that once I get nearer to the end of my speech. I will, seriously.

Means testing also acts as a major disincentive to save. That is another fundamental point and one of the issues that Adair Turner identified in his work on addressing the pensions crisis that now faces all of us in the United Kingdom. Many hard-working pensioners save all their lives, only to find that it prevents them from receiving a decent state pension when they retire. That cannot be right.

The Liberal Democrats believe that, by offering pensioners over 75, who tend to be the poorest, a citizens pension of £105.45 for a single person or £160.95 for a couple—on top of the excellent work done by the Liberal-Labour coalition here in Scotland—we can begin to deliver our vision. The important point is that we have costed our proposals and we have been honest with people as to how we will pay for them. That is the fundamental flaw in the motion that the SNP has lodged for debate today, and it has been the fundamental flaw in all the contributions that we have heard so far from the SNP.

I turn to the other amendments before us today. The Liberal Democrats agree with the majority of the Labour amendment. The Liberal-Labour coalition has a fine track record when it comes to improving the lives of our pensioners. Where we part company from Labour members is that, if they truly believe in a vision of a Scotland where every older person matters and every person beyond working age has a decent quality of life, we believe that they must end the demeaning and unworkable means test and restore the right to a decent citizens pension. Only then will Labour deliver its vision.

We have also heard from the Tories today, and I really could not believe the Tory amendment when I read it. It is an exercise in rank hypocrisy. Who would believe that the party that broke the link between pensions and earnings back in 1980, and spent 18 years devaluing the pension, would now have the audacity to do a U-turn and call for that link to be restored? I am glad that Brian Monteith admits that the Tories were wrong not to restore the link when they were in power, but I have to say that ordinary Scots will not believe that the Tories are serious on that matter, especially when they cannot tell us how they intend to pay for it. Voters will see right through their hypocrisy, and I believe that they will gain no benefit whatsoever in the forthcoming UK general election by advocating the restoration of that link, when it was the Tory party that broke it.

I turn finally to the SNP motion, and what a woolly motion it is. I know that the SNP's pensions policy is hot off the back of an envelope, but one would think that SNP members would have the courage of their convictions and debate their proposals here today if that is what they believe their pensions policy is. However, they chose not to do that, and we can see why. There is a £1.4 billion black hole at the centre of their proposals. Nicola Sturgeon stated that the SNP intends to redistribute £160 million from tax relief and save some £20 million by scrapping means testing for pensions. Yet the cost, at UK level, of the SNP's proposals is £8.8 billion, with a further £7 billion over the lifetime of a Parliament to restore the earnings link. Pro rata for Scotland, that is a total of £1.58 billion. Where is the other £1.4 billion? We have asked every speaker so far and not one of them has attempted to address that question. Even Alex Neil, for whom I have a great deal of respect on such matters, could not answer the question and had clearly not even read the document. I have a copy here and I shall give it to Alex Neil after the debate. If he reads it, he will see that there are no figures in it.

If that is the best that SNP members can offer the people of Scotland, regardless of who leads them, their rapid decline in the past three elections is likely to continue in the next. I ask all members to support the Liberal Democrat amendment.

11:38

Mr David Davidson (North East Scotland) (Con): First, Presiding Officer, I must apologise to you and to the chamber for being delayed in getting to this morning's debate.

Today's debate seems to be a bidding war. It is about who can outbid whom on creating a pension. However, there is more to life than just a pension. There is a lot of background as to where pensions have come from and gone to. As for the

historical point about the Liberal Democrats inventing the pension, they copied what Bismarck did in the 1890s, for the historians among them. Robert Brown was probably around at the time and no doubt remembers it well.

The issue is really about the totality of care for our aging population, and for the people who gave those of us who are in this chamber the start that we had and the world that we live in now. Those people deserve respect. I agree with George Lyon that they need dignity and support. They want to be in safe communities and they would like decent, affordable housing—houses that can be heated properly and are not damp. It is not just about the pension.

Brian Monteith said clearly today why we are restoring the link with earnings, yet other members are trying to take cheap shots. The point is that the only party in this chamber that has a chance of doing anything is, in fact, the Conservative party. The SNP will never be in power in Westminster in 1,000 years.

To be quite frank, it is entertaining that the final SNP speaker is a self-proclaimed pensioner, as she told us last week, so at least she will speak from a point of knowledge.

Many other issues are involved in the debate. John Swinburne talked quite rightly about means testing, the pension credit and about how someone in prison can get better care than a pensioner can. I met a young drug addict the other week who told me that it would pay him to be in prison because of the total care that he would receive once he was inside. It is shameful that we do not have a level playing field for our older people.

Few members have mentioned Gordon Brown's insult to pensioners when he increased pensions by a penny at a time when inflation was running high. Gordon Brown robbed the private pension schemes then and he continues to do so to the tune of £5 billion a year. The Labour Party in Westminster has removed all reasons to save: it created the nanny-state approach, in which it says, "Don't worry. Go out and spend your money. You don't have to save anything. If you do, it's not going to be worth anything anyway. We'll look after you at the end."

That is not the solution to any of our problems. People are not given dignity in their old age if they have to go on the dole or apply for tax credits. George Lyon was slightly wrong in the numbers that he quoted for pension credits: 1.7 million pensioners lose out on pension credits, not 1.5 million.

The key question in the debate is what the Scottish Parliament can do for our older people. Heating is one area of competence. Brian

Monteith rightly said that the privatisation of the power companies created efficiencies that have brought down costs. Other members might argue, historically or philosophically—whichever way they want to go—that privatisation is not a good thing. However, anything that creates efficiencies and brings down costs in the services that pensioners have to use is a good thing.

Care is another area of competence. Given that older people need more care, how is it that I get letters from 82-year-old pensioners, for example, who tell me that they will have to wait months to get their cataract dealt with? Their letters say, "Why bother waiting? I'll probably be dead before then. I want quality of life now."

Pensioners care about heating their homes and the fact that the health service is not delivering for them. The Labour Party, which has been in power in Scotland for seven years, says that it has been trying to do things, but it has just been fiddling about. Pensioners seem to suffer long waiting times because their care is affected by bedblocking.

At this week's meeting of the Health Committee, I challenged the Minister for Health and Community Care on funding for private and voluntary sector care homes during our consideration of the draft budget. Frankly, the minister seems to have washed his hands of the issue—he is taking the Pontius Pilate approach to the problem. At least the previous minister, Malcolm Chisholm, who is at the debate today, informed the committee of his involvement. The Convention of Scottish Local Authorities is on the same side as the care homes—indeed, we all want a solution to the problem—and yet what is happening? Care homes are closing by the day because the Executive is failing to get involved. It has washed its hands of the issue.

I turn to council tax and water charges, which affect a load of pensioners too. Despite the Executive having solutions to the problem, it is not telling us about them. The lack of affordable housing is another issue that is within Executive control and yet we are not hearing anything on the subject.

Ms Curran: That is not true.

Mr Davidson: The minister might say that it is not true, but the Executive is not doing very much about it.

Mike Rumbles referred to free personal care. My response to him is to say, "Excuse me, but the Conservative party was the first party to promote that policy nationally." Free personal care is not funded correctly—

Mike Rumbles: Will the member give way?

The Deputy Presiding Officer: No. The member is in his last minute.

Mr Davidson: Every council in Scotland queries what the level of care is supposed to be. Why do we not have a proper national approach to free personal care? If we did, councils would have clear guidance on the free personal care that they deliver to the elderly in their area. Frankly, at the moment, free personal care is just not happening.

The Deputy Presiding Officer: You must close, Mr Davidson.

Mr Davidson: The only conclusion that could be drawn from some of the claptrap that we heard this morning is that some members do not live in the real world. The Conservative party does. Those of us in the chamber who are looking forward to retirement expect better.

11:44

Mr Duncan McNeil (Greenock and Inverclyde) (Lab): It has been a good week for me. Having heard the news of the arrival of my third grandchild—mother and child are doing well—the whips gave me time off yesterday to visit wee Charlie and his mother in the maternity unit at the Royal Alexandra hospital in Paisley. I probably should have kept quiet on the name of the hospital. Having mentioned it, I can only say that—despite our campaigning—it was our only alternative.

I thought that life could not be sweeter, but the price for my time off was to attend and participate in today's debate. At the time of making the arrangement, I thought that I had got myself a bargain. Even after a 6 am alarm call, a walk to the station in the rain and a two-and-a-half hour journey to get to the Parliament, the smile was still on my face. But the reality of the debate this morning made me realise that all good things have to come to an end. A price had to be paid and the whips have got their pound of flesh.

We had to endure a lecture from our former colleague Alex Neil, in which he invoked the spirit of Peggy Herbison. Alex Neil spoke about her aversion to means testing, but Peggy Herbison also despised Labour party traitors—the people who defected when the going got tough. She was also convinced that only the Labour Party could bring the lasting changes that would benefit the poorest citizens in our country. As someone who was once described as “the miner's wee sister”, Peggy Herbison would have been proud of the Labour Party's delivery of £1.2 billion in compensation to retired miners.

Robert Brown: Will the member give way?

Mr McNeil: Let me get started.

The point was well made by Karen Whitefield and others that yet again the SNP has forced us to debate reserved issues. [*Interruption.*] We love to

hear the SNP groan. The SNP could have decided to debate their ideas on the national health service, business or transport. Admittedly, they would have been short debates, but at least Executive ministers would have been put on the spot and forced to argue their portfolio policy areas. What a wasted opportunity today's debate is. My plea to Nicola Sturgeon is for her to ask Mr Salmond if she could possibly use some of her party's time to debate something of her choosing—something relevant to the Scottish Parliament.

It was always going to be a challenge to make a silk purse of a debate out of Nicola Sturgeon's sow's ear of a motion. I am used to hearing SNP members contradict each other. I am even used to hearing them contradict themselves from one day to the next. But for an SNP member to contradict herself in the space of a single sentence is truly an achievement. I congratulate Nicola Sturgeon on raising her game to such previously unscaled heights.

The SNP motion says:

“Scotland must face up to ... tackling current pensioner poverty and ensuring decent living standards for future generations of pensioners”

by—wait for it—

“removing the pensions means test”.

The motion asks us to tackle pensioner poverty by stopping the targeting of money to the poorest pensioners. On what planet could that make sense? Even by nationalist standards, the proposal does not stand up.

It should never be forgotten that 80 per cent of the £2 billion that we are making available to pensioners goes to poor pensioners. The SNP attitude to the issue seems to be that all pensioners are the same.

Robert Brown: I wanted to make the point that all pensioners are not the same. I am thinking of the quarter of eligible pensioners who do not claim the pension credit.

The Deputy Presiding Officer: Could you please speak to your microphone, Mr Brown?

Robert Brown: Duncan McNeil referred to Alex Neil's invoking of the spirit of Peggy Herbison. Her spirit lives on in Douglas Herbison, the Liberal Democrat candidate for Greenock and Inverclyde, who is Peggy Herbison's nephew. Douglas Herbison calls for the abolition of means testing.

Mr McNeil: I will ensure that a note on that point goes to the *Greenock Telegraph*, given its long tradition of liberal thinking.

As I said, the SNP's attitude to the issue does not acknowledge that all pensioners are not the same. We all accept that some pensioners live on

the breadline, but we also have to accept that other pensioners live on the cruiseline. What is the point of taking money away from pensioners who are struggling on the margins only to give it to pensioners who are sunning themselves in Marbella? As colleagues have pointed out, snatching pension credit from our poorest pensioners would leave them £30 a week worse off. How can the SNP answer that question, even if we spend the resources that are freed from basic state pensions?

Jeremy Purvis *rose*—

Margo MacDonald *rose*—

Alex Neil *rose*—

John Swinburne *rose*—

Mr McNeil: I give way to Jeremy Purvis.

Jeremy Purvis: The figures from the Office for National Statistics show that the poorest quarter of retired households in this country, whose income is £1,500 a year, receive non-contributory benefits of £730. The richest quarter of pensioners in the United Kingdom, whose income is £21,000, receive £1,500 from benefits. Targeting is not working, even with the current benefits system.

Mr McNeil: I will come back to that point.

The Deputy Presiding Officer: You have one minute, Mr McNeil.

Mr McNeil: Targeting does work. Liars can figure and figures can lie. When asked in Parliament whether the effect of the Liberal Democrat policy would be that younger, poorer pensioners would not get the money they need, Steve Webb, their spokesman on pensions, replied, "I accept that." No argument. They accept that.

I hate to dismay the doom merchants in the chamber this morning, but the Labour Government at Westminster is well on the way to achieving our target of 3.2 million households receiving the pension credit by 2008. *[Interruption.]* I took the member's intervention. Now he is at it. He is quite entitled to heckle if I do not let him in, but I have given—

The Deputy Presiding Officer: I have to hurry you.

Mr McNeil: Is the SNP really calling for an end to tax relief on pension contributions? How much more would the SNP need to put in its pension schemes to defuse the pensions time bomb? Will that not hammer hard-working families?

The Deputy Presiding Officer: Mr McNeil, you must close now.

Mr McNeil: What about the damage to inward investment, attracting fresh talent and bridging the skills gap?

I will cut to the chase, because I have got thousands—

The Deputy Presiding Officer: No, Mr McNeil, you are well over time. I have to stop you now.

11:52

Christine Grahame (South of Scotland) (SNP): David Davidson gallantly outed me as a recent pensioner, but I was going to do it myself. I am proud to join the rank and file of Scotland's 1 million pensioners, which is more than all the primary and secondary children put together. Something strange happened on 8 September. Like Harry Enfield's Kevin, I went upstairs a fairly independent woman of some intellect, and descended on 9 September with my brain cells reduced and in the lower class of the pensioner underclass that is woman pensioners.

I was introduced to the pension not by the state giving me a pension, but by the Inland Revenue sending out a form asking me what I am getting. I did not realise that I had to claim the pension. Oh yes, one does not get it, one receives the first batch of forms and applies for it. One has to send lots of documents. If someone is divorced, like me, they have to speak to their ex-husband because they are supposed to know his national insurance number. The forms are then sent off into the black hole of pension claims, and one has to wait for months. I am now in the world of forms.

I spoke to Margaret on the pension helpline. That was when I realised that I had lost some brain cells, because she put on one of those voices and asked, "How are you dear? Can I take you through the form?" When I tried to show that I was an individual, Margaret kept stoically to her script and plodded on. No wonder pensioners are angered—by the paucity of the pension and by the attitude to us when we get to the age of 60 or 65.

I tell members that poverty is not a reserved issue. It is here and now, in ill-heated pensioner households. Last year in Scotland, 2,500 people died from cold-related illnesses. Poverty is here in shopping at discount stores. Members just need to look into the shopping baskets of some pensioners and compare them with what they can buy. Poverty is in the charity shops, where pensioners buy their clothes, and it is sitting at home fretting about the iniquitous council tax, which can amount to one fifth of pensioners' weekly income. Pensioners pay their bills. They are not part of the credit community. Poverty is with us for one third of Scotland's pensioners, and for 250,000 Scots who are living in fuel poverty, many of whom are single pensioners.

Means testing has failed. I introduce members to the pension credit form, which has 19 pages of notes and 16 pages of forms. I defy anyone to

complete it in the time that we have had for this debate. Members should get their pencils out and tell me all the answers to these questions:

"What type of money do I need to tell you about? ...

- Money from someone who rents a room in your home or who lives in part of your home ...
- Working Tax Credit
- Money from a pension paid to victims of Nazi persecution
- Royalties or money for a book registered under the Public Lending Rights Scheme
- Money from your ex-partner to pay for day-to-day living costs
- Social security benefits from abroad
- Money from a war disablement pension or war widow's or widower's pension from abroad
- Sick pay
- Regular payments from a trust
- Money from an equity release scheme".

It would take me a while to get through that, let alone find all the documentation. No wonder 48 per cent of Scotland's pensioners who are entitled to a pension credit do not even fill in the form, but abandon it instead.

Let us look at the examples of pensioners in the document, which are provided to help people along their weary way when filling out the form. I look forward to answers on a postcard.

"Edgar will be 60 in July 2005. He expects to stop work from 15 August 2005 and he has an endowment policy which will pay out on his 60th birthday."

This reminds me of primary school.

"He fills in his application form in June 2005.

Edgar thinks he will qualify from 15 August 2005. He must tell us about his work in Part 7 of the application form. He must ... tell us"

all about other things "in Part 11". No wonder Edgar gave up. Would someone give me the answer?

George Lyon *rose*—

Christine Grahame: Can George Lyon work it out for Edgar?

George Lyon: Christine Grahame has been describing one document. I have got another one—"Secure Retirement for All". It would be useful if she could explain how the SNP intends to pay for its policy, because there is a £1.4 billion black hole.

Christine Grahame: The first part of George Lyon's homework is to fill in my document for me. The second part will be to read the *Official Report* and to calculate the figure from there. I quote from the Pensions Policy Institute:

"A Citizen's Pension at Guarantee Credit level (what used to be called Minimum Income Guarantee, £105 per week from next April) can be afforded immediately within current government spending on pensions."

Away and read that as well.

In conclusion, I see the pension credit form not only as a barrier, but as an insult to Scotland's pensioners. It is an absolute insult and we must discard it. Let us take the form—which is 19 pages of notes and 16 pages of forms—and consign it to the dustbin of failed Labour Government policies. Let us put in its place a decent, basic citizens pension that will restore dignity to pensioners and give them their—and this is my favourite word of all—independence.

The Deputy Presiding Officer: All of which demonstrates the impossibility of accurately timing a debate. This meeting is suspended until 12 noon.

11:59

Meeting suspended.

12:00

On resuming—

First Minister's Question Time

The Presiding Officer (Mr George Reid): Before questions to the First Minister members will want to join me in welcoming William Cusano and colleagues from the National Assembly of Quebec. *[Applause.]*

Cabinet (Meetings)

1. Nicola Sturgeon (Glasgow) (SNP): I begin by warmly congratulating Duncan McNeil on the birth of his latest grandchild—although on this morning's evidence I think that wee Charlie is already writing his granddad's speeches.

To ask the First Minister what issues will be discussed at the next meeting of the Scottish Executive's Cabinet. (S2F-1164)

The First Minister (Mr Jack McConnell): At next week's Cabinet we will discuss matters of importance to the people of Scotland. In particular, we will discuss and announce to Parliament later that day the policy position that we intend to adopt in relation to smoking in public places in Scotland.

Nicola Sturgeon: I look forward to that announcement.

I start by telling the First Minister how disgraceful I think it is that the Scottish Executive refused to take part in this morning's debate on pensions. The First Minister said in the chamber earlier this year that it was important for older people to claim the benefits to which they are entitled. As he knows, the Scottish Executive provides funding to promote benefit take-up. In light of that, does he share my concern that more than one third of Scottish pensioners who are entitled to the means-tested top-up to their state pension do not get it, either because they think that the system is too complicated or because they quite rightly resent, or feel embarrassed about, having to go cap in hand for money that should be theirs as of right?

The First Minister: Nicola Sturgeon is absolutely right: we provide funding and support for local authorities and other bodies to encourage people, including our older citizens in Scotland, to take up their benefits. I agree absolutely that it is disappointing that not all Scottish pensioners claim everything to which they are entitled and I strongly urge and encourage them to do so. I also strongly urge and encourage members of the Parliament to encourage pensioners to do so, rather than telling them that the system under which they can claim is worthless, as the SNP has done this week. This morning's debate was, of course, on a reserved

matter and therefore the Executive did not have a position on it, although the two Executive parties have clear positions on the matter, which is why they won the debate against the SNP's ridiculous proposals. I hope that the debate has not sent out a signal to pensioners in Scotland that they should not claim their pension credit, which is of direct benefit to them, and I hope that they will do so in the months ahead.

Nicola Sturgeon: Is the First Minister aware that the Government's target for take-up of the pension credit is only 73 per cent? Even if it met that target, that would still leave an awful lot of Scottish pensioners not getting the money to which they are entitled. The fact is that one in five pensioners in Scotland still lives in poverty because of the means test. Yes, pension policy is a reserved issue, but tackling pensioner poverty is a responsibility of the Executive. Surely if means testing is causing that poverty—which it does—the First Minister of all people should have something to say about it. Will he, in the interests of tackling pensioner poverty, make the case to his colleagues in London to get rid of means testing and introduce a citizens pension that will pay all pensioners in Scotland a decent pension as of right?

The First Minister: What the vast majority of us in the Parliament have done, not just in the past two months in this new chamber but in the past five and a half years, is deliver real new services and real improvements to the lives of Scottish pensioners—real improvements that have helped to lift Scottish pensioners out of poverty. The central heating programme, which is admired elsewhere in the United Kingdom, has lifted Scottish pensioners out of fuel poverty. The provision of free local bus travel, which is soon to be extended the length and breadth of our country, has given Scottish pensioners an opportunity that they did not have before to enjoy the time at their disposal. Those and other real improvements to the lives of Scottish pensioners are far more important than is using this chamber for party-political posturing in advance of a general election, as the SNP has tried to do this morning.

Nicola Sturgeon: I am not knocking anything that the Scottish Executive is doing for pensioners; I am saying that as long as one in five pensioners in Scotland lives in poverty the Scottish Executive is simply not doing enough. That is the issue that the Executive must address.

I suggest to the First Minister that he is missing a golden opportunity to stand up and be counted for Scotland's pensioners. Pension reform is on the horizon. Even the Minister of State for Pensions in London said this week that the system of means testing had a "take up problem" and that he had "an open mind" on the subject of a citizens

pension. Does the First Minister see that now is the time to try to influence that open mind and to persuade the Government in London at long last to deliver real fairness for Scotland's pensioners? Will he join me and his coalition partners in demanding from his colleagues in London an end to means testing, the introduction of a citizens pension and the restoration of the link with earnings that was so disgracefully broken by the Tories 20 years ago?

The First Minister: I hope that my Liberal Democrat colleagues will allow me a little licence to respond both as First Minister and on behalf of the achievements of the Labour Government at Westminster.

I will speak first about the work of the devolved Government. Working with our colleagues in London, we have contributed to reducing the proportion of pensioners in Scotland in both absolute and relative poverty from 29 per cent to 21 per cent—as the member indicated—during our years in government. There is much more still to do, but a significant difference has already been made to the lives of 60,000 Scottish pensioners. Through the Parliament, we have ensured that there is free local bus travel, free personal care and free central heating. We have also done other things to protect the lives of Scottish pensioners. We have introduced antisocial behaviour legislation that SNP members did so much to oppose last winter and during the spring.

Our policy is absolutely clear. The people who deserve most from the Government are the poorest pensioners in our society. Those are the pensioners who benefit from the chancellor's policies. This week the SNP said that it would take away the pension credit and the minimum income guarantee that exists for pensioners between the ages of 60 and 65. When it says that, it has a lot to answer for. Let us be very clear: the Government's policy is to defend and to improve the lives of the poorest pensioners—the very people whom Nicola Sturgeon says she wants to help but against whom her policies work directly.

Nicola Sturgeon: The SNP would give every pensioner in Scotland the pension credit amount as of right. The oldest and most vulnerable pensioners do not get it because of Labour's means testing. It is all very well for the First Minister to boast about what he is doing for pensioners, but one in five pensioners in Scotland still lives in poverty. Will he accept that the Government is not doing enough and that it is time for him to do more and better?

The First Minister: With your permission, Presiding Officer, I will address that very specific point. It is simply disingenuous for Nicola Sturgeon to claim that a Scottish National Party policy that takes money away from the poorest pensioners

and gives it to better-off pensioners is designed to help to deal with pensioner poverty in this country. That is done by giving money to the poorest pensioners. The SNP would take that money away and give it to someone else.

Prime Minister (Meetings)

2. David McLetchie (Edinburgh Pentlands)
(Con): To ask the First Minister when he will next meet the Prime Minister and what issues will be discussed. (S2F-1162)

The First Minister (Mr Jack McConnell): I have no immediate plans to meet the Prime Minister.

David McLetchie: I am disappointed to hear that. Perhaps they could discuss another matter that was announced today: Mr Chisholm's letter to the power companies about the price of gas and electricity, over which, thankfully, Mr Chisholm has no control. Will the First Minister instruct Mr Chisholm to write letters not to the power companies but to council leaders, to ask them to cut the burden of council tax, which has risen by nearly 50 per cent since 1997 and is the burden that is resented most bitterly by our pensioners? As the First Minister is aware, councils have already told him that the Executive's sums do not add up and that higher council tax bills are on the way again next year. Will he consider adopting a policy that does add up: the direct funding of our schools by the Scottish Executive, which would enable our councils to cut council tax bills across the board by 30 per cent?

The First Minister: Yesterday we heard yet again the specific plans that the Conservatives have in Scotland, not to cut council tax bills, but—let us get this right—to cut education expenditure, which means expenditure on our schools in Scotland. I remind Mr McLetchie that in every single year since a devolved Parliament was established in Scotland, council tax rises have been lower than in every single one of the last five years of the previous Conservative Government. The record of this Parliament in keeping down council tax rises and in ensuring that people get value for money for their council tax in Scotland is far better than the record of the Conservative Government and it will be even better over the next three years.

David McLetchie: That is not what the pensioners of Scotland recognise when council tax bills land on their doorstep. I suggest that the First Minister gets a reality check on how welcome his council tax rises are to Scotland's pensioners.

Does the First Minister acknowledge that the plan that Mr Chisholm announced today is simply an extension of the means testing that we have been talking about today, as it is dependent on

eligibility for pension credit? The plan is little short of an insulting political stunt.

Instead of getting Mr Chisholm to write to the power companies, why does the First Minister not get Mr Chisholm to write, or indeed write himself, to the man who is really responsible for pensioner poverty in our country—the chancellor, Gordon Brown? Why does he not tell Gordon Brown to end the means-tested pension credit, which even the Secretary of State for Work and Pensions admits is a huge disincentive to saving? While he is at it, why does he not tell Gordon Brown to reverse his pensions tax, which is robbing pensioners in Britain of £5 billion a year? Why does he not tell Gordon Brown to adopt Conservative plans to increase the state pension and give people real incentives, which are conspicuously absent today, to save for retirement? That, rather than Mr Chisholm writing nonsense letters, is the way to deal with pensioner poverty.

The First Minister: Scottish pensioners are perfectly well aware of the Conservatives' record on the basic state pension, which was increased above inflation in only one year during the whole term of the previous Conservative Government, and of their record of driving more and more pensioners into poverty. Not only are more and more pensioners coming out of poverty in Britain and in Scotland today, but all those pensioners in Scotland are enjoying the benefits of free local bus travel, free personal care for the elderly and the other services and initiatives that we have introduced, such as free central heating. We work with important pensioner organisations to represent pensioners in Scotland today.

The letter that Mr Chisholm sent today is not a silly stunt; it should not be ignored by the energy companies, nor should it be ignored by the Parliament. The letter has been welcomed by pensioner organisations and by those who care genuinely about fuel poverty. If Mr McLetchie had an ounce of decency, he would also welcome the letter and support Mr Chisholm's call.

David McLetchie: Would the First Minister care to acknowledge that Mr Chisholm's stunt will require pensioners to disclose their income to power companies and their homes to be inspected to ensure that they meet a so-called quality standard? Does he acknowledge that one of the greatest contributions to the reduction of poverty, or fuel poverty, if he likes, in this country, was the privatisation of our electricity industry, which has seen prices fall by 20 per cent in real terms over the past 15 years? That was an achievement of the Conservative Government that was opposed by Labour, the Liberal Democrats and the Scottish National Party but which has made the difference on pensioner poverty and on fuel poverty in particular.

The First Minister: If Scottish pensioners had been given a choice back in the 1980s of a decent rise in their pension or privatisation of the electricity companies, I know which they would have chosen.

It is important to point out the differences in policies that exist in the Parliament. Mr McLetchie is clearly opposed to the suggestion that energy companies should reduce their prices for those who are on the pension credit. If he is opposed to that, what on earth is he in favour of? Surely it is right to say that there should be relief for pensioners who are on the pension credit and who therefore need assistance with their bills. Surely that is a good thing to support. I am astonished that even the Conservatives would oppose that move. I am sure that MSPs of all parties support it.

The Presiding Officer: I will take one constituency question.

Jackie Baillie (Dumbarton) (Lab): I draw the First Minister's attention to real and continuing problems with road safety on the A82. This weekend saw another tragic death—in this case, that of a young man aged 19. The A82 is a notorious accident black spot. The route is critical, not just for the local community but for tourism. I acknowledge that the Executive has taken action through a route accident reduction plan, but accidents and deaths continue to happen and it is clear that more needs to be done. Will the First Minister review the plan and take further action to reduce accidents and prevent unnecessary deaths?

The First Minister: I think that all members will want to express their condolences to the family of the young man who was killed last weekend.

The situation in relation to the A82 provides a dramatic example of why it is important that we take a reasonable, responsible and considered approach to road improvements throughout Scotland. There are sometimes far too many calls in the Parliament for the upgrading of other roads in Scotland that do not have the same accident record as the A82 or the key function in their area that the A82 has in the west of Scotland. It is therefore important that we continue our work towards the next stage of significant road improvements in Scotland. The A82 will be one of the roads considered as part of the review and I am sure that the Minister for Transport will be happy to meet Jackie Baillie to discuss the matter.

Secretary of State for Scotland (Meetings)

3. Robin Harper (Lothians) (Green): To ask the First Minister when he will next meet the Secretary of State for Scotland and what issues he intends to discuss. (S2F-1174)

The First Minister (Mr Jack McConnell): I have no immediate plans for a formal meeting with

the Secretary of State for Scotland, but I expect to meet him informally tomorrow.

Robin Harper: Given that nuclear power stations could be imposed on Scotland by a decision of the Westminster Government, the First Minister would be well advised to discuss the issue with the Secretary of State for Scotland. The First Minister will be well aware that 81,000m³ of land are contaminated at Hunterston and that that information has only just been placed in the public domain. Does he agree that that situation does little to commend nuclear power to the people of Scotland and that many people believe that nuclear power is unsafe? Does he agree that nuclear power is uneconomic and unwanted in Scotland?

The First Minister: Members have strong views on all sides of the argument about nuclear power. It is important to restate the position of the devolved Government in Scotland. We have powers in relation to the matter: we have planning powers that we can use. We have said clearly that we will not use those planning powers to grant permission for new nuclear power stations in Scotland as long as the issue of nuclear waste is still outstanding and requires to be solved. We adopted that important position and we have held it consistently for the past five years.

The situation at Hunterston received publicity earlier in the week. I too am concerned that there were two estimated figures. I think that the figure from 2001 was 10,000m³, whereas the more recent estimate is 81,000m³. It is important that we establish the facts of the situation as quickly as possible. The new nuclear decommissioning authority takes seriously its responsibilities to reassure the public and ensure that the necessary actions are put in place so that if decontamination is to take place it is dealt with as part of the decommissioning process.

Robin Harper: Does the First Minister agree that it is appalling that British Nuclear Fuels plc said that the company is unaware of the full extent of the contamination? Does he also agree that it is almost certain that the contamination extends beyond the boundaries of the Hunterston complex? Has he contacted the Scottish Environment Protection Agency to ask it to carry out a survey of the land outside the complex? If he has done so, when will SEPA report to the First Minister with an answer to the problem?

The First Minister: SEPA undertakes regular monitoring of radioactivity levels around nuclear sites. If information that is not already available comes to light over the next period and can be put into the public domain, I will ensure that that happens. It is important that we support the new authority, which will come into operation next year and be tasked with the responsibility of dealing

with the situation. It is also important that we ensure that SEPA plays its part fully in ensuring that the public in Scotland can be sure that they are safe.

The Presiding Officer: We will return to the issue under question 5.

“ambitious, excellent schools”

4. Dr Elaine Murray (Dumfries) (Lab): To ask the First Minister how the proposed changes to the Scottish schools curriculum set out in “ambitious, excellent schools” will benefit pupils and teachers. (S2F-1166)

The First Minister (Mr Jack McConnell): The proposed changes to the curriculum will create flexibility for teachers and head teachers and create new options, including vocational choices and, importantly, more stretching courses for the most able, ensuring that all pupils reach their full potential.

Dr Murray: I too am enthusiastic about the agenda that the Executive has set out, particularly its emphasis on choice within school, rather than between schools, and reducing clutter in the curriculum. However, many people remain concerned that the review of the higher and advanced higher courses that the Scottish Qualifications Authority has announced will reduce the choices that are offered to pupils. Will the First Minister reassure the Parliament that the SQA will not scrap exams if to do so would compromise opportunities for our young people?

The First Minister: I am certain that those at the SQA who are responsible for that work will take their responsibilities seriously and will not reduce opportunities for young people in Scotland as a result of their current review. However, they are right to review the range of subjects that are available several years on from the introduction of the new national qualifications. There has never been a student studying or being examined in some subjects that were put in place at the start of those qualifications, and it is right and proper at this stage to have a review that allows the resources and activities of our qualifications agency and our teachers to be focused on the courses that young students in Scotland want to study.

Fiona Hyslop (Lothians) (SNP): I am interested in the First Minister's response to Dr Murray, which offers some reassurance to those who are seriously concerned about the cuts in higher and the attack on so many higher subjects. Is he aware that one of the concerns that people have is the consequences that those cuts would have for universities in particular? On modern languages, does he acknowledge not only that we need a flexible, modern curriculum, but that we must

ensure that we equip our young people to contribute to the world of work and trade in the years ahead and that modern languages in particular must be protected?

The First Minister: I do not agree that modern languages in our schools should be protected; they should be enhanced and improved, because they are important. That is precisely why this devolved Government introduced a new policy on modern languages for schools that removed the ridiculous, inflexible system for the upper ages of secondary schools and introduced more opportunities for modern languages in our primary schools, so that young people can start to learn a language and get enthused about it at primary school and develop their talent and skill through secondary school and into the rest of their lives. Far from simply protecting modern languages in our schools, we need to improve the system, ensure that more young people are enthusiastic about and engaged in modern languages and encourage them and their teachers to ensure that they take that forward and use the language for the rest of their lives.

Lord James Douglas-Hamilton (Lothians) (Con): Does the First Minister accept that it is only by allowing funds to follow the pupil that we will be able to introduce adequate choice and flexibility into our educational system in such a way as to deliberately drive up standards?

The First Minister: James Douglas-Hamilton is a reasonable man, but he promotes an utterly unreasonable and ridiculous policy that was torn to shreds by my colleagues in yesterday afternoon's debate, and deservedly so. As I have said previously in this parliamentary session, there is a fundamental divide in the Parliament. There are those of us who believe in a flexible, modern, comprehensive system of education in Scotland that serves the many, not the few, and which ensures both that children throughout Scotland can reach their full potential and go on to be ambitious, confident adults and that our teachers and head teachers are properly supported to do the job that they signed up to do. Then there are those who want to cause utter chaos in the system by ensuring that the schools cannot even plan for the future and put the right courses in place because they do not know how many pupils they will have from one year to the next.

The Conservatives' proposal is ridiculous and it is backed up by huge cuts in education expenditure that would destroy many of the improvements that have been made in our schools in recent years. Instead, the package that Peter Peacock and Euan Robson outlined yesterday is with the grain of the Scottish system, is challenging for teachers and head teachers and will improve the lives of young Scots for many

years to come. That package is to be commended to the Parliament and beyond, and it will help to transform Scotland.

Robert Brown (Glasgow) (LD): Does the First Minister agree that one of the biggest challenges for policy makers is young people who are turned off school, particularly in the later years of secondary school? Is he aware of research carried out by Careers Scotland showing the link between young people having motivation and direction and higher achievement? If that were followed through with vocational opportunities it would go a long way towards providing a solution to the problem. Will he ensure that vocational opportunities for young people in school are given a high priority by the Scottish Executive?

The First Minister: I genuinely believe, and have believed ever since my later years as a teacher, that the mistakes made in the 1980s, when a strict curriculum of academic subjects for everybody in secondary schools was created, are mistakes for which we have since paid a heavy price. We have paid that price in relation to the motivation and the learning of young people; however, we have also paid a price in relation to discipline in our schools, and the indiscipline that resulted from demotivation and from young people—boys in particular—being turned off the curriculum. The package that has been announced this week will create new vocational opportunities for young people and will ensure that there is more flexibility, especially in secondary 1 and secondary 2, when young boys in particular move, for some inexplicable reason, from being enthusiastic and interested in learning in primary school to being demotivated and disinterested. That package of changes will benefit not only learning, the curriculum, teachers, head teachers, parents and pupils but discipline in our schools. For that reason, it will take us much further forward.

Nuclear Power Plants (Contaminated Land)

5. Richard Lochhead (North East Scotland) (SNP): To ask the First Minister what steps are being taken to ensure that communities neighbouring nuclear power plants are not adversely affected by contaminated land. (S2F-1169)

The First Minister (Mr Jack McConnell): Sites are strictly regulated by the nuclear installations inspectorate and the Scottish Environment Protection Agency. SEPA undertakes regular monitoring of radioactivity levels around nuclear sites. Both the NII and SEPA can require an operator to take appropriate action, including requiring it to stop activities, if they believe that the public are being adversely affected.

Richard Lochhead: A growing number of Scots believe that the best way to protect their local

communities is to say an unequivocal no to any more nuclear power plants in Scotland. Reference has been made to the situation at Hunterston A and the confusion over the level of contaminated land there. Does the First Minister share the alarm felt by the SNP when a British Nuclear Fuels plc spokesman said:

"We don't know the extent of the contamination"?

Given that confusion and the fact that the Parliament has its own health, communities and environment ministers, will the First Minister order his officials to carry out an urgent investigation into how the information on contamination is collected, measured and publicised? Will he order that investigation and make a report available as soon as possible?

The First Minister: On very sensitive, safety-related matters such as this, clarity of responsibility is particularly important. That is why the Executive and, in fact, the Parliament have supported the creation of the new nuclear decommissioning authority. It will be the NDA's responsibility to ensure that such matters are tackled properly and that the estimates, including the estimate that has been revised in preparation for the work of the NDA, are turned into hard facts and real action, so that communities throughout Scotland can be sure that they are to be protected.

European Region of the Future

6. George Lyon (Argyll and Bute) (LD): To ask the First Minister how the Scottish Executive will exploit Scotland's position as European region of the future. (S2F-1175)

The First Minister (Mr Jack McConnell): That award and the individual city award won by Dundee are good news for Scotland the nation. The skills of our people, our record investment in transport and electronic infrastructure, the excellence of Scotland's schools, colleges and universities and our quality of life have all helped to persuade independent experts that Scotland is a great place in which to live, study, work and do business. We will capitalise on that endorsement, and the Deputy First Minister has already charged Scottish Development International with preparing a plan to maximise the impact of the award, particularly in our target international markets. It will work with other agencies and ministers, and we will ensure that those messages are built into the wider international promotion of a modern Scotland.

George Lyon: I am sure that the First Minister will agree that this accolade shows that the policies of the Liberal-Labour coalition are working to ensure that Scotland is seen as an excellent destination for overseas companies to invest in and for young people to come and live in, and to

confound the doom-mongers among us who constantly talk Scotland down.

The First Minister: Absolutely. I could not agree more. Not only does this country have a great Government, but it is a great country. Anybody who opens their eyes and looks around Scotland today can see that we have a growing economy and successful international businesses. This is a good country in which to work and do business. It is also a good country in which to study, and that is why thousands of students come here from all over the world. When they come here, they want to stay here and we are going to give them the opportunity to do so. Scotland is a good country to live in, with an excellent quality of life, both in our attractive, modern cities and in our countryside, which is famed and admired the world over. Scotland is the best small country in the world and these independent experts know it.

Jim Mather (Highlands and Islands) (SNP): What will the First Minister's efforts do to improve Scotland's competitiveness and how will he measure that incremental improvement?

The First Minister: One of the things that I will do to improve the competitiveness of Scottish businesses is to encourage them and praise them for their successes. I am not going to get involved in the sort of language that we have heard from Jim Mather during his short time in the Parliament. He talks about recessions and runs down Scottish businesses and their performance at home and abroad. We in the Parliament need to talk up Scotland's businesses and economy and let the world know what a great country this is, and Jim Mather should join us sometime in doing that.

12:31

Meeting suspended until 14:00.

14:00

On resuming—

Question Time

SCOTTISH EXECUTIVE

Enterprise, Lifelong Learning and Transport

Domestic Wind Turbines

1. Robert Brown (Glasgow) (LD): To ask the Scottish Executive what action it is taking to achieve a significant increase in the number of domestic wind turbines in domestic and industrial premises. (S2O-3817)

The Deputy First Minister and Minister for Enterprise and Lifelong Learning (Mr Jim Wallace): Small-scale wind turbines for domestic and business premises are promoted through our community and householders renewables initiative and by the Energy Saving Trust.

Robert Brown: It is fair to say that electricity should be generated where it is most used to ensure that we take full advantage of such opportunities in urban areas. What action has been taken to encourage local authorities, businesses and householders to make much more use of such technology, in whose use, despite the Executive's efforts, we still lag quite far behind some European countries?

Mr Wallace: Robert Brown is correct to point out that these technologies can be used not only to build traditional wind farms in rural areas, but to promote renewable energy in cities. A new generation of smaller domestic-scale turbines that are intended to contribute to base-load power in grid-connected houses is still at an experimental stage, but is certainly being developed.

I have already indicated that the community and householders renewables initiative helps to promote the matter that Robert Brown has raised. In that regard, I should perhaps mention one example with a local authority dimension. Funding has been provided for the installation of such turbines in a number of primary schools in Fife. I should also point out that, as the turbines have been designed and produced in Scotland, employment opportunities have also been created.

Dr Sylvia Jackson (Stirling) (Lab): Following on from that point, I wonder whether the minister will consider providing specific guidance on the matter to public agencies involved in the procurement of new buildings. For example, Stirling Council has prepared a design brief for

sustainable office development and residential dwellings and it is clear that specific guidance from the minister would encourage a more comprehensive approach to sustainable design, construction and operation, whatever a building's function.

Mr Wallace: I certainly commend Stirling Council for its work. Indeed, another good example of that approach is the rebuilding and refurbishment of Morgan Academy in Dundee. When I visited the school, I saw how a number of innovative renewable energy and energy efficiency measures had been incorporated into that work.

I take this opportunity to remind the chamber that, in March, we launched a £20 million fund to encourage local authorities, health boards and Scottish Water to introduce self-sustaining energy efficiency measures that would allow them to invest some of the savings that they make in further measures and to free up money for front-line services.

Rob Gibson (Highlands and Islands) (SNP): How has the minister attempted to dispel the indiscriminate criticisms by those who oppose wind farms, which are obscuring the potential for introducing small local wind power schemes for groups of rural and urban homes? After all, recent debates in the chamber have shown that there is a strong consensus on the matter.

Mr Wallace: I am delighted to take this opportunity to promote the idea that wind energy is very clean. It is important that we take every opportunity—as we all do in our respective ways—to link debates on renewable energy with debates on climate change. After all, using such energy reduces carbon emissions. That connection is not always made and I welcome the opportunity to make it today.

Murdo Fraser (Mid Scotland and Fife) (Con): The minister will be aware of widespread concerns in Perthshire about the proliferation of large-scale wind farm developments. Does he agree that more should be done to encourage the kind of small-scale developments that Robert Brown referred to in preference to the large-scale wind farms that are being built in rural Scotland with all the attendant impacts on the environment and landscape?

Mr Wallace: I am certainly aware of the controversies in Perthshire and other places. Perhaps we have seen the construction of so many onshore wind farms because that technology is more proven than many other renewable energy technologies. However, we should not put all our eggs in the onshore wind farm basket. Our approach to the development of renewable energy must cover a range of measures, including the small-scale domestic use

of wind turbines and the important and exciting developments in marine energy, not least the opening of the European Marine Energy Centre in Orkney. The forum for renewable energy development in Scotland is about to receive a report on biomass. It is important that we consider a wide and diverse range of measures to promote renewable energy.

Sarah Boyack (Edinburgh Central) (Lab): I welcome the minister's positive answers to these questions. In the initial question, Robert Brown asked about the promotion of domestic urban wind turbines. Does the minister acknowledge that we are in a win-win situation, because renewable energy brings climate change benefits and manufacturing and construction jobs? His department will have a role in promoting mini wind vanes in urban areas through the green jobs strategy.

Mr Wallace: I endorse what Sarah Boyack has said. A number of companies in Scotland now make small wind turbines for use in domestic and business premises and we would want to encourage those companies. Next Friday, the Minister for Environment and Rural Development and I will address a conference in Glasgow, which is the final part of our consultation on the green jobs strategy. Sarah Boyack is right to remind us that this is indeed a win-win situation. We can do positive things for our environment and create jobs at the same time.

Further and Higher Education (Foreign Students)

2. Mr Kenny MacAskill (Lothians) (SNP): To ask the Scottish Executive what information it has on any difficulties faced by foreign students seeking to study at colleges in Scotland. (S2O-3812)

The Deputy Minister for Enterprise and Lifelong Learning (Allan Wilson): The Executive has regular dialogue directly with the sector and with the international officers group run by the Association of Scottish Colleges, as well as with Education UK Scotland, where issues concerning international student recruitment are raised and addressed. We are, for example, aware of concerns about the number of visa entry requests being refused and we have taken action to investigate that.

Mr MacAskill: I am glad that action is being taken, because I want to raise with the minister a point that has been raised with me by Stevenson College Edinburgh, where 18 per cent of international students recruited for this academic year have cancelled their study place. Of those students, 31 per cent cancelled because of visa refusal. We warmly welcome the Executive's initiative for fresh talent and recruiting students

from abroad. However, if success on one hand is being negated by the actions of Her Majesty's Government on the other, is it not time that, as well as deciding on the criteria for entry to the college, we should be able to decide on the criteria for entry to the country?

Allan Wilson: No. I think that that would be a recipe for disaster in terms of immigration to this country. I take Mr MacAskill's general point in respect of student visas. We have written to further education colleges and higher education institutions on the matter. We made it clear that we would take up any issues of visa refusal with the Home Office, which is happy to work with us in that regard. So far, however, no college or university has replied to us to say that it has had the problem that Mr MacAskill raises.

Higher Education (Pay Modernisation)

3. Mike Watson (Glasgow Cathcart) (Lab): To ask the Scottish Executive what action it will take to ensure that the recent funding settlement secures pay modernisation in higher education in accordance with the framework agreement between employers and trade unions and what timescale for completion of this process is now envisaged. (S2O-3790)

The Deputy First Minister and Minister for Enterprise and Lifelong Learning (Mr Jim Wallace): We have a good track record of investment in higher education—a record carried forward under the recent spending review 2004 announcement, which takes higher education funding to more than £1 billion per annum by 2007-08. That level of investment will give the sector the security to address pay modernisation. The detailed implementation of the pay framework agreement is, however, a matter for higher education institutions, as they are autonomous bodies. As part of the pay agreement reached between the Universities and Colleges Employers Association and higher education trade unions, institutions are expected to complete implementation of the pay settlement by August 2006.

Mike Watson: Is the minister aware that implementation was initially intended to begin from August 2004 but that no university has yet implemented pay modernisation? The issue clearly involves the recruitment and retention of academic and research staff in our universities. When the minister comes to write his letter of guidance to the funding councils following the spending review, will he make a point of specifying that he expects the speedy implementation of pay modernisation?

Mr Wallace: I am sure that Mr Watson and the chamber will recognise that, although we are not

immediately engaged in the pay settlements because the universities are autonomous bodies, the appropriate means of dealing with the issue is through the letters of guidance. We work through the funding councils, which, in turn, allocate resources to the universities. We will certainly indicate that we expect the staff in our universities to be properly remunerated. That will be made clear in the guidance letters.

Quality Bus Contracts

4. Mrs Mary Mulligan (Linlithgow) (Lab): To ask the Scottish Executive what steps are being taken to adopt quality bus contracts across Scotland. (S2O-3844)

The Minister for Transport (Nicol Stephen): The Executive has issued guidance that provides help for local transport authorities in developing quality bus contracts and makes it clear that appropriate proposals will be approved.

Mrs Mulligan: The experience of my constituents in villages such as Philpstoun and Blackridge in West Lothian, which I am sure is similar to the experience of many other people, is that buses are running at times that do not suit people—for example, they do not run at weekends or in the evening—and are running to places to which they do not expect them to run. [*Laughter.*] Members would not believe what is going on.

When the local authority tries to address the situation by establishing a quality bus contract, the bus companies are, at best, reluctant. Would the minister be interested in supporting a pilot scheme in an area such as West Lothian, where the council is trying to be proactive on quality bus contracts? By working with the council and a local bus company, the Executive could establish a contract that would benefit my constituents and which could be used as an example of good practice.

Nicol Stephen: The short answer is yes. We have had discussions with West Lothian Council and we know that it is considering the quality bus contract option. The advice that officials gave to West Lothian Council was that it should start to make its case by gathering the information that would be necessary to outline a proposal for a quality bus contract or—as I understand that the council has some quite ambitious proposals to cover the whole of the bus network in its area—for a series of quality bus contracts. In the meantime, the council is considering a statutory quality bus partnership. We have yet to hear back from the council, but we are willing to provide support, where that would be appropriate. In the partnership agreement, we made clear our endorsement of quality bus contracts and quality bus partnerships.

Concessionary Travel Scheme

5. Cathy Peattie (Falkirk East) (Lab): To ask the Scottish Executive whether the new national concessionary travel scheme for elderly and disabled people will use smart cards. (S2O-3859)

The Minister for Transport (Nicol Stephen): Details of the new national concessionary travel schemes have yet to be announced, but that proposal is being given serious consideration.

Cathy Peattie: Will the minister consider a roll-out of smart cards for other forms of transport? Can he give me a timescale for the implementation of the new concessionary travel scheme?

Nicol Stephen: The partnership agreement commits us to introducing two new concessionary travel schemes: a national free bus scheme for elderly and disabled people and a concessionary fares scheme for younger people, which, initially, will cover young people who are at school or in full-time education or training. The latter scheme will provide discounted rather than free travel, but it will include other modes of public transport as well as buses.

That will mean that we will bring into national concessionary travel schemes millions of Scots—more than a million elderly and disabled people and a significant number of young people. In my view, that gives us a unique opportunity to progress the introduction of smart card technology on public transport—especially on our buses—throughout Scotland. That is why I am determined to examine carefully Cathy Peattie's proposals. If we can introduce a smart card for the elderly and the disabled in the first instance, that will offer all sorts of new and exciting possibilities for more integrated and easier ticketing for all users of public transport in Scotland.

A80 Upgrade

6. Donald Gorrie (Central Scotland) (LD): To ask the Scottish Executive what representations it has received from road transport organisations following the conference organised by Cumbernauld community council's joint action group on the proposals for the upgrade of the A80. (S2O-3801)

The Minister for Transport (Nicol Stephen): When I checked this morning, no representations had been received.

Donald Gorrie: It is perhaps a bit early for them to have come in. Will the minister ensure that any inquiry that he sets up into the matter will address the two main points that were made at the conference? The first was that the arguments and facts for and against the two alternative routes should be examined thoroughly and fairly. The

second was that, whatever solution the minister finally endorses, it should provide enough space for the projected traffic that is supposed to go along the A80, or M80.

Nicol Stephen: It was always almost certain that there would need to be a public local inquiry into the proposals for the A80. I can update Parliament with the news that the draft orders for phase 1—the Mollinsburn to Auchenkilns section—which were published at the end of 2003, have attracted statutory objections from those with a direct land interest. As a result, it will be necessary to hold a public local inquiry. Given those circumstances, I want to publish the detailed proposals for the second and third phases and then have a public local inquiry to consider the full scheme, rather than have different inquiries for the separate phases. I assure members that, in doing so, we will consider thoroughly and fairly the alternative options, including the offline Kelvin valley proposal.

I want to ensure that the final configuration significantly improves the road in that area so that it copes better with the current levels of congestion and demand. I do not want to create a new road that encourages greater congestion and road usage and an expansion of private motor car and lorry use. I want a fair and balanced approach to traffic problems throughout Scotland, including that of access to the centre of Glasgow. I want significant investment in public transport as well as in roads.

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): I thank the minister for the responses that he has given in the many exchanges of correspondence that we have had on the matter. When will the orders for phases 2 and 3 of the scheme be published? Will he confirm that the scheme will be considered as a whole at the public local inquiry? Will he ensure that the remit of the inquiry is wide enough to allow objectors to put their case against the Scottish Executive's proposals? Will he update the Parliament on the Scottish Executive's public transport proposals, which were a big part of the A80 corridor study?

Nicol Stephen: We are determined to make progress on the public transport proposals, in parallel with work on the road schemes. As I said, I attach high importance to the public transport measures, which are a vital part of addressing the congestion and environmental problems in the Cumbernauld area.

We will ensure that objectors can put their case for an alternative route, after which the reporter will make his or her recommendations to the Scottish ministers, based on the evidence that is led at the public local inquiry. We anticipate that the orders for the second and third phases will be published soon—before the end of the year—and

that a public consultation will be held. We expect the public local inquiry to take place during 2005. Obviously, a period is required for the public to be consulted and objections to be lodged on phases 2 and 3 of the scheme, after which we will proceed to a public local inquiry.

Bus and Rail Services (Competition)

7. Mr John Home Robertson (East Lothian) (Lab): To ask the Scottish Executive what steps it is taking to ensure proper competition and satisfactory standards in areas where both bus and rail services are provided by FirstGroup plc. (S2O-3787)

The Minister for Transport (Nicol Stephen): The regulation of competition is a matter for the competition authorities. In addition to satisfactory standards, the new ScotRail franchise contains a range of performance and quality standards that the operator, First ScotRail Ltd, is required to meet. Bus services are subject to separate regulation.

Mr Home Robertson: Will the minister take it from me that there are a lot of seriously dissatisfied passengers who have to make do with FirstBus services in parts of my constituency where there is, at present, no competition? I get far too many complaints about clapped-out buses and unreliable services. Will he also take it from me that there is understandable anxiety that the quality of services on local trains could deteriorate when FirstGroup gains a monopoly on public transport in most of East Lothian? What can the Executive do to ensure that FirstGroup delivers satisfactory standards on its buses and on ScotRail trains?

Nicol Stephen: The Competition Commission agreed undertakings with FirstGroup on 15 October. Those undertakings relate to the situation that John Home Robertson describes, where there is a direct overlap of FirstGroup rail services and FirstBus services, and will ensure that the routes, the frequency of services, the capacity put on the routes and the fares that apply to them are safeguarded so as to prevent competition issues from arising.

We are determined not simply to maintain the current level of provision from ScotRail, but to improve the service in terms of quality and standards. That is why we are investing in new trains and why we are ensuring that new standards for cleanliness and for the availability of working toilets and restaurant and coffee facilities are set out in the contract. If there is a failure, the contractor, First ScotRail, will be penalised. Moreover, the regime will tighten over the course of the contract, so quality standards must be improved during the franchise—the penalties and

the triggers for penalties will tighten as the contract progresses.

Justice and Law Officers

Community-based Alternatives to Prison

1. Marilyn Livingstone (Kirkcaldy) (Lab): To ask the Scottish Executive whether it will further develop community-based alternatives to imprisonment. (S2O-3874)

The Minister for Justice (Cathy Jamieson): Community sentences need to be both credible and robust. That is why we have extended the range to include new penalties such as drug treatment and testing orders. Those are not, of course, soft options, but smart ones.

Marilyn Livingstone: I thank the minister for her answer and I agree with her. Does she accept that there are still too many women in prison for whom non-custodial measures would be more appropriate? Will she outline what steps are being taken to deal with that situation?

Cathy Jamieson: I have talked on a number of occasions about the difficulties relating to the fact that too many women are being sent into custody. Many of those women have chaotic lifestyles, perhaps linked to drugs misuse, and many have a whole range of other problems. We should, and indeed must, continue to work to ensure that women who commit minor offences and who pose little risk to their local communities are dealt with in the community. We want the number of women being imprisoned to reduce—that remains one of our aims. I refer members to the work that is currently being undertaken, notably that at the 218 time-out centre in Glasgow, which opened in December 2003.

Fishing Industry (Prosecutions)

2. Maureen Macmillan (Highlands and Islands) (Lab): To ask the Scottish Executive how it will deal with prosecutions relating to the fishing industry. (S2O-3902)

The Solicitor General for Scotland (Mrs Elish Angiolini): The Crown Office and Procurator Fiscal Service has recently established a network of five existing prosecutors to develop a greater specialism in fisheries-related offences. The network will receive and prosecute cases reported to it by the Scottish Fisheries Protection Agency. That will ensure that we are capable of robust enforcement of fisheries protection legislation.

Maureen Macmillan: I thank the Solicitor General for those words and I am glad to see her sitting next to the minister responsible for fisheries. Does she agree that we must send a strong signal to those fishermen who are breaking regulations—

by, for example, landing black fish—that they are damaging their own industry and that they could jeopardise the negotiations on fishing quotas later this year? Will she join me in hoping that the convening of the North sea regional advisory council in Edinburgh today will mark a major step forward in the future management of the North sea, with which all sectors of the fishing industry should engage?

The Solicitor General for Scotland: I agree with the sentiments expressed by Maureen Macmillan. Non-compliance is clearly a threat to the viability of the fishing industry. A recent case involving a United Kingdom-registered but Spanish-owned vessel resulted in a £47,000 under-recording of monkfish—that is a substantial amount. The injury that such cases can create to the industry in general and to our credibility in developing an agenda on fisheries policy is clearly a serious concern to the community.

Access to Justice (Adults with Incapacity)

3. Jackie Baillie (Dumbarton) (Lab): To ask the Scottish Executive what action it will take to improve access to justice for adults with incapacity. (S2O-3878)

The Deputy Minister for Justice (Hugh Henry): We have announced our intention to make free legal aid available for welfare applications under the Adults with Incapacity (Scotland) Act 2000. We have also arranged for the secondment to the Executive of a senior and experienced person from the voluntary sector to take forward further work in implementing the act over the next two years.

Jackie Baillie: I welcome the minister's commitments in relation to the Adults with Incapacity (Scotland) Act 2000, particularly on free legal aid being made available for welfare guardianship proceedings under the act. He will be aware that organisations such as Enable welcome that change and are eager to see it implemented. Will he give a likely timescale for implementation? Will he continue to work with all stakeholders, including Enable, in developing the detail further?

Hugh Henry: Jackie Baillie is right to point to the benefits that have been identified from the change. I know not only from the voluntary organisations but from a number of individuals how pleased many people are about what is happening. We hope to be able to bring in changes soon—I hope that they will be brought in over the next couple of months—in relation to advice and assistance. The changes to legal aid for welfare guardianship proceedings will be in place as soon as the details have been worked out. I have asked officials in the Executive and the Scottish Legal Aid Board to deal with the issue as a matter of urgency. I have also asked officials to

discuss the proposed changes with the relevant stakeholders, to enable them to make any comments that are required.

Alasdair Morgan (South of Scotland) (SNP): What options are available to victims in cases in which no proceedings are taken against an alleged assailant because of their incapacity and/or inability to understand proceedings, which is deemed to make such proceedings inappropriate?

Hugh Henry: Alasdair Morgan has the better of me on that matter. In respect of the specific issues relating to dealing with adults with incapacity, the changes are being warmly welcomed. However, if he or others have identified an anomaly, I will have it investigated and will report back to him as soon as I can.

Drug Treatment and Rehabilitation

4. Helen Eadie (Dunfermline East) (Lab): To ask the Scottish Executive what progress has been made on the review of drug treatment and rehabilitation. (S2O-3901)

The Minister for Justice (Cathy Jamieson): As I announced in Parliament last week, we have made available additional funding for treatment and rehabilitation services. I also made it clear that I expect to see improvements in the quality and consistency of services across Scotland and a reduction in waiting times to access those services. A summary of the recommendations from the review and an action plan were published on 27 October. The full report will be published in conjunction with the criminal justice plan before the end of the year.

Helen Eadie: I know that everyone in the chamber will praise the work of the dedicated professionals throughout Scotland who are tackling those issues. However, how can we communicate with the families who live in the most disadvantaged communities in Scotland that more than 50 service initiatives have been put in place? How can family members access information on the progress that has been made and on what is being achieved as a consequence of the commitments that the Scottish Executive has given in recent years?

Cathy Jamieson: I am well aware of tragedies in some families through young people and not-so-young people becoming involved in drug addiction and misuse. It is important that the services that we provide recognise that many of those families are involved in a caring role and that they require support. Of course, our action plan will take account of that.

Helen Eadie makes vital points, in relation not only to telling people about the success stories, but to communicating with them about the work

that is out there, how they can access information and how they can get advice. Of course, we will want to do everything that we can, which is why the information that is available on the know the score website, for example—which some members wrongly criticised in the chamber only last week—and the work that is going on in our schools to ensure that young people have access to correct information that will prevent them from getting involved in drug abuse in the first place are important. When, sadly, young people get involved in drug abuse, it is important to ensure that we help them to stop as quickly as possible.

Rape and Sexual Offences Law

5. Nora Radcliffe (Gordon) (LD): To ask the Scottish Executive when the Scottish Law Commission review of rape and sexual offences law will be completed. (S2O-3836)

The Minister for Justice (Cathy Jamieson): It is vital that the powers are available to the police and the courts to treat those despicable crimes appropriately. I have therefore asked the Scottish Law Commission to undertake a root-and-branch review of existing sexual offences law. The commission intends to complete the review in 2007.

Nora Radcliffe: I know that the minister is acutely aware of the deficiencies in Scots law on sexual offences. I accept that the review must be comprehensive, but 2007 is a long way away. Will the minister do whatever she can to have the review completed with the greatest expedition?

Cathy Jamieson: I appreciate the member's concern, which I raised when I asked the Scottish Law Commission to undertake that work. The law is complex and we must get it right. I considered several other options for reviewing the legislation, but concluded that the correct way to proceed was to involve the commission. I will of course keep in touch with the commission while progress is being made. I hope that part of the commission's work will be assisting us in producing a bill that will allow us to proceed speedily to legislation when appropriate.

Helen Eadie (Dunfermline East) (Lab): In conjunction with Elish Angiolini, will the minister take a particular interest in the situation of my constituent who was featured in a two-page spread in yesterday's *Daily Express*? The travesty and tragedy in her case was that the police surgeons concerned threw away blood and urine samples. That has devastated my constituent and was the most awful thing that could have happened to an individual against whom the crimes of rape and assault had been committed.

As Elish Angiolini said in her full letter, for which I thank her, we all understand that it is one thing to

have an injustice and another to prove an injustice. I urge the minister to ensure compliance with the assurance that Elish Angiolini gave me that guidance will go out timeously to the police.

Cathy Jamieson: I give the assurance that the Solicitor General has taken a close interest in the matter. She has given Helen Eadie a full answer and I hope that if Helen Eadie has further questions, she feels able to address them to the Solicitor General.

One reason why I want the root-and-branch review of the legislation is that difficulties occur at times with the prosecution of rape, which can be challenging. The nature of the crime means that it is sometimes difficult to obtain corroborated evidence to convince a jury of the accused's guilt beyond reasonable doubt. The law officers have examined how procedures and practices can be improved in the meantime. That work will continue while we await the outcome of the Law Commission's review.

Challenges to Court Rulings

6. Alex Neil (Central Scotland) (SNP): To ask the Scottish Executive what criteria it uses when deciding whether to pursue legal challenges to court rulings. (S2O-3809)

The Lord Advocate (Colin Boyd): Decisions on whether to challenge court rulings depend on the nature of the court or tribunal in question. A relevant factor is whether an appeal is available on both fact and law, or on points of law only.

In considering whether an appeal should be lodged in a case, ministers act on legal advice about the prospects of success. They also take into account the cost of pursuing the appeal as against the cost of accepting the judgment at first instance, and the need to obtain an authoritative ruling from a higher court or tribunal on a question of public interest or importance.

Alex Neil: Will the Lord Advocate review how his department has handled the Shirley McKie case, in which a legal challenge was mounted to a court ruling, despite promises that the then Minister for Justice made in the Parliament to Shirley McKie? Will the Lord Advocate pursue a settlement with her with all due speed, as the Executive promised?

The Lord Advocate: That matter is sub judice, as Mr Neil will appreciate, and I cannot comment on the specific circumstances. However, I am happy that my department has handled the case properly and that the minister is acting under legal advice.

Phil Gallie (South of Scotland) (Con): I was the originator of the clause in the Criminal Procedure (Scotland) Act 1995 that gave the

prosecution the right to appeal against sentences that are perceived to be lenient. Will the Lord Advocate advise what success has come from that? Does he feel that there is room for extension of that ruling?

The Lord Advocate: The precise figures for the use of that clause in the 1995 act were given in the 2003-04 review that was published two weeks ago. I cannot remember the precise figures, but it is fair to say that, in nine or so of the 15 or so cases that were dealt with in that year, the result was that higher sentences were imposed. There were a number of cases outstanding.

The Executive has no plans to review the operation of the provision.

Des McNulty (Clydebank and Milngavie) (Lab): In relation to the Shirley McKie case, I ask the Lord Advocate to do what he can to ensure that the case is heard soon, as the matter needs to be resolved as a matter of urgency. That is important not only to Shirley McKie but to the four members of the Scottish Criminal Record Office staff, whose employment is not being dealt with in the right way at the present time.

The Lord Advocate: I understand the points that the member makes in relation to hearing the case speedily. That matter, however, is for the court offices. I know that a date has been set and that it is now in the court programme. I hope that the situation will move on.

Disclosure of Previous Convictions

7. Colin Fox (Lothians) (SSP): To ask the Scottish Executive what plans it has to amend the law to allow for the disclosure during a trial of the previous convictions of defendants. (S2O-3808)

The Minister for Justice (Cathy Jamieson): There are a number of exceptions to the general rule regarding disclosure of previous convictions during a trial. Changes are being made by the Home Office and we will study their effect and consider carefully whether any lessons can be learned.

Colin Fox: No one wants the guilty to walk free and escape justice, but does the minister agree that disclosure of the defendant's previous convictions runs the risk of severely prejudicing their right to a fair trial? Does she agree that safe convictions are based on evidence that is led in a particular case, not on evidence that has been led in past cases? Does she agree with the critics who believe that someone's previous convictions should remain part of the sentencing process and not become part of the prosecution?

Cathy Jamieson: I am glad to hear Colin Fox give the chamber a commitment that he wants guilty people to be dealt with suitably by the

courts. I look forward to his support for the measures that we will introduce to improve the court system and manage sentenced offenders more effectively so that they are less likely to be involved in reoffending.

Of course, as I said, the general rule in Scotland is that previous convictions should not be made known to the court until conviction is recorded or the prosecutor moves for sentence. Some exceptions to that general rule are necessary, however. In some situations—for example in a case concerning driving while disqualified—proof of a previous conviction would be essential to proof of the charge. There are also situations in which the accused has given evidence as to his good character or has asked questions of prosecution witnesses to establish his good character.

Of course, it is absolutely right and proper that we uphold the principles of justice but, in doing so, we must recognise that victims and witnesses have rights and that the general public have a right to be protected.

Pauline McNeill (Glasgow Kelvin) (Lab): As the minister said, there are many circumstances in which previous convictions can be disclosed. She will be aware that our courts take great care in determining which issues should come before a jury because it would be prejudicial and that this Parliament passed a change in the law to allow judges to decide whether the sexual history of a rape victim is relevant for a jury to know about.

Does the minister agree that it is important to regularly review the finite balance that we have in our system between the accused and the victim, which avoids the issue of prejudice? While I accept that we can learn from the practices of England and Wales, I hope that the disclosure of an accused's previous convictions in the way that is proposed in England and Wales is something that we will continue to reject.

Cathy Jamieson: Pauline McNeill is correct to talk about that balance and we are trying to ensure that we balance upholding the accused's right to a fair trial with ensuring that victims, witnesses and the general public do not suffer. Pauline McNeill is also correct to say that there are times when, despite our right and just pride in Scots law being different, we should not be afraid to consider what happens elsewhere. I am talking about not just England and Wales, but Europe and the wider world. We will consider that and I reassure members that there are no current plans to change the position in Scotland, but it would be wrong to rule out the possibility of learning lessons that we can learn.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Obviously, the measures that

are being considered by the Home Office would be prejudicial to a fair trial. Is it not disingenuous not to accept that? That is why Scots law rules out such measures.

Cathy Jamieson: That is clearly Mike Rumbles's view, but if he had listened carefully to what I said, he would know that I indicated that it is very important that we uphold a balance and that we do not do anything that would be prejudicial to the right to a fair trial. At the same time, we should never rule out the possibility that there might be other ways to maintain that balance and uphold people's rights while making our system more effective.

General Questions

Chlamydia

1. Susan Deacon (Edinburgh East and Musselburgh) (Lab): To ask the Scottish Executive what recent action it has taken to reduce the incidence of chlamydia and other sexually transmitted infections. (S2O-3820)

The Minister for Health and Community Care (Mr Andy Kerr): The Executive continues to fund a range of initiatives to tackle chlamydia and other sexually transmitted diseases, including the healthy respect national demonstration project, which has a particular focus on chlamydia. The forthcoming national sexual health strategy will provide a framework for further concerted action.

Susan Deacon: Yesterday the cross-party group on sexual health heard that the healthy respect project has detected a 10 per cent prevalence rate among young people who were tested for chlamydia through the project's innovative postal testing kit scheme. Recent local and national data on the incidence of HIV and teenage pregnancy, for example, give similar cause for concern. Does the minister agree that sexual health must be treated as a major public health priority? Will he commit to bringing forward the publication of the long-awaited sexual health and relationships strategy to the earliest possible date? Will he assure us that the strategy will be based upon the best available evidence of what works and will be backed by the commitment and investment to make a real difference in this important area?

Mr Kerr: I agree with much of the sentiment in the member's supplementary question and I recognise the work of the group and Susan Deacon on the issue. It is correct to acknowledge that the work on the postal diagnosis technique has been very successful, and to recognise that we are seeing an increase in detection because our detection methods are getting better, as are the tests that we use for detecting the spread of

diseases such as the ones that Susan Deacon mentioned.

Although it is my desire to publish the sexual health and relationships strategy as quickly as possible, there was a sizeable response to the consultation and that requires analysis. The report has taken some time, but we have to make critical decisions and we want to ensure that we get them right. I expect to publish the strategy as soon as possible, which should be before the end of the year.

Patrick Harvie (Glasgow) (Green): I am sure that the minister will acknowledge that chlamydia and the wider sexual health agenda are only two of many issues that have crossed his desk since he took on the health portfolio. Has it struck the minister that there is not a strong patient lobby group for sexual health matters as there is in many other areas of his portfolio? Given that that is the case, will he take time to meet members of the cross-party group on sexual health, which includes representatives of more than 70 organisations? Their expertise will be of great value to him.

Mr Kerr: Views have been expressed through the consultation, but I am more than happy to meet the cross-party group to which the member refers. The more information that I have as an individual minister, the more that will help to inform the Executive's decisions. I hope that those decisions—on what, as Susan Deacon said, is a vital public health issue—will be the right ones.

Linda Fabiani (Central Scotland) (SNP): The minister is right when he says that the sexual health strategy has taken some time. We have been talking about it in the chamber for the past five years, it is more than a year since the expert group published its report, and it is almost nine months since the consultation closed. Will the minister please be definitive about when the results of the consultation will be published and when the strategy will be published and brought before the chamber?

Mr Kerr: I was definitive. It will be before the end of the year. We want to get the strategy right, and there are a host of different views with regard to those matters. It is important that sexual health remains a key part of our public health strategy. We will seek to ensure that the strategy, when we publish it, will meet the needs of all the people in Scotland in relation to this difficult issue.

That is not to say that the world has stood still since we embarked on our consultation and the work of the expert group. Many projects exist throughout Scotland, such as the healthy respect demonstration project, which Susan Deacon mentioned, and Caledonia Youth. That work is going on, effort is being made and the strategy will come along. We are still acting on this important

matter. Actions have been taken and, as we have heard today, have been successful in a number of areas.

Mr David Davidson (North East Scotland) (Con): Does the minister agree that people's sense of personal responsibility has been weakened by some of the strategies that have been proposed by the Scottish Executive? I am thinking in particular of access to the morning-after pill, which although it is not a form of contraception is now used as such. Will the minister, in the sexual health and relationships strategy, give any credibility and support to groups that promote abstinence among young people as a way of combating sexually transmitted disease?

Mr Kerr: I dispute the member's view with regard to the use of the morning-after pill. Such matters are placed in the hands of professionals, whom I thought that Mr Davidson sought to represent in other areas—our clinicians and pharmacists within the health service. Those are skilled people who provide high-quality services and make the utmost effort to ensure that, in diagnosis and treatment, they take into consideration the whole life of the individual before them. That applies to the prescription of the morning-after pill as to any other aspect.

Contraception in that form has been around for 20 years. We are getting more sophisticated in its use, but we still say to all our clinicians and pharmacists that the young person who is involved—if it happens to be a young person—should speak to their parents and adults whom they know and take advice from them. That is part of the method that we employ and those are the instructions that are given to everybody within the service. However, if the young person chooses not to do that, decisions have to be made, and I respect our clinicians and pharmacists in making such decisions in difficult circumstances. I do not like the way in which David Davidson, in his comments, brushes aside a very serious matter that is not treated in the way that he suggests.

Fisheries Research

2. Des McNulty (Clydebank and Milngavie) (Lab): To ask the Scottish Executive what action is being taken to improve fisheries research. (S2O-3852)

The Minister for Environment and Rural Development (Ross Finnie): Through the partnership agreement, the Executive has stated its commitment to continue to support fisheries research. Action has, therefore, been taken to ensure that Fisheries Research Services has a demanding set of performance targets and is equipped to meet current and future challenges. The 2004 spending review exercise has identified a need for additional investment in the FRS. The

agency will, therefore, receive £13 million for capital infrastructure projects and an increase of £2 million in funding towards its annual running costs.

Des McNulty: Recent research that has been widely reported in the press has highlighted the Houdini haddock that swim through fishing nets and then teach others how to do it. However, some of the claims from Opposition members about fish stocks have no basis in evidence or science. Will ministers ensure that research on the conservation requirements that are needed to protect fish stocks in the North sea will be publicised widely in order to counter misinformation such as we have seen, especially from representatives of the SNP?

Ross Finnie: I agree with the sentiment of Mr McNulty's comments, although I am not entirely sure that there is a scientific basis for Houdini haddock. It may be that there is scientific evidence to support that, but I am not aware of it.

Des McNulty makes an important point about the dissemination of this important and complex marine biological research. I will take up his challenge to ensure that those who publish and produce the information engage in its wider dissemination, so that a wider section of the public—especially in our fishing communities—can understand better what is contained in that research.

Mr Ted Brocklebank (Mid Scotland and Fife) (Con): Does the minister agree with the view that was expressed this week by Hamish Morrison, the chief executive of the Scottish Fishermen's Federation, that the latest scientific advice on cod stocks from the International Council for the Exploration of the Sea is "seriously flawed"? Does he accept that, if the European Commission accepts consequential cuts in effort, that could lead to an absurd situation in which Scottish white-fish catchers could spend only five days at sea a month?

Does the minister further accept that the most successful fishery in northern Europe is that of the Faroes, and that, on the advice of the independent marine biologist Jorgen Christensen, the Faroese have steadfastly ignored ICES advice for the past nine years and now have the largest coastal biomass—including cod—of all the leading fishery nations?

Ross Finnie: The chamber is well aware that Ted Brocklebank is the leading proponent when it comes to ignoring marine biological science. No other member in the chamber dismisses scientific advice with such gay abandon as does Ted Brocklebank. He ought to read Hamish Morrison's letters clearly, because Hamish Morrison asks whether, based on some of the assumptions that

have been made by the advisory committee on fisheries management, there is a case for further review and whether there are inconsistencies in that. Hamish Morrison does not, and neither does the Scottish Fishermen's Federation, ignore or completely disregard science in this matter.

Ted Brocklebank must face reality. It is fine for him to get to his feet and make cheap points about fish, fish, fish, fish and fish again and absolutely ignore scientific advice.

Mr Brocklebank: What about the Faroes?

Ross Finnie: The member has just told us that the Faroes ignores scientific advice, so how on earth he can tell us that there is any scientific basis for his claim is beyond me.

Let us get this absolutely clear. The FRS makes an important contribution to ensuring that, in the North sea, we in Scotland have access to the highest-quality scientific advice, and we in the Scottish Executive will act on that high-quality advice.

Mr Alasdair Morrison (Western Isles) (Lab): The minister will be aware of the new technology that is being used to assess prawn stocks on the west coast of Scotland. Will the data that are being collated be used to revisit the issue of the quota that is available to the responsible, conservation-minded fishermen who I represent?

Ross Finnie: As the member is aware, we have taken some of those preliminary data from that new source and we have advanced them to both the FRS marine laboratory and the ACFM. We must bear it in mind that, although there is no doubt that all in the scientific community are impressed by the methodology, before we are able to establish conclusions we will have to take that new information and put it into a series so that we can establish what the movement is in those stocks. However, there is no doubt that the whole scientific community is persuaded by the new techniques that are being employed.

Housing (Argyll and Bute)

3. George Lyon (Argyll and Bute) (LD): To ask the Scottish Executive what action it is taking to increase the affordable housing supply in Argyll and Bute. (S2O-3846)

The Minister for Communities (Malcolm Chisholm): We are investing £9.45 million this year through the Communities Scotland programme to fund the provision of 250 new affordable homes in Argyll and Bute. That investment represents an increase of more than 27 per cent on expenditure in 2003-04 and is the highest level of funding in Argyll and Bute for a decade.

George Lyon: As the minister will be aware, the Scottish Executive recently announced that it would allow councils to abolish the second-home discount on council tax. At a recent Argyll and Bute Council meeting, the council decided to reduce the discount to 10 per cent, realising an extra £1.4 million to reinvest in the supply of affordable housing in Argyll and Bute. Will the minister tell me exactly how that money will be channelled back into the area and spent in Argyll and Bute? Will he give me an assurance that, on islands such as Islay and Mull, which have a disproportionate number of second homes leading to a substantial shortage of affordable housing on those islands, the money will be prioritised to go into those areas that are suffering from large numbers of second homes in their local communities and villages?

Malcolm Chisholm: George Lyon draws attention to another important way of boosting spending on affordable housing. That money can certainly stay in Argyll and Bute, although the decision on the precise bits of the region that will receive the money will be a local one. However, the fact that there are second homes there and that the discount has been reduced will benefit Argyll and Bute.

If all councils did what Argyll and Bute has done, there would be £20 million extra a year for affordable housing. That is one of three ways in which Argyll and Bute Council is doing well in affordable housing. I made the general point in my substantive answer about the increased investment in Argyll and Bute. However, £80 million is being spent this year in rural areas across Scotland on new, affordable housing, and that compares favourably with the fact that only £41 million was being spent on that at the start of this Parliament.

The third point, as George Lyon knows, concerns the potential in Argyll and Bute for a community ownership programme. Again, that is a decision that tenants would take. If they decided to go ahead, it would mean £55 million extra investment in social housing. The early action programme figure of £15 million can potentially be spent on new, affordable homes.

Mr Jamie McGrigor (Highlands and Islands) (Con): In the light of the revelation that Scottish Water is not accepting any new connections in Campbeltown, what is the Executive doing to encourage the Scottish Environment Protection Agency to allow developers to install alternative disposals for sewage, such as septic tanks and reed-bed systems, when no mains drainage is available from Scottish Water? Many housing developments are being held up or abandoned because of refusals by Scottish Water and SEPA.

Malcolm Chisholm: The issue of water infrastructure came up, I think, at question time two weeks ago and I said that I would discuss the issue with Ross Finnie. Indeed, officials have been doing that for some time and I am also doing that. To be fair to Scottish Water, I am told that £200 million of its planned investment will help to release development constraints. Something is being done, but we know that more must be done. Therefore, further discussions will take place, including discussions on the particular issue that Jamie McGrigor raised.

National Health Service (User Charges)

4. Colin Fox (Lothians) (SSP): To ask the Scottish Executive what impact user charges have on the level of access to NHS services by patients. (S2O-3803)

The Minister for Health and Community Care (Mr Andy Kerr): We do not know how many people decide not to seek or continue treatment because of NHS charges, but we are aware that a number of reports conclude that user charges can affect take-up rates. The Executive is concerned to ensure that no one need be deterred from taking up NHS treatment on financial grounds and in 2003-04 almost 80,000 people received help with health charges under the NHS low-income scheme.

Colin Fox: The minister wrote to me last week and informed me that more than 27,000 people in Scotland who are on benefits are not entitled to free prescriptions. The minister will be aware of reports from Citizens Advice and the Office of Fair Trading, which conclude that because they could not afford the £6.40 prescription charge, as many as 700,000 people across Britain last year went without medicines that their general practitioners had prescribed for them. Is it not time that we kept our promise to patients and provided a universal health service in which no one went without because they were poor?

In addition, will the minister comment on yesterday's announcement by the Minister of State at the Department of Health that the new drugs contract with pharmaceutical companies will save the NHS £1.8 billion? That offers us a golden opportunity to scrap prescription charges, as the National Assembly for Wales has done.

Mr Kerr: First, let us welcome the news that the NHS will pay less for pharmaceuticals. The partnership agreement commits us to reviewing prescription charges for those with chronic health conditions and for young people in full-time education or training. However, we must acknowledge that, within the health service, we must make decisions about ability to pay. We certainly try to ensure, through a variety of

schemes, that those with low incomes receive support.

Colin Fox and I differ on the issue of the universal provision of free prescriptions. To do what he suggests would cost the NHS budget a sizeable amount of money and would mean, for example, that people such as he and I would pay no prescription charges. I am sure that that would not be the best use of resources. We must ensure that those who are most in need get support and that we target our resources most effectively on them. That is why the Executive is undertaking its review of prescription charges for those with chronic illness and for young people.

General Practice (Rural Areas)

5. David Mundell (South of Scotland) (Con):

To ask the Scottish Executive whether it is satisfied with the proposed general practice out-of-hours arrangements in rural areas. (S2O-3806)

The Deputy Minister for Health and Community Care (Rhona Brankin): We are satisfied that NHS boards across Scotland have undertaken a thorough and robust process to develop their new out-of-hours arrangements. All the major stakeholders, including GPs, NHS 24 and the Scottish Ambulance Service, have been closely involved, particularly in rural areas, in developing the new arrangements. Public consultation has played a key role in shaping the plans. All new arrangements must meet mandatory accreditation standards developed by NHS Quality Improvement Scotland to ensure a safe and quality service, whether in a remote and rural setting or a more urban one.

David Mundell: Does Rhona Brankin accept that there are still genuine concerns in many rural areas, such as Mid and Upper Nithsdale, about how that arrangement will work in practice? What arrangements will she put place constantly to review those arrangements so that they can be adapted and amended as required?

Rhona Brankin: I am aware that there has been some concern. Dumfries and Galloway NHS Board has worked closely with general practitioners in the area to address the concerns that have been raised. Indeed, the board has adjusted its out-of-hours plans to take some account of those issues.

I would like to mention some of the changes that have been made. A GP rota system will operate from Newton Stewart. An immediate care scheme has also been set up to work alongside the out-of-hours service. Nurse-led minor injury units are being developed at Dumfries and Galloway community hospitals and improved transport arrangements are being put in place for patients who are unable to access their own transport.

Andy Kerr and I shall continue to monitor the arrangements that are being put in place by local health boards for out-of-hours services.

Youth Justice

The Deputy Presiding Officer (Murray Tosh):

The next item is a statement by Cathy Jamieson on creating safer communities and improving youth justice. The minister will take questions at the end of her statement and there should therefore be no interventions.

15:02

The Minister for Justice (Cathy Jamieson):

Youth crime tears the fabric of our communities. It erodes community strength and resolve, particularly in our most disadvantaged communities. It drags us all down—families, neighbours, streets and whole communities—but above all it drags down young people themselves.

We know that not all young people offend. The overwhelming majority of Scotland's young people are a credit to themselves, to their families and to their communities. Of course, we shall continue to support them with opportunities to reach their full potential. However, we cannot simply ignore those who do offend, especially those who offend time and again and those who are likely to go on to offend again as adults, and this statement is about how we prevent and reduce that offending. It is about how we intervene consistently, appropriately and quickly to help those young people back to a law-abiding lifestyle.

That means having first-class youth justice services across Scotland—services that make communities safer by preventing and reducing reoffending, and services that work together to give hard-pressed communities real hope that the future will be better, that youth crime is being driven down and that increasing numbers of young offenders are facing up to their offending and choosing law-abiding paths. That means intervening at the right time and in the right way to check and turn around offending behaviour.

I am on the side of the public and on the side of law-abiding young people, and I stand with the councils, agencies and professionals who are making a difference, but I cannot stand for continued persistent offending and I will not stand for ineffective services.

The youth crime action plan laid out clear aims. Every area has a youth justice team whose focus is to make those aims a reality. We now have a broadly sufficient number of services. Resources have increased at an unprecedented level, with £55 million this year, increasing to £63 million in 2005-06. I pay tribute to the hard-working local teams who have seized the opportunity to improve. However, our next task is to focus on the performance, quality and effectiveness of those services. Are they in the right place at the right

time? Are we prioritising the right services? Do they work? We need to see the real impact and change in our communities on the ground.

National standards were developed to make that happen and they need to be met by 2006. In meeting those standards, youth justice teams will be helping to reduce the misery caused to communities by repeated offending from a minority. By meeting targets to improve planning, quality, effectiveness, the range of services, speed and services for victims, they will also be changing lives for the better.

I have always worked with councils on the issue. I met council leaders and chief executives twice in the past year to find out what was needed. They told me that they wanted support to enable their youth justice teams to develop creative responses to improving performance. They said that they wanted to engage meaningfully with their communities and that they needed time in which to deliver outcomes. In return, audit and performance measures needed to be developed to demonstrate success. We have responded tangibly to each and every one of those concerns.

So today, for the first time, I am reporting to the Parliament on how far youth justice teams have come. I also want clearly to identify and quantify the gaps between current performance and the point at which authorities and agencies need to be in March 2006. PA Consulting Group has worked with local youth justice strategy groups—with the local authorities, the police and the Scottish Children's Reporter Administration—to produce the comprehensive performance baseline information for 2003-04, which is set out in the document that I laid today in the Scottish Parliament information centre.

The information clearly outlines the extent of the youth crime problem in each area and shows which parts of the country have more persistent offenders. For example, more than 60 per cent of offenders are concentrated in only eight youth justice areas. The information will help service providers to get behind the figures and address why some areas are more effective than others at stopping reoffending.

Today, everyone can see where the challenges lie. For example, only three of the eight police forces have reported that they have achieved their national standard target and only 32 per cent of social work reports are submitted to the SCRA within the national standard. Overall, teams take an average of 74 days to deal with offenders through the hearings system when the target is 65 days.

We now have consistent data at local and national level that allow us to compare local progress with the national average. We can see

where preventive action is making a difference. For example, the number of persistent offenders in the Fife Council and East Ayrshire Council areas is relatively low in comparison to the number of child offenders in those areas. The figures suggest that those councils are stopping young offenders from reoffending at an earlier stage.

Those councils seem to be getting that bit right. That is important when we consider that some 65 per cent of hearings decisions relate to persistent offenders. The baseline data now show that the realistic number for this category of offender is 1,200 and not 900 as was widely thought to be the case. The fact that the number is higher is not a sign of failure; it shows the true scale of the challenge and reflects more accurately the experiences of communities.

The fact that we now have the data means that those 1,200 individuals are in the sights of every part of the youth justice system and not just of one or another part of the system. Now that we have much more robust information on the number of persistent offenders, we must address their behaviour and prevent and reduce their offending.

To meet our targets, we are now talking about reducing the number of persistent offenders by 120 by 2006. That should be achievable and it should also set the pattern for further reductions in future years. Given that youth justice teams know who and where the young people are, they need to ensure that the young people are in programmes that tackle their problems.

Other information gathered relates to the speed of the process. It shows that only 17 youth justice areas achieved the timescale for hearings decisions. That performance must improve. Interventions with young people are much more effective if they are delivered as soon after the offence as possible.

Both North Ayrshire Council and Dundee City Council, which make the second and third-largest number of hearings decisions respectively, were able to achieve the target timescales. Both are fast-track hearings pilot sites. We need to learn from the areas that are meeting the targets.

I want to step up progress across the board and information and monitoring will help us to do that. It will also help members of the Scottish Parliament and locally elected politicians to track progress with us. The Scottish Children's Reporter Administration has led on the production and presentation of the data and it can now give regular updates to professionals and the wider community. A quarterly update will be made available on the SCRA's website. Monthly management reports, with even more current data, will be circulated in the system to allow managers and senior professionals to identify and address

trends and issues as they emerge—it will be done almost in real time. It will ensure that youth justice teams have the relevant information for their area on which to act.

The figures disclose some stark lessons for us all. I said that no one agency meets all its standards nationwide, so much needs to happen before 2006. The information shows a large gap between current performance and what we need—and what communities rightly demand. Agencies have found that sobering. I have met the Association of Chief Police Officers in Scotland, the SCRA and the Convention of Scottish Local Authorities in recent weeks and shared the emerging findings. They have accepted the scale of the challenge and responded positively. They have made a number of commitments to me.

First, the police. All forces will share the lessons about an abbreviated police reporting process and ensure that all forces come up to speed in the coming year. ACPOS has also agreed to review how young people are formally referred to the children's hearings system. It will look at making the best use of options, such as police restorative cautions, and ways to tackle first-time offenders quickly. It will also examine how we deal effectively with young people who are already in the care of local authorities.

Secondly, the SCRA. Reporters have set new, challenging targets that will produce consistent, accurate and reliable performance management reports on a quarterly basis, so that teams can assess their progress. They will also set and meet targets for the speed of work by reporters, focusing on reducing the number of persistent offenders. They will also ensure that each local reporter team delivers on those commitments and identifies best practice.

Thirdly, the local authorities. COSLA has indicated that it supports our approach and the new national and local data. It understands that there is work to do in order to meet the targets, and that it will have a role in encouraging local authorities to do that. COSLA has stressed its commitment to reducing youth crime and, in particular, dealing with persistent offenders. It will be supportive of our work, and, with local authorities and other partners, will work to meet the national standards.

COSLA will host an event on the outcome of the work done by PA Consulting Group and will share good practice with elected members. It has also committed to working with elected members to raise the profile of youth justice and to ensuring that elected members are up to date with developments in the national agenda and aware of how they can best participate. For example, at the next meeting of the executive group on social work and health improvement COSLA will have a

substantial item on youth justice and the implications of this announcement, and will seek the commitment of all councils to achieving the targets.

I welcome the acknowledgment that improving youth justice is a corporate responsibility for councils, not just a problem for social work. I welcome the responses from the professionals who lead in the field. However, we need to see the results of that leadership coming through in the next few months. The building blocks that people asked for are in place. They must now be used to best effect. Improvements have been promised. They must now happen on the ground. Quarterly performance monitoring will regularly show progress in each area, and I look for it to show regular improvement at the required rate. I also expect a clear improvement in annual performance at the end of this year.

In conclusion, when I launched the youth crime action plan I gave a commitment to update Parliament regularly. I am doing that today, sharing positive progress, as well as outlining where more work is needed. Much of what I have said is about systems, targets and numbers, but behind those systems are real young people, real lives, real families and real communities. Yes, there are success stories—young people's lives turned around, families supported and communities given a break from the onslaught of youth crime—but there are not enough and they have not happened quickly enough.

I am tired of hearing commentators talk of this Executive as anti-young person. It is quite the opposite. This Executive is ambitious for Scotland's young people. I want them to grow up in a Scotland that offers them opportunities and I want them in turn to help to grow our country into the great place that we all feel it can be. We must not allow any young person with that potential to fall into offending.

The scale of the challenge is great, but we must not be daunted by it. Every part of the system must do more. Every part of the system must see the work as a priority. Every part of the system must be ready to step up its activities to act quickly and decisively when young people offend.

The Deputy Presiding Officer: The minister will take questions on the statement, for which I will allow 20 minutes.

Mr Kenny MacAskill (Lothians) (SNP): I thank the minister for the courtesy copy of her statement and the full update that she gave to the chamber. I endorse the sentiment that the overwhelming majority of kids in our society are a credit to themselves, their parents and their communities. We need to praise the majority, as well as castigate the minority.

I also welcome the suggestion that she will be tough on the causes of crime as well as tough on crime itself. However, given that statistics show that 25 per cent of our prison population comes from 1.8 per cent of our local authority wards and that 50 per cent of our prison population comes from approximately 8 per cent of our local authority wards, we have a significant distance still to travel. On the small minority who cause mayhem and who are in many instances a danger to themselves as well as to others, given the announced closure of Kerelaw school, how and when will we see the creation of adequate numbers of residential secure units to secure the safety of the community and of those troubled young individuals? If the closure goes through now, as has been suggested, we will be left with fewer residential secure units than we had in 1999.

Cathy Jamieson: Members will have heard me give commitments in the chamber not only to increase the number of secure accommodation places, but to put in place a number of other options, including electronic monitoring, for some young people who might otherwise have found themselves in secure accommodation, and to provide close support to ensure that when young people make the transition from secure accommodation to the community they are monitored correctly.

The decision on Kerelaw school and secure unit was and is a matter for Glasgow City Council, which runs it. I have made it clear that the overall objective to ensure that we have additional places will not be blown off course or somehow forgotten or not dealt with as a result of the plans to close Kerelaw school. I have taken steps to ensure that of the 12 places that would have been made available in a redeveloped Kerelaw, the six places that would have been for girls and young women will be provided at the Good Shepherd centre in Bishopton, and the six that would have been for young men will be provided at St Philip's in Airdrie.

We have always had the best interests of children and young people at heart in all this—people would expect me to say that. I want us to continue to ensure not only that we provide secure accommodation for the most persistent offenders or those who need care and protection, but that we stop young people getting involved in offending behaviour in the first place. The youth justice teams must focus on that, as well as on having a range of provisions in place. They know who the persistent offenders are and they must ensure that those young people are prioritised in getting into programmes.

Miss Annabel Goldie (West of Scotland) (Con): I, too, thank the minister for making available a copy of her statement in advance. The

11-page statement could, to be frank, be paraphrased in two sentences: things are worse than we thought and we, the Scottish Executive, admit defeat. How else can one view the fact that the number of persistent order referrals is 1,200 not 900 and how else can one interpret the Executive's feeble response to that of hoping to reduce the number by 10 per cent? That would not even take us back to the 900 that the Executive thought it was dealing with and accepted as an already bad position. It goes without saying that those data cannot take into account the practical implications and consequences of the Antisocial Behaviour etc (Scotland) Act 2004—a measure that the minister, by her own admission, would concede has specific provisions on young people.

Far from being reassuring and positive, the statement is deeply troubling. I want to ask the Executive something specific arising from the youth crime action plan, on secure accommodation places. I listened with interest to the minister's response to Mr MacAskill. For the avoidance of doubt, it is necessary for the minister to make one thing absolutely clear. As of 2002 we have proceeded on the assumption that we had 95 secure places for young people in Scotland. The ministerial commitment was to increase that number by 29. In 2003, the First Minister confirmed that no one seemed to have departed from that commitment. Is the Executive still committed to providing a total of 95 places plus another 29? As I understood it, of the 95 places, 24 were at Kerelaw. There are two issues to consider—the existing contingent and consignment of places and the additional quota. Everyone needs to know whether the existing 95 places are secure and the figure is stable. Do we know when and where the 29 proposed additional places will be available?

Cathy Jamieson: I will take those points in order. First of all, Annabel Goldie said that things are somehow worse and that the Executive is admitting defeat. Nothing could be further from the truth: I will never stop trying to ensure that young people are kept out of trouble and that when they are in trouble we try to turn their lives around. Indeed, it is vital that we do that. We have produced this report because, in the past, we have not received robust information. It is not good enough simply to take a stab in the dark and guesstimate how many young people are at risk of falling into offending behaviour. Local authorities, the police and the SCRA told us that they wanted us to take this particular approach and to establish this baseline as it would allow us to move forward on these targets.

I should point out that setting targets allows us to see whether there is a trend and whether things are moving in the right direction. We have a target for 2006; indeed, as our budget report makes

clear, we also have a target that goes beyond 2006. I intend to ensure that progress is made.

I have already answered parliamentary questions on this matter but, for the avoidance of doubt, I will make it clear: the Executive has not moved from its commitment to provide the correct number of secure accommodation places. Annabel Goldie is correct to say that there were 24 secure places at Kerelaw. However, she might have misunderstood my previous answer; if she had listened, she would have heard me say that the 12 places that would have been developed at a new Kerelaw secure unit will now be developed elsewhere. I have already indicated in my answers to parliamentary questions that we can deliver those places faster by attaching them to other facilities than we can by rebuilding Kerelaw completely. We must also acknowledge that Glasgow City Council has accepted its responsibility for the transitional period as we move into the new situation.

Mrs Mary Mulligan (Linlithgow) (Lab): I welcome the minister's statement. She will be aware that in the lead-up to the passing of the Antisocial Behaviour etc (Scotland) Bill there was much discussion about tagging and, in particular, tagging young people between 12 and 16. The committee and the Parliament finally accepted that as an alternative to secure accommodation. What progress has been made on tagging and electronic monitoring for under-16s?

Cathy Jamieson: I am pleased to be able to give the Parliament an up-to-date progress report on this very matter. Mary Mulligan has rightly reminded us that it was discussed during the consideration of the Antisocial Behaviour etc (Scotland) Bill. The seven local authorities that have confirmed their commitment to phase 1 are West Dunbartonshire Council; East Dunbartonshire Council; Glasgow City Council; the City of Edinburgh Council; Dundee City Council; Highland Council; and Moray Council.

As members will also recall, there was a clear expectation that support services would be in place to run alongside electronic monitoring. Some areas are setting up those services in advance of its introduction and are trialling some of the services that are currently available. All the areas that I mentioned will have support services in place by the end of 2004 and we will move on electronic monitoring when appropriate.

Margaret Smith (Edinburgh West) (LD): I welcome the minister's update this afternoon. After all, this issue is of great importance to all our communities. Moreover, I associate the Liberal Democrats with the comments that she and Kenny MacAskill made about the good work that the vast majority of young people do, and about the good work that the youth justice teams are carrying out.

I have seen that work for myself in Edinburgh and it is important that it involves not only council social work departments but other council departments, the police and the voluntary sector.

The minister said that, broadly, there is a sufficient amount of services. What funding is in place to ensure that programmes are available across the country to those who need them? In her answer, will she let us know what funding is available for restorative justice schemes and for diversionary schemes to keep people away from offending in the first place? Will there be an update on whether the schemes that are already in place have been effective?

Cathy Jamieson: I will take that last point first. This particular report did not examine the effectiveness of some of the schemes on restorative justice that are already in place, because the report was about collecting baseline information on the numbers and locations of persistent young offenders and about establishing a benchmark from which the agencies could move on. That is not to say that we will not continue to look favourably on such schemes, because we know from other evidence that they tend to have a beneficial effect on young people. If young people have to make good the damage that they have done in communities, or face up to victims and witnesses of crime, they are much more likely to change their behaviour.

I remind the chamber that, when we launched the youth crime action plan, I made additional funding available. The intensive support fund was to deal with young persistent offenders in the most difficult of circumstances. There was also the youth crime prevention fund. Substantial amounts were injected into those funds. In our recent budget, we have been able to ensure that those funds will continue. I have also ensured that, during the summer holiday period, when more young people are out and about on the streets, we will put additional money into community safety partnerships to try to benefit all young people in particular areas as well as focusing on the persistent offenders.

Maureen Macmillan (Highlands and Islands) (Lab): I am sure that the minister will agree that the children who are the most disadvantaged are those who are being looked after by local authorities. I know that the minister has taken a great interest in how those children progress and develop.

It has been suggested that looked-after children feature regularly in fast-track hearings. I wonder whether the minister has looked into the reasons for that. Are the children being stereotyped; are we not supporting them enough in keeping them out of crime; or are they just being further disadvantaged by the process?

Cathy Jamieson: Maureen Macmillan highlights an area that has been of concern. In some initial reports from the fast-track hearings, we saw a disproportionate number of young people from a care background. Sometimes, those young people would have come into care while a number of offence-related referrals were still being dealt with in the hearings. Because of the definition of "persistent offender"—in which we talk about a number of offending episodes within a six-month period—many young people who were at crisis points in their lives would have appeared in that category.

It is important to ensure that, just because young people are in care for their own welfare, we do not then ignore offending behaviour. Too often, young people who have been through the care system and have shown a pattern of offending behaviour are the ones—as Kenny MacAskill suggested—who end up in our prison system. I do not want that to happen. We want to ensure that young people in care are not in any way further disadvantaged, but it would not be right for us not to continue to address offending behaviour when it occurs.

Patrick Harvie (Glasgow) (Green): The minister will find support right across the chamber for her ambition that no young people in Scotland should fall into offending. Among the many parts of her statement that I welcomed was the part in which she welcomed COSLA's acknowledgement that this issue is a corporate responsibility for councils and not just a problem for social work.

Will that same approach apply to the Executive? Will the minister work with the Minister for Education and Young People to ensure that a revival of youth work—which is long overdue and which would represent prevention rather than cure—will be progressed at the earliest opportunity?

Cathy Jamieson: On this occasion, I probably agree with Patrick Harvie. I have not always agreed with him but, on this occasion, I do. It is music to my ears to hear that the Green party will support joined-up working and help to ensure that we have integrated services for dealing with offenders.

I will of course work with my colleagues—not just the Minister for Education and Young People but with colleagues across the Executive and in communities and the health professions—to ensure that we achieve the right services. A discussion has already taken place on how we can make progress with our youth work agenda. The Minister for Education and Young People takes that very seriously.

Pauline McNeill (Glasgow Kelvin) (Lab): I was recently given sight of a children's hearing

decision that showed that the teenager concerned had not been to secondary school for well over a year. That was shocking. Given that we know that young offenders in the young offenders institution at Polmont have high levels of illiteracy and difficulty in reading and writing, which are a barrier to their moving on with their lives—through rehabilitation or moving away from offending—does the minister agree that it is crucial for the Justice Department to work closely with the Minister for Education and Young People? There is a direct connection between young people missing out on school, for whatever reasons, and developing literacy problems, and their ending up in the criminal justice system. Does the minister agree that it is important that a joined-up approach is taken? I know that that is a strong theme in the minister's approach but, given the case that I have mentioned, urgent action is required.

Cathy Jamieson: Pauline McNeill makes an interesting point about the connection between young people falling into offending behaviour, which sometimes leads to truancy and to their not getting the benefits of education, and their ending up in our justice system in other ways later on. Although I do not want to step into the territory of the Minister for Education and Young People—the importance of joined-up working notwithstanding—members may recall that when I had responsibility for that portfolio, I made it clear that even though a looked-after young person has been excluded from a particular school, that person ought to have an education. I know that that policy, which is very important, has been continued. That is why we need to match the programmes that are available in local areas to the needs of individual young people. Of course offending behaviour must be tackled, but if an education input is also required, that should be addressed.

Stewart Stevenson (Banff and Buchan) (SNP): The minister might recall that, during the passage of the Antisocial Behaviour etc (Scotland) Act 2004, I and other members, most notably Elaine Smith, expressed concern about the possibility of people with developmental conditions, in particular autism and Asperger's syndrome, being disadvantaged by the failure of the criminal justice system—police on the beat and others—to recognise the existence of such conditions and illnesses when they come into contact with them. In the context of my question, I would include people who suffer from attention deficit hyperactivity disorder and mental health conditions of one sort or another. Given that, as far as I am aware, there are no measures that promote the diversion of such people by the police and others to appropriate sources of help, how can the minister guarantee that they will not be swept inadvertently into the criminal justice system when they need very different help?

Cathy Jamieson: The important point is to get the assessment right at an early enough stage to ensure that people are directed to the appropriate place. In the context of antisocial behaviour, mental health issues and the criminal justice system, different departments are doing various pieces of work and producing various pieces of guidance.

To return to the report that has been published today, part of the reason why I think that it is vital that the national standards on youth justice are met is that if we do that, we intervene early, the appropriate assessments are done and people are linked to the right services and if there is a problem with offending behaviour or a problem that requires some other form of care or service, that is tackled. The problem arises when such assessment is not done at an early enough stage, which means that people are likely to drift further into difficulty. That is the point at which some of the people to whom Stewart Stevenson refers are not picked up and that is why it is so important that we get behind the figures and understand that they relate to real young people and real communities.

The Deputy Presiding Officer: I had hoped to get in another question, but the clock has beaten us. I express my regrets to the members whose names remain on my screen.

Domestic Abuse

The Deputy Presiding Officer (Murray Tosh):

The next item of business is a debate on motion S2M-1943, in the name of Malcolm Chisholm, on domestic abuse services, and three amendments to that motion.

15:34

The Minister for Communities (Malcolm Chisholm): I am glad to have the opportunity to debate domestic abuse today and I make no apology for the fact that this is not the first time that we are having such a debate.

I believe that there is agreement across parties in the chamber that the scale, impact and nature of domestic abuse in Scotland demands the continuing attention of the Parliament and the sustained action of the Executive.

Unfortunately, the facts speak for themselves. For example, in 2002, 36,010 cases of domestic abuse were reported in Scotland and 11 women died as a result of domestic abuse. More generally, one in five women will experience domestic abuse from a male partner in her lifetime and, on average, women experience abuse 35 times before making the first call for help, an issue to which Margaret Mitchell's amendment refers. Underneath the horrific statistics are the real-life stories of the women and children who experience domestic abuse, which reveal the associated pain, fear, isolation, shame, loss of self-esteem and identity and, sometimes, the ultimate loss: death. The situation is appalling and it is an indictment of our society that such abuse should still be the experience of thousands in Scotland today.

Domestic abuse has its foundation in the inequalities between men and women and in the abuse of power within a relationship. As long as there is wider acceptance of gender inequality, the task will be harder. It is shocking to think that, not so long ago, people regarded the physical and mental abuse of women as "just a domestic", and even as a patriarchal right. The fundamentally gender-based nature of the problem must be named and confronted and I pay tribute to the work of the zero tolerance campaign in doing precisely that.

The campaign also reminded us that domestic abuse is but one aspect of violence against women, albeit a significant one. In recognition of that, last year, we extended the remit of the national group to address domestic abuse to reflect the wider context of violence against women. The group's work is at an early stage, but it has undertaken a literature review that is to be published shortly and it is setting up an expert

advisory group. We will listen to the experts on all types of violence against women, including rape and sexual assault, prostitution, pornography and trafficking—sadly, the list is long. Those issues are important and complex and I will speak to my colleague the Minister for Parliamentary Business to ask for a debate before Christmas on the wider agenda of violence against women.

In the limited time available today, I will focus on the specific issue of domestic abuse, particularly its impact on women and children. As members will know, the strategy that we have pursued has been based around three key themes: prevention, protection and provision. The approach that we have adopted to implement the strategy has been one of partnership. We have ensured that the focus, the decisions and the delivery have been shaped by people who know and understand the issue.

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Does the minister agree that we must deprecate domestic abuse from any source and recognise that victims are victims, whether they are male or female, adults or young children?

Malcolm Chisholm: Of course we must acknowledge that some people who are in same-sex relationships and some men in heterosexual relationships may experience abuse from their partners. However, we must also recognise that the nature and scale of those issues are different and that they do not take away from the fundamentally gender-based nature of domestic abuse.

The national group, which comprises experts in the field, guides our strategy and framework for delivery. It has been particularly effective in developing detailed proposals on prevention, training, legislation, refuge provision and children's services. We also deliver through a network of multi-agency partnerships and in collaboration with Scottish Women's Aid and other key women's and children's organisations. I am immensely grateful to the members of the national group for their work, and to the others throughout Scotland who strive daily to make a difference to the lives of the women and children who are affected.

A difference is being made with the £32 million that will be invested in the period 2000-06. We are continuing one of the most successful awareness-raising campaigns that a Government department has conducted, which challenges perceptions of domestic abuse and aims to change the climate. There is no excuse for domestic abuse. We fund a 24-hour telephone helpline that provides support for women when they most need it. We have launched and implemented a national training strategy that should result in the establishment of training consortia throughout Scotland that will

grow the expertise of front-line professionals in the services. We fund a number of domestic violence probation programmes for offenders and we have piloted the first domestic abuse court, which I was pleased to launch in Glasgow three weeks ago. I was also pleased to read the comments of women who have used the court.

Christine Grahame (South of Scotland) (SNP): The recent advertising campaign on the issue seemed to me to be effective, but what were the results? Has an audit been done or have the impacts been measured? Sometimes an advert looks good, but one does not know whether it will have an impact. What analysis has been done of the results of the campaign?

Malcolm Chisholm: I agree with Christine Grahame that the campaign has been very effective. I do not know about a detailed, formal audit, but I will write to the member on the matter.

I will mention two other major investments. There is, of course, the investment of £9 million through the domestic abuse service development fund. It funds the Tayside domestic abuse service, which is mentioned in Christine Grahame's amendment. I emphasise that the domestic abuse service development fund will continue beyond 2006, albeit not in its current form. We will work with the national group to decide precisely how the funding will be spent. A sum of £12 million has been invested to improve refuge provision via the refuge development programme. I would like to give more detail about that programme, but I am slightly alarmed to note that I have very little time left.

I must move on to talk about children. We feel that they have been overlooked in the past, and the statistics are chilling. An estimated 100,000 children and young people in Scotland live with domestic abuse. In 90 per cent of cases, children are in the same or next room when the abuse takes place. A third of children try to intervene during attacks on their mothers, and many will be injured during such attempts.

Last week, I attended Scottish Women's Aid's listen louder event, where I heard at first hand the experiences of children and young people who have lived with abuse in their homes. Like everyone else there, I was extremely moved by their courage as they described in various ways what they had been through. It is imperative that we consider what we can do to support these children and to address their needs.

I was pleased to announce £6 million of investment last week. That money will enable us to implement the recommendations of the children's services working group. It will provide more children's workers in Women's Aid groups across Scotland and it will develop the outreach

work that is so sorely needed. I emphasise that that £6 million is over and above the existing budgets that fund the domestic abuse service development fund, for example.

I am aware that I am out of time, but I mention briefly the fact that, last week, we also launched a guidance note for planners, which has been sent to all the people who plan children's services throughout Scotland, asking them to plan services with children and young people who have experienced domestic abuse in mind.

We have made substantial progress in winning people over to the belief that there is no excuse for domestic abuse, but we have a considerable way to go. I hope that we continue to work in partnership for change and that we can secure the support of all parties in the Parliament to that end.

I move,

That the Parliament recognises the very serious and totally unacceptable problem of domestic abuse in Scottish society; notes in particular the traumatic effect of domestic abuse on children and young people as well as on women; acknowledges the range of initiatives in this area that have been funded by the Scottish Executive in the last few years, and welcomes the Scottish Executive's partnership working and its investment and work to support those experiencing domestic abuse.

15:42

Ms Sandra White (Glasgow) (SNP): I welcome the announcement that the Minister for Communities made last week, and which he has mentioned again today, of the £6 million of extra funding specifically targeted at children and young people. When she winds up, I would like to hear from the Deputy Minister for Communities what period of time is covered by that £6 million. Does it cover a year, two years or three years? I would like the minister also to give us some specific examples of what the funding covers.

The minister mentioned the 100,000 children and young people who currently live with domestic abuse. In our amendment, we specifically mention

"the lack of suitably-located alternative accommodation for the victims of domestic abuse, particularly those with children".

Children not only witness the abuse of their mothers in their own homes; they have a greater prevalence of mental health problems and difficulties—48 per cent of them have such difficulties, compared with 10 to 26 per cent of the general school population.

The minister mentioned the meeting that he attended, where he spoke to and listened to children and their mothers. I will quote from two children who spoke in a film showing several children speaking about their experiences. One said:

"We just had to go. The house was pure wrecked and she couldn't afford to buy more furniture and everything. So she had to pack our stuff up and go."

Another said:

"It was quite sad actually, because all my friends were there. My mum just kept telling us it would be OK and there would be lots of new friends there."

I mention those examples because moving young children away from the area where their family and friends live can only compound the matter and add to their distress and difficulties. I ask the minister to take particular cognisance of the lack of local refuge facilities for children.

Maureen Macmillan (Highlands and Islands) (Lab): Does Sandra White recognise that there are also women who have to get away from their area and that it is sometimes difficult for them to stay? Although it would be good if there were refuges on every street in Scotland, we must do what is possible.

Ms White: I was talking about choice. If the mother and children are in greater danger staying where they are, they will of course ask to be moved, and I would hope that there would be a refuge place for them to move to. I was pointing out the fact that children will have family and friends in the area where they live, who give them support. It is always better to keep the children there. If the perpetrator of the domestic violence can be moved, that is much better than moving the children away from an area where they might have some help and support.

Our amendment also mentions

"elderly people who are victims of domestic abuse",

for whom even more limited resources are available. Recently, I mentioned in a question to the minister—I think that it was around two weeks ago—that there is only one refuge for elderly people, and elderly women in particular, in Scotland. Surely that is unacceptable. I know that the minister replied and basically said that Scottish Women's Aid and other agencies would look into the matter, but we must take serious cognisance to the problem. Some women have suffered abuse for decades and have worked up the courage to recognise that fact and to seek help. When they do so, there is nowhere for them to go. We should pay particular attention to that matter and ensure that it has been dealt with. I know that the Tayside domestic abuse service has a good and effective strategy, which my colleague Andrew Welsh will talk about.

I return to the Executive's motion and the extra funding for children and young people that I mentioned. I ask the minister to announce as soon as possible where and when the money will be allocated. It is crucial that agencies such as Scottish Women's Aid and others know the level of

funding that they will receive. Even more important, they need to know that the funding is long term and secure—that is why our amendment specifically mentions that matter. Lack of long-term funding severely hampers the ability of agencies to provide services that are essential for the protection of the thousands of women and children who seek help. It is unacceptable that funding for Scottish Women's Aid is for only one year in some areas. I accept what the minister has said about examining that issue. Sometimes the level of help depends on the area in which someone lives, which is why the Scottish National Party has consistently called for a national funding strategy. We support Shiona Baird's amendment, as it specifically mentions a national strategy.

Domestic violence is a crime and should be treated as such. Long-term, secure funding coupled with a national strategy is the only way to tackle the issue and to help to eradicate it. Domestic violence is a heinous scourge on our society. I support the Executive's motion, but ask it to support our amendment.

I move amendment S2M-1943.1, to leave out from "and welcomes" to end and insert:

"expresses its concern, however, at the level of secure funding to agencies working in this area and the lack of suitably-located alternative accommodation for the victims of domestic abuse, particularly those with children; further expresses concern that services for elderly people who are victims of domestic abuse are even more limited, and commends the role of Tayside Domestic Abuse Service, the only service of its kind in Scotland where police and a voluntary organisation work together to support the victims of abuse, as a model of effective partnership working."

15:47

Margaret Mitchell (Central Scotland) (Con): I welcome the Scottish Executive's domestic abuse initiatives, which include legislation in the form of the Protection from Abuse (Scotland) Act 2001; the national strategy encouraging interagency co-operation to develop local strategies to drive forward prevention work; the establishment of a national domestic abuse helpline to provide information and support for victims; and the new pilot scheme for domestic abuse courts, which will fast track domestic abuse cases. I welcome in particular the recent funding announcement of £6 million to extend services to help any child who is affected by domestic abuse. Those are all excellent initiatives that are a testament to the Scottish Executive's commitment to tackling such a vexing issue.

However, initiatives in themselves are not enough. According to the latest figures that are available, more than 36,000 incidents of domestic abuse were recorded in 2002 and repeat incidents are up year on year from 8,000 victims in 1999 to almost 18,000 victims in 2002. The Scottish

Executive-commissioned research report on the evaluation of the Protection from Abuse (Scotland) Act 2001 revealed that most victims were not aware of the act. As a result, it is clear that much more requires to be done to raise general awareness—hence the amendment to the motion.

Elaine Smith (Coatbridge and Chryston) (Lab): Will the member take an intervention?

Margaret Mitchell: I am pressed for time, so if the member does not mind, I will move on. I may well cover what the member wants to ask about.

As part of the national strategy, the Scottish Executive has identified the need for fuller public awareness through posters, billboards and television and cinema adverts, together with newspaper and magazine features, all of which highlight the issues.

In addition to that, and as part of a rolling programme of awareness-raising measures, I commend to the Executive a short play on the subject that was written by the Scottish playwright, Anne Marie Di Mambro, entitled "The Letter Box", which the Glasgow-based UK Theatre Group performed as a fringe event at the Scottish Conservative party conference in May. Quite simply, the play illustrated the complex issues that surround domestic abuse more graphically, poignantly and succinctly than a whole day's debate on the subject can do. The issues that were raised included the effect of domestic abuse on children—the secondary victims—whose anxiety can sometimes surface in the form of bed-wetting and the child's subsequent agitation, embarrassment and shame; fear from the victims that the child will let something slip to another member of the family, such as the mother of the abuser; and attempts to cover up incidents in the almost sure and certain knowledge that if the abuser were to be challenged, payback time would inevitably follow.

Drink is referred to almost as an excuse for violent behaviour. Victims attempt to play down injuries to reassure children and panic at the prospect of a child innocently revealing an incident in the news book the next day at school. The play also covered the lengths to which victims go to ensure that information is concealed from authority figures such as teachers or community policemen who visit schools, by giving the clear instruction, "Never mind what these people say—we don't want the family to be split up."

Another issue was the heartfelt desire of victims who are trapped in abusive relationships to escape. Victims may assume the blame, pathetically hoping that things will be different in the future and that in the meantime they will have to try not to make the abuser angry. The play had a profound effect on the audience. The issues that

were raised in the subsequent discussion included the link between violence against animals and violence against humans.

To quote Iain Duncan Smith:

"Issues such as domestic violence transcend party politics".

I move my amendment in that spirit, and ask members to support it.

I move amendment S2M-1943.2, to leave out from "acknowledges" to end and insert:

"notes with grave concern the escalating pattern of repeat victimisation highlighting the fact that more and more victims are trapped in abusive situations; acknowledges and welcomes the range of initiatives in this area that have been funded by the Scottish Executive in the last few years, and calls on the Executive to continue to explore different means to raise awareness of the issue generally and to ensure that individuals who are trapped in abusive situations are aware of these support services to help them escape from their abusive circumstances."

15:51

Shiona Baird (North East Scotland) (Green): I welcome the minister's commitment to attempt to solve this shame in our society. I acknowledge that Scotland is ahead of the rest of the United Kingdom in at least having a strategy to tackle domestic abuse. To that end, I urge the minister to lobby Westminster to follow Scotland's lead and to introduce a strategy to tackle domestic abuse that also covers reserved issues such as immigration and nationality, benefits, employment rights and equal opportunities.

The Scottish strategy must be extended to take into account the interlinkages of all types of gender-based violence, must include those who are in vulnerable minorities and must be broadened to include all violence against women—in or outside the home.

I echo Sandra White's call for more long-term security of funding, which is important. We have heard about Barnardo's Tayside domestic abuse initiative, which is funded yearly. That cannot be the best way to fund such vital services. They must be given the security of guaranteed, permanent funding.

Despite Scotland's strategy, domestic abuse continues to be widespread. The fact that one in five women suffers domestic abuse at some point in her life is shocking. We must never lose sight of the fact that domestic abuse is a human rights issue. All policy must be framed in such terms.

Concern is felt that the courts and existing legislation do not adequately protect children from contact with abusive parents in domestic abuse situations. When contact with abusive parents is being sanctioned, a bias exists towards the rights of adults over those of children. Scottish Women's

Aid has many examples of sheriffs assuming that if a father has abused a mother but not a child, the child will not be at risk of abuse if contact is made. Sadly, that is often not the case. Clear links have been recorded between domestic abuse and child abuse.

Children must have the right to enjoy contact with parents, but it is vital that that happens safely and is in the child's best interests. The forthcoming family law bill must amend the Children (Scotland) Act 1995 to ensure that contact rights are balanced to protect children adequately in domestic abuse situations and must ensure that the non-abusing parent is equally protected.

The abuse of older women is a little-talked-about problem. No clear picture exists of the number of older women over 50 who suffer domestic abuse or of their experiences. By ignoring that group, we ignore almost half Scotland's female population.

Maureen Macmillan: Will the member give way?

Shiona Baird: No; I want to continue.

More research is urgently needed. Easier access to services that are aimed at that age group is vital. I urge the minister to act on that, and we will support the SNP amendment.

Yesterday's opinion poll by Amnesty International highlights the additional problem of public complacency about domestic violence. The poll shows that people consistently underestimate how widespread domestic abuse is and, if they have no experience of it, often see it as something that has nothing to do with them. That attitude must be changed. There is a need for a continued focus on public education and awareness raising, starting with education in schools, in addition to the work of supporting those who experience domestic abuse. In particular, it might be valuable to recruit non-perpetrating men in tackling domestic abuse and violence against women. Although there is a worrying acceptance of violence against women in our society, many men and boys consider it to be totally unacceptable but do not know what they can do about it.

I move amendment S2M-1943.3, to leave out from "recognises" to end and insert:

"notes with concern that, despite Scottish Executive initiatives, domestic abuse continues to be widespread; recognises the recent public opinion poll from Amnesty International showing the level of complacency in society about domestic abuse; believes that tackling domestic abuse will require concerted effort by the Executive including a continued focus on public education and awareness-raising, in particular focusing on education and involving non-perpetrating men, along with extending support for those experiencing domestic abuse; welcomes the Executive's recent announcement of £6 million funding for children and young people experiencing domestic abuse but calls on the Executive to detail as soon as possible how

this funding will be allocated; notes with concern that there is no national funding strategy for domestic abuse services, that funding for Women's Aid groups throughout Scotland is often on a yearly basis and that the quality of service varies widely according to local authority area and calls on the Executive to put in place a national funding strategy, and recognises that, to tackle domestic abuse effectively, Executive policy-making needs to take into account the interlinkages between all types of gender-based violence and continue to broaden its focus to encompass all forms of violence against women including those in vulnerable minorities."

15:56

Donald Gorrie (Central Scotland) (LD): One of the benefits that this Parliament has gained from having a considerable number of female members is that we have addressed this subject much more vigorously than some other Parliaments have. It is important that we continue to do so.

The Executive has done quite a lot of good things in producing money for various causes that are involved in the issue and in its attempts to raise awareness of domestic violence. However, as has just been said, there is a long way to go. We have to aim for zero tolerance of domestic violence. I hope that we can widen the issue to enable us to achieve even more zero tolerance—that is not very mathematical, but members will know what I mean.

In the coming months, we will discuss licensing. In doing so, we must consider the impact of the abuse of alcohol on domestic abuse. For example, it might be suggested that off-licences should be treated differently from licensed premises. However, I think that a lot of the drink that is taken from off-licences might lead to domestic abuse. If there is any tightening up of the licences for pubs, the position of off-licences should be tightened up as well.

The multi-agency partnership on domestic abuse defined domestic abuse as being between a partner or a former partner and the person who is abused. That might have been the right approach at the time, but now that we have made a reasonable amount of progress, we should adopt a broader, more consistent and more comprehensive definition that covers all abuse among members of a household. If we widen the definition in a clear way, we will strengthen the idea that no violence within the home is acceptable.

The police and the courts accept the current definition; although they will pursue other questions of violence, of course, their focus is on violence perpetrated by a partner or former partner. The area is a difficult one, but the police need encouragement and support in their work on abuse in the home. Obviously, violence against women, perpetrated by their partners or former

partners, is the single greatest aspect of domestic abuse—I do not deny that or attempt to play it down—but there are other aspects.

There is child abuse, whether it is perpetrated by the parents or happens when children become involved in the abuse between their parents because they try to stand up for a parent. There is also elder abuse, which is a largely neglected aspect. Often, it occurs in residential establishments, but it can also occur at home. There is abuse perpetrated by members of the extended family, such as grandparents, uncles or whoever. There is abuse perpetrated by a large son against a small single parent. Members will not be surprised to hear that my colleague, Mike Rumbles, intends to speak about another aspect of domestic violence, which is the abuse of men.

A wide range of abuse within the household must be brought together under the banner of domestic abuse. Research needs to be done to find out what the figures are. As has been said, there is under-reporting of what happens. If the wider definition is used, the police will have better statistics to work with.

We have to make it clear to groups that have a culture in which violence is acceptable that it is not acceptable at all. We are going along the right lines, but it is important that we widen the definition and make a serious attempt to educate the public on the unacceptability of any form of violence in the home.

16:00

Cathy Peattie (Falkirk East) (Lab): Most cases of domestic abuse involve partners—whether married, cohabiting or otherwise—or ex-partners. It is overwhelmingly women who are the victims of domestic violence at the hands of men. Scottish Executive figures show that such cases make up more than 90 per cent of incidents that are reported to the police. Of course, victims often suffer for a long period of time without complaining. As many as one in five women in Scotland will experience domestic abuse in her lifetime.

Domestic abuse includes physical abuse such as slapping, hitting, kicking, burning with cigarettes and pushing. It includes sexual abuse such as withholding contraception, sexual assault and rape. I will talk more about emotional abuse if I have time later, but that includes name-calling, withholding money and isolating from family and friends. The violence might be actual, threatened or attempted and although the severity of abuse varies, there are several common characteristics. The incidents are seldom isolated. They tend to be repeated over time. They often extend to children who are living in the same home and they often

increase in severity and frequency. They are particularly common during a woman's pregnancy or following the birth of a child.

Most people visualise black eyes and bruises but the scars of emotional abuse are just as deep and the pain can last much longer. All victims who experience violence experience emotional abuse, but there is a tendency for that to be minimised, even though those who have personal experience tell us that it can be the hardest to cope with. Emotional abuse creates low self-esteem and traps the victim in abusive relationships. There have been significant improvements in provision and in the protection from and prevention of domestic abuse throughout Scotland. Domestic abuse is a priority for the Scottish Executive and I welcome that, but more needs to be done to respond to emotional abuse in particular.

Women who are abused come from every class and background. Some women, particularly those from black and ethnic minority communities, might experience abuse from other family members connected through marriage. Forced marriages are a form of domestic abuse.

Any woman can be abused. She might be a woman with whom we come into contact—a sister, daughter, mother, friend, or neighbour. Men who abuse women come from every class, religion and background and are of every age.

Children live with domestic violence. They may see violence and threats against their mother, they may overhear abuse, they may see the effect of it and they may have been abused themselves. We know that 90 per cent of children who experience domestic abuse are in the same or adjacent room during attacks on their mothers. Children are very aware of domestic abuse in the home and can experience high levels of anxiety and stress as a result. More than 100,000 children and young people in Scotland are estimated to be experiencing the difficulties and effects of domestic abuse.

I congratulate Scottish Women's Aid on its listen louder campaign, and particularly the children and young people who have been involved in it. I am pleased that there has been further progress in developing a comprehensive training strategy that builds on the partnerships and multi-agency working to ensure that those who suffer domestic abuse get a sympathetic response across the spectrum of the public and voluntary sectors. The Scottish Executive has proved to be a major support in providing resources to fight domestic abuse and I welcome the £6 million funding to improve services and extend support for young children.

I am glad that the Parliament is debating this important issue, but I look forward to the day when

I do not have to take part in such a debate. It is a shame.

16:04

Stewart Stevenson (Banff and Buchan) (SNP): It is important to think about what domestic abuse is. I suggest that it is anything that damages anyone in mind or body, or which through repetition might do so in the future. At the core of our consideration of domestic abuse must be the victim's view. The initial presumption must be that there is truth in a victim's claim of domestic abuse. We must not be diverted by the difficulty that, for example, 48 per cent of young children in refuges are apparently suffering from mental illness. We should not assume that, because people are mentally ill, they are unable to describe and relate the conditions in which they are living.

I want to talk about the support agencies that exist and their strengths and weaknesses, as well as about some of the things that we can do. To Maureen Macmillan, I say that we are some considerable distance away from having a refuge on every street. I suspect that to be as true in her constituency as it is in mine.

There are individual examples that we will all see in our constituency lives of people being let down due to individual failures. For example, I met a wife who was separated from her husband but who still lived in the matrimonial home. There was an interdict on her husband to keep away, but he broke that interdict. I saw the photographs of what he did to that woman, and it was anything but nice. The court fined that man £100 and patted him gently on the head. We have got to do more. That was an individual failing, not a failing of anyone in this room.

In his introductory croak—I hope that he gets better soon—the minister focused on the essence of the issue. I welcome the news that we are getting Executive support for the domestic abuse helpline. I note that there is a degree of independence in the report that has been prepared on the helpline, as it states that it does not necessarily reflect the views of ministers. I ask the minister to see whether we can get the helpline to operate 24 hours a day. One of the graphs in the report shows something that our personal experience might confirm: that the number of out-of-hours calls rises rapidly from 6 am to 9 am. We are not all good humoured when we get out of our bed in the morning, but the helpline does not open until 10 am. That is a key issue to which the minister might turn his thoughts.

It is great that Thus has sponsored the 0800 number that is used for the helpline. However, many people who have had to leave their matrimonial home will be using a mobile phone,

from which 0800 numbers are not free. That is a particular problem for people with pay-as-you-go phones. That is a difficult issue to deal with, but it is a point to note.

I conclude by mentioning briefly mediation services and the family mediation service that operates in my constituency and a little bit beyond. Like many agencies that support victims of domestic abuse and children in particular, they experience difficulty in sustaining the funding stream that enables them to do their work. That is an issue to which we must turn our minds.

16:08

Elaine Smith (Coatbridge and Chryston) (Lab): I was pleased to go to the Scottish Women's Aid conference at Our Dynamic Earth last week. It was well attended and well organised and it involved children and young people. As other members have commented, the minister's announcement at that event of £6 million for improved services was of huge significance. I am pleased that the Executive has made such a substantial commitment towards working to improve the lives of children and young people who are experiencing domestic abuse. The Parliament and the Executive can be proud of the work that has been done on the domestic abuse agenda since devolution. Since the publication of the "National Strategy to Address Domestic Abuse in Scotland", the Executive has displayed a consistent determination to tackle all the related issues.

With an estimated 100,000 children and young people in Scotland affected by domestic abuse, the funding that has been announced by the minister will build significantly on the £500,000 that has already been provided since 2003 to ensure that every Women's Aid group in Scotland has at least one dedicated children's worker. The additional funding will also allow Scottish Women's Aid to secure its existing provision as well as expand its support services. In fact, it will double its number of dedicated children's workers. I understand that the funding will also assist in the provision of more outreach workers to address the needs of children who are living outwith refuges and the immediate reach of specialist services. Given the suggested correlation between domestic abuse and the physical and sexual abuse of children, it is vital that we make reaching those children a priority. That requires the strategic and co-ordinated involvement of many different agencies. I am pleased to note the importance that the Executive has placed on that. I stress in particular the role of education in both the prevention and the outreach aims of the agenda. I ask the Executive to ensure that essential support in the form of training and resources is provided

for those education sector workers who are often the first point of contact for many of those vulnerable children.

Like Shiona Baird, I sound a note of caution about the plan to amend family law. Although, for the most part, the proposal to extend access to parental rights and responsibilities to unmarried fathers is laudable, when we consider all the provisions, we must take adequate precautions to ensure that those rights cannot be manipulated, thus allowing abusers access to families and ex-partners. Without such safeguards, the measures will fail to protect the best interests of the child and could endanger a significant number of women and children.

Indeed, one Women's Aid circular tells us that 76 per cent of children who are ordered by courts to have contact with a violent parent were said to have been further abused as the result of contact being set up. One child said:

"It is better for my dad just not to know where we live, to keep our safety."

We have to bear that in mind. I realise that the Executive has recognised those concerns and I urge it to take action.

To achieve the objective of eradicating domestic abuse, we have to be willing to take bold action and we need to work harder to reduce inequality, to tackle the pervasive culture of violence towards women and children and to foster an understanding of the importance of equality and respect among our young people. With that in mind, I am glad that the Equal Opportunities Committee has asked me, as gender reporter, to undertake an inquiry into pornography and possible causal links between it and violence against women and children. I am also pleased that the minister wants to have a debate on the wider issues that surround the subject.

I have a little problem with today's amendments. I agree with much that is in them, although my point to Margaret Mitchell is that I note that the Conservatives have taken great pains to make their amendment gender non-specific. We have to accept that we are talking about an inequality issue that mainly affects women.

The Executive motion is perfectly acceptable as it stands. I welcome the commitment that the Executive has shown to the issue and I congratulate it on its past record and recent moves to provide better services.

16:12

Bill Aitken (Glasgow) (Con): There is too much violence in Scotland. There is too much violence in the streets, in the pubs and clubs, in the football grounds and even in the schools. However, we

have to recognise—this is an argument that I have always fully accepted—that perhaps the most serious violence of all is the violence that occurs in the home. That violence impinges on children, as a number of members have graphically illustrated this afternoon. It also has a particular characteristic. Although one can avoid going to certain locations—to the pubs, clubs and football grounds—one cannot avoid going to one's home. If someone is subjected to violence in the home, it is all the more difficult for them to cope.

I have heard little with which I can disagree this afternoon, but I say to the minister with the greatest respect that he cannot abstract or detach himself from the general failure of Executive policies in a number of directions. Violent crime has risen and much of the reason for that is a lack of policing and a creaking and overworked legal system with massive court delays.

I frankly acknowledge and praise the Executive initiative for a separate domestic abuse court that is being piloted in Glasgow. However, I say to the minister that a target for disposing of such cases in four months is not all that helpful to a woman—let me be the first to fully concede that it is largely women who are affected, although that is not exclusively the case—who waits time and again for a drunken bully to come home and assault her, in some instances very seriously. We are talking about summary justice and I do not regard four months as an acceptable timescale in which to dispose of cases of this type.

In my experience, those who commit domestic assaults have a history of committing violence in other directions. It would be interesting to learn how many of those charged with domestic violence have other outstanding cases of violence that have not yet come before the court because of the overworked legal system.

Specialist sheriffs are perhaps an interesting innovation, but I suggest that, given the range of available disposals, any sheriff who does not know how to deal with crimes of this type should simply not be a sheriff. I know that people can behave out of character from time to time and that, in many cases, there may be genuine contrition, but it is difficult to see why anyone who has been convicted of more than one incident of domestic assault should not receive a custodial sentence.

We do not take great issue with what has been said in the debate, but I wonder whether we should perhaps seek to take a more proactive approach in certain directions, particularly with regard to the helpline that is in force. I know that that is largely run on a voluntary basis and I am full of praise for those who give up their time to do that. However, domestic violence does not operate on the basis of office hours. The helpline closes at 12 o'clock at night and we can expect a large

number of episodes of domestic violence to occur after that time. Perhaps the Executive should consider that aspect.

I have no difficulty with this matter being debated in the chamber today but, like Cathy Peattie, I regret the need for the debate. Perhaps we can move on in a more positive direction, if the Executive is prepared to be a little bit more determined on the wider issues.

16:16

Maureen Macmillan (Highlands and Islands) (Lab): I declare a relevant interest in that I am a director of Ross-shire Women's Aid.

I am glad that so many speakers in the debate have acknowledged that the abuse of women is a product of our unequal society. I will illustrate that by recounting a conversation that I heard on a train from Edinburgh to Inverness not all that long ago. Three young people—two girls and a boy, aged about 18 or 19—were sitting fairly close to me. They were obviously students going home. After a lot of chitchat they started talking about a mutual acquaintance: a boy who was going out with a girl. The two girls were interested in that. The young man said, "Oh, well, we've told him that he should finish with her because she is so ugly, but he doesn't want to do that because when he asked her to split up she started to cry. So what is he going to do? I think he should give her a smack in the face." The young man smacked his fist against his palm to show what he meant.

One of the two girls laughed nervously and the other looked out the window. The train arrived in Inverness and everybody got up. It so happened that I had been reading Amnesty International material about violence against women. I thought, "Here we are. All the work that we have done and we still have this young man who thinks it is clever to make such an announcement in a loud voice in a crowded railway carriage."

I am sure that nobody in the chamber could imagine that conversation taking place if the gender roles were swapped. In our society, women are too often judged on their looks and controlled by physical and psychological force. Some men think that it is manly to do that. We must change such attitudes and make it a priority to do so through education. Women's Aid has often written to schools in our locality asking to speak to senior pupils, but too often schools have not even bothered to respond. I am pleased to say that Highland Council, through its domestic abuse strategy, has now taken on board the need for that kind of education.

We must deal with prevention, but we must also deal with the provision of protection. The refuge development programme has doubled the capacity

of refuges in Dingwall and Inverness and has provided flats for families rather than crowded rooms. It is also perfectly possible for older women to be in refuges. In Dingwall, we have had women in their 70s in refuge. Refuge workers will also support people in the community. If a woman does not desperately have to get away from her partner or if her partner slopes off, she can be supported in the community. The Dingwall refuge is supporting nearly 60 women around the Dingwall area who are not in refuge.

Although we have doubled the capacity of our refuges in Dingwall and Inverness, we still have to turn away a considerable number of women and children, as we have had to do over the years. There are 46 children in refuge in Dingwall this year, and 52 in Inverness. Members will note the large number of children, and we are all aware of the listen louder campaign to highlight children's experience of their mother being abused. With that in mind, I and other members want to draw the Executive's attention to the worries that we have about the family law bill. When it was debated earlier this year, I asked the Deputy Minister for Justice to ensure that the needs of children who had experienced the abuse of their mother by their father would be taken into account, and he promised that that would be the case. I urge the Executive to meet Scottish Women's Aid to discuss that issue.

I also want to ask the Executive how it is promoting the Protection from Abuse (Scotland) Act 2001. I noticed recent articles in the *Journal of the Law Society of Scotland* and letters in that journal from Scottish Women's Aid asking for information on how the act was working. That act was created by a bill that was introduced by the Justice 1 Committee and was the first committee act of the Parliament.

We must protect, prevent and provide. We must provide refuge for women and children, we must ensure that relevant legislation is used to protect them and we must prevent through education the attitudes that some young men still have.

16:21

Rosie Kane (Glasgow) (SSP): First, the Executive should be given credit where credit is due on its domestic abuse strategy and on the continuation of the domestic abuse strategy development fund. Secure funding will allow projects and workers to continue their excellent and essential work in the field, and the strategy is making a difference. Also, having a collective definition of domestic abuse means that all workers, agencies and political parties can, and should, have a common understanding of what domestic abuse is.

Although I am happy to voice my support for the strategy and for the development fund, I have some concerns that I would like to present to Parliament. First, service provision is far from uniform. Quantity and quality are not consistent. Women come to me in my surgery in Glasgow, often distraught, and tell me that they cannot be rehoused. They tell me that when they are seeking safe and supported refuge they cannot always get any and that they are offered bed-and-breakfast accommodation, sometimes miles away and sometimes in different local authority areas. Often, the stark choice for women is the frying pan or the fire, the devil or the deep blue sea, homelessness or domestic abuse. We need to get among that.

I draw the chamber's attention to the staying put project in Leeds and Bradford. That project helps women to stay in their homes safely. It involves changing locks, putting in alarms, ensuring that there are safe-and-well checks from local police officers and using legislation to keep abusive men away. That helps women and children to stay in their own home where possible and if that is what they want to do. It allows them to stay in the community, it allows children to stay at the local school with their friends and it allows them to continue with the same family doctor and other supports. It is not a panacea, but there is community responsibility involved in keeping women and children safe.

We need to be able to give answers to women who come to our surgeries because they were forced to give up their tenancies. One woman told me that she was forced to do that because she was in refuge. The council would not pay housing benefit on the home that she had fled, and that gave her no option of return. Under the Housing (Scotland) Act 2001, that vulnerable woman, who has had enough uncertainty in her life, will now be offered one tenancy. If she does not take it, she has had it. Her choice of returning home to her children has, sadly, been taken from her. The going rate for staying in temporary accommodation or refuge is around £260 a week. That is usually paid for by housing benefit. If a woman is not on housing benefit, how can she afford to pay for refuge or accommodation while keeping up the rent or mortgage on the home that she has had to flee?

Women seeking interdicts, with or without powers of arrest, would have to be either in poverty or in wealth to manage to achieve that. Women earning more than £18,000 cannot get legal aid, which could mean that they are unable to get an interdict and would have to make a choice about whether they could afford to protect themselves.

Unfortunately, I shall have to leave out much of what I had planned to say, but I want to make it

clear that domestic abuse is not a women's problem. The vast majority of domestic abuse is perpetrated by men on women. In Scotland, on average, a man executes a current or former partner each month. Child deaths that are also connected to domestic abuse are regularly investigated in Scotland. Although service provision for women is needed, we cannot ignore the cause, which is men's violence to women. Men must be held accountable for their abuse and for their violence towards women.

I do not have time to go into detail on a booklet that I have with me, which was produced by Respect. The Scottish Executive strategy refers to the principles that are contained in the booklet, as does the national health service. How many of the projects that the Executive funds through the DASDF or through the 100 per cent funding under section 27 of the Social Work (Scotland) Act 1968 meet those minimum standards?

The Deputy Presiding Officer (Trish Godman): The member must finish now.

Rosie Kane: There was a lot more that I wanted to say but, sadly, I have to finish.

16:25

Jackie Baillie (Dumbarton) (Lab): First, I join in the congratulations to the Executive on the progress that it has made in tackling domestic abuse. This policy area is a clear example of the difference that a post-devolution Scotland can make to people's lives.

Thanks to the Executive, more women feel confident about reporting their experiences to the police and seeking help from organisations such as Scottish Women's Aid. As policy makers, we like to talk about taking a comprehensive, strategic approach to domestic abuse, but we should also ask what we mean when we do so. Taking a comprehensive, strategic approach means prevention, protection, increased support for children and young people, additional legal protection for victims and—of course—provision with more choice and better quality refuge provision.

Even with the progress that has been made in the area, domestic abuse continues to go unreported. However, not reporting abuse—for whatever reason—does not make it go away. It is imperative that we emphasise that people who are experiencing domestic abuse should seek help. All the services and provision in the world cannot help if the problem remains a secret one.

As Maureen Macmillan rightly said, the ultimate goal is to get better at prevention. We need to get better at challenging the attitudes and culture of some in our society. Domestic abuse is never

justified and it must never be tolerated. Although we can acknowledge the comments that Donald Gorrie and Mike Rumbles made, I hope that they acknowledge that the starting point is where the problem is most acute. More than 90 per cent of the people who are abused are women—the issue of domestic abuse is one of gender and inequality. I also agree with the comments that Elaine Smith made on family law.

In the remaining time that is allowed to me, I want to highlight an emerging area of concern. Despite the welcome victim information service, some women's experience is that no information is given to them or that they are wrongly informed about their rights and about why and when things will happen in the justice system. Essentially, the problem appears to be that once the abuse has been reported to the police, the victim is left out of the loop when the case gets to the Procurator Fiscal Service and into court.

I will quickly illustrate the problem. A husband who was the subject of an impending abuse case continued to harass and threaten his wife and children while he was out on bail. His wife reported the harassment to the police only to be told that, as there was no hard evidence to support her statement, nothing could be done. She was given wrong information, however, as her husband should have been brought in for questioning. The experience left the woman and her child with the message that in some way her abuser was above the law.

The case gets worse. When her husband was finally brought to trial, she had no idea what was happening in the trial, as nobody explained the court procedures. She discovered that her husband had left the building, as his not-guilty plea had been accepted. The woman was left feeling extremely let down by the system that was supposed to protect her. We cannot allow the victims of domestic abuse to be further victimised by a lack of information and to end up mistrusting the very system that was put in place to protect them.

In another case, substantial assault charges were dropped and a lesser charge of breach of the peace was accepted without any information being given to the woman who was the victim of the case. Although I welcome the pilot domestic abuse court in Glasgow, the positive experience in that court is not one that is shared elsewhere in the country.

I would be grateful if ministers would discuss the issue further with the Lord Advocate. The Scottish Parliament and the Scottish Executive must send out a clear message to the women and their children who are victims of domestic abuse that domestic abuse is never acceptable and that the people who perpetrate it will be prosecuted.

16:29

Mr Andrew Welsh (Angus) (SNP): The statistics with which the minister opened the debate were shocking and in many ways sum up why this debate is vital to the sort of Scotland that we are building in the 21st century through this Parliament. Domestic abuse is a disgrace to our society. It ruins lives, harms individuals and cannot be tolerated. Although there is no universally accepted definition of domestic abuse, we all know what it is when we see it. Our society has a duty to protect and defend the innocent and the vulnerable.

I commend to Parliament the Tayside domestic abuse initiative, which is jointly operated by Barnardo's Scotland and Tayside police. The initiative provides support to victims of domestic abuse and, in particular, develops assistance for children who are affected by such abuse. When the initiative was witnessed by the chief constable John Vine he was so impressed that he extended the unique Angus scheme to the rest of Tayside using financial assistance from the Scottish Executive. For that, I thank the minister.

I also commend the Angus partnership on domestic abuse, which has created positive input and co-ordination involving Women's Aid, Victim Support, local sheriffs and procurators fiscal and every Angus Council department. It truly is a community response to a community problem. Everyone who needs its services can approach the partnership with confidence. In one year, 259 women and 13 men were helped along with 446 children, while 13 children received an individual service, which made a positive difference to the lives and life prospects of those involved.

I congratulate my colleagues on Angus Council and the Angus partnership members, and today seek a positive response from the Scottish Government to ensure that medium and long-term financial security is provided for a scheme that works well and could be replicated throughout Scotland. The number of referrals is increasing steadily as the true extent of the hidden abuse problem emerges, therefore continuing medium and long-term Government support is vital. I ask the minister to ensure that such life-restoring initiatives are established on a more sound basis with assured, sustainable core funding.

We really are talking about the kind of Scotland that we want to live in. The more I hear of the statistics, the more shocked I am. Some things in life should never be done, and hitting a woman is one of them.

To help to solve the problem, I ask the minister to guarantee Government funding, which will allow for flexibility in the development of new models of care that work, use existing services better and

can be replicated elsewhere. We can all learn from best practice. All voluntary organisations suffer from insecurity and short-term funding. Will the minister ensure that clearly successful initiatives are financially supported by central Government in the medium and long-term, and that Tayside's success will be reinforced as part of a national strategy to meet and defeat the fundamental issue? The University of Dundee evaluation of the Tayside initiative reveals its reliability and the positive reaction from users. It is now menaced only by insecurity over long-term sustainable funding.

Domestic abuse simply cannot be tolerated in 21st century Scotland. This community problem can and will be solved by community action. I seek the minister's assurance that the Government will replace short-term funding with longer-term sustainable resources for a proven initiative, as part of a truly national strategy.

The Deputy Presiding Officer: I call Marlyn Glen. I regret that I can only give you two and a wee bit minutes.

16:34

Marlyn Glen (North East Scotland) (Lab): I draw the attention of members in the chamber to the strategy of the London domestic violence forum, which is in its annual report. Part of its remit is to focus on bringing about a societal shift. Instead of concentrating just on services for abused women, it also targets the societal collusion of men. Too often, men who are not abusers turn a blind eye. It is not enough to hold only abusers to account; we all have to be accountable. The Executive's own national strategy on domestic abuse needs a great deal more publicity if we are to achieve such an attitudinal shift.

The statistics that we have heard are chilling. One in five women experience domestic abuse, which accounts for a quarter of recorded violent crime and is the crime of violence that women are most likely to suffer. The report of the working group on hate crime recommends that a statutory aggravation for domestic abuse be considered and the working group on legislation has recommended a domestic abuse bill. Given the statistics, such a bill and/or a statutory aggravation for domestic abuse have to be a priority for legislation. I look forward to hearing about the minister's intentions on that. We have strategies for prevention, training and refuge provision and the domestic abuse courts initiative. Now we need further legislation.

It is important to remember that reducing the level of these crimes will reduce associated costs to the public purse by cutting expenditure on

policing, court proceedings and the health service including, in extreme cases, the costs of hospitalisation. Most of all, it will reduce the unacceptable and sometimes ultimate cost to women and children.

If we are to make every woman in Scotland safe, they must be safe in their own home. Only then will we see at least the beginning of the end of domestic abuse in Scottish homes. I look forward to the Executive's continuing action to reduce the scourge of domestic abuse.

16:36

Patrick Harvie (Glasgow) (Green): I thank all the contributors for what I think has been a valuable rehearsal of the arguments on this important topic. The minister gave us a well-balanced speech that combined factual and statistical information and helped to define the nature and scale of the problem—I always like to be nice to the minister—with clear reference to the meaningful impact that domestic abuse has on individuals' lives.

The Executive has made progress on the issue not only by allocating more resources to services for victims but by ensuring that services are sensitive to the needs of children and young people. That is why Shiona Baird's amendment acknowledges at length the work that the Executive is undertaking.

It is a sign of the level of agreement on the importance of this issue that the debate has been relatively non-confrontational. If we are honest, we can say that there is much in every amendment as well as in the motion that we can all support.

I welcome Sandra White's support for Shiona Baird's amendment. Her call for long-term funding, which Shiona Baird echoed, was an important contribution. Addressing that need would be an important contribution to improving domestic abuse services. Margaret Mitchell gave me the novel and interesting opportunity to welcome the words of Iain Duncan Smith.

Among the issues that Shiona Baird raised was the need to meet the needs of older women. Although services for them might be available, many of them are reluctant to access them or are hesitant about doing so. The literature review that NHS Health Scotland published cites much evidence of that.

I will focus on another of Shiona Baird's points, which was about the involvement of non-perpetrating men and boys in challenging and changing our society's attitudes. I will relate a story about a family I know. Many years ago, the mother was called to jury duty. The defendant in the case was a victim who fought back after years

of abuse. The case affected the juror deeply and sometime later she discussed with her family the issue and the impact that the case had on her. It was the first time that her young sons had been aware of the issue of domestic abuse and it led directly to discussions in their primary school class, which was an opportunity for attitudes about gender, respect and violence to be raised sensitively. We obviously do not want to wait for everyone to be involved in jury duty, but that case shows that we need to find innovative ways to involve boys in particular but also men who oppose domestic violence to challenge the underlying attitudes.

Donald Gorrie mentioned alcohol. It is important to address that issue as alcohol can be a trigger for domestic abuse and can make individual incidents more likely to occur. However, we must keep our eye on the ball when it comes to the underlying social attitudes that cause domestic abuse.

I am sorry that I do not have enough time to cover many of the points that I intended to raise. However, I particularly want to mention Cathy Peattie's passionate and valuable speech and should say that Maureen Macmillan's account of the incident on the train added a valuable touch to the debate.

I close by referring to Mike Rumbles's usual point about male victims of domestic abuse, which on this occasion was echoed by Donald Gorrie. I do not think that there is any reason why we cannot do two things at once. Some victims take the difficult step of making a phone call to try to access services only to be told that nothing can be done to help them or, worse still, that they are not the victims of real domestic abuse. However, there is no reason why we cannot address that issue while acknowledging that the overwhelming number of people affected by this problem are women who are victims of violence by men. The problem is by its very nature gender-based.

This topic has been addressed before and will no doubt be addressed again. We must continue to do so because the underlying problems and attitudes have not gone away.

16:40

Mike Rumbles (West Aberdeenshire and Kincardine) (LD): Once again, the Scottish Parliament is addressing the very important issue of domestic violence. As Patrick Harvie pointed out, over the years we have debated the issue I have continually expressed my very real concern that we are saying to some victims of this dreadful violence that we do not care enough about them to include them in the motions that are lodged. That is sending out the wrong message.

In the previous debate on this issue, I said:

"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."—[*Official Report*, 27 November 2003; c 3704.]

It is, to say the least, regrettable that ministers have insisted on lodging this exclusive motion, despite the fact that representations for a more reasoned and inclusive motion were made to them. This debate really cannot continue in such a light. How long will it be before ministers and other MSPs understand that acknowledging and supporting all victims of domestic violence is an essential first step towards rooting out this evil?

In that regard, I commend Margaret Mitchell for using non-sexist and inclusive language in the debate. She talked about victims and abusers; other members did not do so. People are victims and people are abusers. We seem to go out of our way to ignore some victims of violence while highlighting the traumatic effect of domestic abuse on others. I cannot think of any other sphere of parliamentary business in which that would happen.

I have said on many occasions that it is right to highlight the fact that, proportionately, women and children suffer far more than men do. We know that, among adults, 90 per cent of the victims of domestic abuse are women and 10 per cent are men. However, such statistics are meaningless to victims. A victim is a victim and it is about time that we stopped adding insult to injury. We must stop pretending that only men are violent and that women cannot be violent.

We in the Parliament are rightly proud of the importance that we attach to equal opportunities. In last year's report on the founding principles of the Scottish Parliament, the Procedures Committee said:

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

Very few of us have done so today. In lodging this motion, the minister has broken that important founding principle of the Parliament.

Carolyn Leckie (Central Scotland) (SSP): Will the member give way?

Mike Rumbles: No.

Although female and male victims of domestic violence have come to see me, the male victims have asked me why the Scottish Parliament does not seem to acknowledge that they have a right to be recognised as victims. I could not give those victims of domestic violence a real answer.

The terms of the motion do not recognise more than 3,000 incidents of violence recorded by the

police. The problem cannot be ignored or hidden away. If anyone says that such statistics are not important or serious, I can repeat only what I have said before in this chamber:

“there are none so blind as those who will not see.”—
[*Official Report*, 27 November 2003; c 3703.]

Behind the statistics lie real people traumatised by real violence. Given that the Scottish Executive is so good at ensuring equal treatment in every other sphere, I cannot understand its position in this respect.

Last November, I ended my speech in the previous debate on this issue in the terms that I have already outlined. That proved to be wishful thinking on my part. I hope that the new Minister for Communities will take an inclusive approach the next time we debate this subject. It is the least that he can do. If we are to combat domestic violence in all its forms, then—for heaven's sake—we have got to leave our prejudices behind.

16:45

Mary Scanlon (Highlands and Islands) (Con):

I welcome this debate—after this morning's rather confrontational debate, I also welcome its tone. I note both that the motion focuses on support for those who experience domestic abuse and that the minister commented that there is no excuse for domestic abuse.

Many excellent contributions have been made today but I want to highlight Cathy Peattie's thought-provoking contribution. Domestic abuse is not all about black eyes; emotional abuse is equally damaging. I acknowledge all the other comments made and, like my colleague Bill Aitken, I found very little to disagree with. I also commend those MSPs who raised issues relating to older women.

There has been an increase of more than 10,000 in recorded incidents of domestic abuse in the past three years. That should give us cause for concern. As the minister has said, many people experience abuse almost 30 times before they call for help. We know that there is gross under-recording.

I would also like to support a point that Mike Rumbles made. There is a serious under-recording by women of abuse by men, but I think that men who are abused by women could well make up more than 10 per cent of the total, because there is equal, if not greater, under-recording of such abuse. We need early recognition and early intervention. Whatever the figures, we can be sure that they all underestimate the extent of the problem.

There are three types of domestic violence and most of us have spoken, and rightly so, about the

primary victims—the ones who are directly attacked. Many MSPs have spoken about the secondary victims—the children who witness violence. When they are in refuges, a total of 48 per cent of those children are found to have mental health problems.

I want to focus on the third type of domestic violence and the tertiary victims. A future victim may enter a relationship with a perpetrator. I fully support all the investment in providing women's refuges and in looking after children, but more research is needed into understanding why men—predominantly men—abuse women. I realise that that may be a controversial point but I feel that abusers need help as well.

The Deputy Presiding Officer: You have one minute left.

Mary Scanlon: Those people will go on into further relationships and abuse further.

Recently, I met some speech therapists who told me that they had been doing work in prisons. They said that many prisoners found it very difficult to express themselves verbally. Those prisoners had a communication impairment and often, because they could not express themselves, they would lash out at others. I am not suggesting that the issue is that simple, but I feel that a bit more research needs to be done.

Mental health difficulties may also play a part. Men in particular are not good at talking about their problems. They are less likely to visit the doctor and extremely unlikely to seek help. I have met many families in Inverness who have lost a male family member because of suicide. It is shocking how few of the suicide victims actually talked of their problems to their families before taking their own lives. It is also shocking how few—I have not heard of any and I have met many families—who left a note.

The Deputy Presiding Officer: You must finish now. I call Christine Grahame. Ms Grahame, you have five minutes.

16:49

Christine Grahame (South of Scotland) (SNP): I will keep to that because you are being very fierce, Presiding Officer.

The Scottish National Party will accept both the Green and the Conservative amendments. We lodged our amendment because of our genuine concerns over long-term funding.

Of course, this should be a consensual debate. I heard the minister use the expression “just a domestic”. That is a phrase from the mists of time when it was often attributed to the police. I am glad to say that that attitude has long since been

dispelled, although there are problems with police responses, which I will deal with shortly.

There is a cultural issue. It is shocking that a survey that was conducted as recently as 2003 showed that one in five young men thought that it was all right to be violent towards women. It is even more shocking that one in 10 young women thought that violence towards them was acceptable. We have a great deal to do in our schools and elsewhere to turn around that dreadful cultural attitude.

I asked the minister about the television campaigns. Perhaps I should have read my papers more closely, because an Executive research finding paper that is entitled "Evaluation of the Scottish Domestic Abuse Helpline" makes it clear that, following the TV campaign that was broadcast between Christmas 2002 and new year 2003, the average number of calls to the helpline went up by an extraordinary amount—972 calls were received in January 2003. The same thing happens when much-maligned programmes such as "EastEnders" or "Coronation Street" deal with domestic abuse issues—the number of calls to the helpline increases. It is unfortunate that such increases seem to occur in spurts. Given the cultural background, there is much work to be done.

I have some brief questions for the minister. He mentioned the expert advisory group. I would like to know more about its composition and characteristics. Which areas of society will its members represent? Malcolm Chisholm mentioned that £12 million would be invested as part of the Executive's future development programme. Over how long a period will that money be spent and how will it be allocated? Will there be a bidding war for it? That is what is happening with a great deal of funding for Women's Aid and other agencies.

Maureen Macmillan was right to mention the good work that was done on the Protection from Abuse (Scotland) Act 2001, much of which was instigated by her. We mulled for ages over the attachment of a power of arrest to the common-law interdict in cases of domestic abuse. It is a bit depressing that a measure that we thought would be extremely useful, in that it would no longer be necessary to obtain a domestic interdict or to be in a marital relationship, appears to be withering on a vine somewhere.

One of the problems of having an interdict with a power of arrest and exclusion orders is police response times. I do not blame the police for that, but we cannot have a situation in which a woman who has a court order pinned up beside the telephone phones the local police because the man involved is banging on the door and it takes the police 10 or 15 minutes to get there. The man

does not care, because he has been drinking and no court order frightens him. I used to be a lawyer practising in domestic matters and I dealt with cases in which the door was broken down and the woman was assaulted again. That is a huge issue.

In rural areas, the problem is even greater, because the police are further away. I can tell Rosie Kane that the difficulties with accommodation are especially severe in rural as opposed to urban areas. People can be 50 or 60 miles away from a refuge. In the Borders, there is only one Women's Aid centre, in Jedburgh. I know that Haddington has to take people from other parts of Scotland because of a lack of accommodation.

I turn to the figures on attacks that take place after the breakdown of a relationship. Divorce or separation does not put an end to domestic abuse; in cases involving a determined partner, that often exacerbates the situation. Between 40 and 60 per cent of separated or divorced women continue to experience domestic abuse, in spite of the fact that the marriage is over.

What my colleague Andrew Welsh said about the Tayside initiative is very encouraging. We require co-operation across all sectors. For the reasons that I have elucidated, sheriffs, the police, the health boards and all council departments from housing to social work must work together to support people who have been victims of abuse. Domestic abuse often continues after the courts have become involved. Although Mike Rumbles made some interesting points, men are the main perpetrators. Some men are simply not deterred and the woman and her children have to be protected for years.

16:54

The Deputy Minister for Communities (Johann Lamont): I welcome the opportunity to sum up on behalf of the Executive in what is a very important debate.

I would like to think that no one doubts the seriousness of the issues that we have debated this afternoon. I welcome the many thoughtful points that members of all parties have made. I assure members that, if I do not manage to address each point individually, my ministerial colleagues and I will deal with them in writing. That applies especially to the detailed comments that Christine Grahame made. We may divide on some elements of the amendments, but I assure members that the thrust behind them will be taken seriously, because they genuinely seek to reinforce our strategy on domestic abuse.

A debate such as this one raises initial concerns. There is perhaps the feeling that some people might wish to separate domestic abuse

from the broader issue of violence against women. I am optimistic that we will have a debate on that broader issue towards the end of the month. We should acknowledge that, in today's debate and in others, we have come a long way towards recognising the issue of the abuse of power. Someone mentioned child sexual abuse. We all acknowledge the role of women's organisations in raising that issue and recognising that a serious problem existed.

Another concern is that we simply focus on the what of domestic abuse and are content to study the bruises and pity the victims. Cathy Peattie mentioned other ways in which domestic abuse expresses itself. However, the survivors of domestic abuse do not look for our pity; indeed, I am often struck by their strength and resilience. Our awareness and action now have been shaped by survivors of domestic abuse. As I have said to Mike Rumbles in the past, a test of the reality of an experience is whether self-help groups begin to develop, no matter how difficult the problems are. The commitment in our strategy is not to good words, but to services that meet needs.

The young people at last week's listen louder event demonstrated powerful composure and a wish to ensure that other young people are helped by their speaking out. They asked us to listen and act. They want the what to be addressed. We must consider how we support young people who experience domestic abuse. We need to improve refuge provision for women and their families in a way that best meets their needs at particular times; we must deal with individuals' pain and fear; and we must provide a range of support services for children so that somebody is there to ask the right question and to make young people feel safe enough to tell the truth. We heard about young people with mental health problems. I have worked with young people who were described as having such problems because they stayed at home and did not go to school. However, what they were doing was entirely logical and rational, because they thought that if they left home their mother would be dead when they came back.

We must listen carefully to what young men and women say. They are entitled to have the what addressed, but we must also address the why. Given that we shall not eradicate domestic abuse only by managing its consequences, we must confront the issues that shape the behaviour of violent and aggressive men. We are concerned about all violence, however it is expressed, such as through male violence on the streets or by young women who get involved in gangs, but the reality is that domestic abuse is not simply about unfortunate individuals who live under the same roof with another aggressive person who might have a drink problem. Any violence in the home is a problem, but female murder victims are far more

likely to have been murdered by a partner or ex-partner than male murder victims are. Violence expresses itself in different ways, but I owe it to my daughter and son—we owe it to our daughters and sons and to all Scotland's young people—to accept and confront the pattern of behaviour that is reflected in the figures on domestic abuse. More than 90 per cent of those who perpetrate domestic abuse are men and more than 90 per cent of the victims are women. That is a pattern in anybody's language and we will not break the pattern if we start by denying that it exists.

Many issues have been raised in the debate. I acknowledge the points about funding and I recognise the complicated issues of housing benefit and secure funding. Members can be assured that we will consider those matters further. Margaret Mitchell made the point that initiatives are not enough. The domestic abuse courts are proving successful because women need to know that there is a reason to report a problem. To return to Bill Aitken's point, the domestic abuse courts make the justice system more consistent and show that it takes the problem seriously, which increases levels of reporting. Shiona Baird mentioned the forthcoming family law bill and contact with abusive parents. In the near future, the Minister for Communities and the Minister for Justice will meet representatives from Scottish Women's Aid to discuss its concerns on that issue.

I acknowledge Stewart Stevenson's points about mobile phones and helplines, but we must remember that women are sometimes frightened even to be seen with a telephone or telephone number. How deep the problem lies.

Maureen Macmillan made a particular point about the promotion of the Protection from Abuse (Scotland) Act 2001. I can assure her that I will ask my officials and Justice Department officials for a report on how that legislation is being taken forward. Jackie Baillie spoke about issues in the justice system, and I will pursue those matters with the Minister for Justice and the Lord Advocate.

Courageous women survivors of abuse are beginning to shape the way in which the justice system affects all victims of crime.

Christine Grahame: I ask the minister to determine for us the situation with regard to police responses to calls made by women whose husbands are the subject of exclusion orders.

Johann Lamont: We can do that. We know that the police have moved a long way from the characterisations that have been used in the past.

I am aware that a minister has visited the Tayside domestic abuse service in the past, and we will consider the points that have been made on that subject.

This has been a positive debate, and recognition has been given to a positive strategy. We recognise the range of points that have been made and the consensus that exists. Although we will not support the amendments, we will nevertheless be united in our commitment to dealing with the issues that are addressed in the amendments and the motion.

Business Motion

17:01

The Presiding Officer (Mr George Reid): The next item of business is consideration of business motion S2M-1950, in the name of Margaret Curran, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees the following programme of business—

Wednesday 10 November 2004

2.30 pm	Time for Reflection
<i>followed by</i>	Parliamentary Bureau Motions
<i>followed by</i>	Ministerial Statement on Smoking
<i>followed by</i>	Executive Debate on Smoking
<i>followed by</i>	Business Motion
<i>followed by</i>	Parliamentary Bureau Motions
5.00 pm	Decision Time
<i>followed by</i>	Members' Business

Thursday 11 November 2004

9.30 am	Parliamentary Bureau Motions
<i>followed by</i>	Executive Debate on Fostering
12 noon	First Minister's Question Time
2.00 pm	Question Time— Education and Young People, Tourism, Culture and Sport; Finance and Public Services and Communities; General Questions
3.00 pm	Procedures Committee Debate on its 6th Report 2004: A New Procedure for Members' Bills and on its 7th Report 2004: Timescales and Stages of Bills
<i>followed by</i>	Parliamentary Bureau Motions
5.00 pm	Decision Time
<i>followed by</i>	Members' Business

Wednesday 17 November 2004

2.30 pm	Time for Reflection
<i>followed by</i>	Parliamentary Bureau Motions
<i>followed by</i>	Stage 1 Debate on the Water Services etc. (Scotland) Bill
<i>followed by</i>	Financial Resolution in respect of the Water Services etc. (Scotland) Bill
<i>followed by</i>	Business Motion
<i>followed by</i>	Parliamentary Bureau Motions
5.00 pm	Decision Time
<i>followed by</i>	Members' Business

Thursday 18 November 2004

9.30 am Parliamentary Bureau Motions
followed by Stage 1 Debate on the Fire (Scotland) Bill
followed by Financial Resolution in respect of the Fire (Scotland) Bill
12 noon First Minister's Question Time
2.00 pm Question Time—
Environment and Rural Development;
Health and Community Care;
General Questions
3.00 pm Parliamentary Bureau Motions
followed by Stage 3 of the Breastfeeding etc. (Scotland) Bill
followed by Parliamentary Bureau Motions
5.00 pm Decision Time
followed by Members' Business.—[*Ms Margaret Curran.*]

Motion agreed to.

Parliamentary Bureau Motion

17:01

The Presiding Officer (Mr George Reid): The next item of business is consideration of Parliamentary Bureau motion S2M-1946, on the designation of a lead committee.

Motion moved,

That the Parliament agrees that the Justice 2 Committee be designated as lead committee in consideration of the draft Abolition of Feudal Tenure etc. (Scotland) Act 2000 (Consequential Provisions) Order 2004.—[*Ms Margaret Curran.*]

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

Decision Time

17:02

The Presiding Officer (Mr George Reid):

There are 10 questions to be put as a result of today's business. On this morning's business, I remind members that, if the amendment in the name of Karen Whitefield is agreed to, the amendments in the names of Mary Scanlon, Robert Brown and John Swinburne all fall.

The first question is, that amendment S2M-1940.5, in the name of Karen Whitefield, which seeks to amend motion S2M-1940, in the name of Nicola Sturgeon, on a better deal for pensioners, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 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)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marilyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (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, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Morgan, Alasdair (South of Scotland) (SNP)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)

Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Adam, Brian (Aberdeen North) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brown, Robert (Glasgow) (LD)
 Byrne, Ms Rosemary (South of Scotland) (SSP)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Davidson, Mr David (North East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Fox, Colin (Lothians) (SSP)
 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)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Kane, Rosie (Glasgow) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (North East Scotland) (SNP)
 Lyon, George (Argyll and Bute) (LD)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Martin, Campbell (West of Scotland) (Ind)
 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)
 McGregor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Mundell, David (South of Scotland) (Con)
 Neil, Alex (Central Scotland) (SNP)
 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)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, Eleanor (Highlands and Islands) (Green)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow) (SNP)
 Tosh, Murray (West of Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

ABSTENTIONS

Smith, Elaine (Coatbridge and Chryston) (Lab)

The Presiding Officer: The result of the division is: For 47, Against 66, Abstentions 1.

Amendment disagreed to.

The Presiding Officer: As amendment S2M-1940.5 is not agreed to, the other amendments to the motion stand. The second question is, that amendment S2M-1940.1, in the name of Mary Scanlon, which seeks to amend motion S2M-1940, in the name of Nicola Sturgeon, on a better deal for pensioners, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Davidson, Mr David (North East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (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)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McLetchie, David (Edinburgh Pentlands) (Con)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Mundell, David (South of Scotland) (Con)
 Scanlon, Mary (Highlands and Islands) (Con)
 Tosh, Murray (West of Scotland) (Con)

AGAINST

Adam, Brian (Aberdeen North) (SNP)
 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)
 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)
 Fabiani, Linda (Central Scotland) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Fox, Colin (Lothians) (SSP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)

Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Kane, Rosie (Glasgow) (SSP)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Leckie, Carolyn (Central Scotland) (SSP)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lochhead, Richard (North East Scotland) (SNP)
 Lyon, George (Argyll and Bute) (LD)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 MacDonald, Margo (Lothians) (Ind)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Campbell (West of Scotland) (Ind)
 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, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Morgan, Alasdair (South of Scotland) (SNP)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (Lab)
 Neil, Alex (Central Scotland) (SNP)
 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, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow) (SNP)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS

Smith, Elaine (Coatbridge and Chryston) (Lab)

The Presiding Officer: The result of the division is: For 16, Against 97, Abstentions 1.

Amendment disagreed to.

The Presiding Officer: The third question is, that amendment S2M-1940.4, in the name of Robert Brown, which seeks to amend motion S2M-1940, in the name of Nicola Sturgeon, on a better deal for pensioners, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Brown, Robert (Glasgow) (LD)
 Finnie, Ross (West of Scotland) (LD)
 Gorrie, Donald (Central Scotland) (LD)
 Lyon, George (Argyll and Bute) (LD)
 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, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Wallace, Mr Jim (Orkney) (LD)

AGAINST

Adam, Brian (Aberdeen North) (SNP)
 Aitken, Bill (Glasgow) (Con)
 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)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 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)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Davidson, Mr David (North East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Fox, Colin (Lothians) (SSP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Rob (Highlands and Islands) (SNP)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Hyslop, Fiona (Lothians) (SNP)

Ingram, Mr Adam (South of Scotland) (SNP)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Kane, Rosie (Glasgow) (SSP)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Leckie, Carolyn (Central Scotland) (SSP)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 MacDonald, Margo (Lothians) (Ind)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Campbell (West of Scotland) (Ind)
 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)
 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, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 Murray, Dr Elaine (Dumfries) (Lab)
 Neil, Alex (Central Scotland) (SNP)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Robison, Shona (Dundee East) (SNP)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, Eleanor (Highlands and Islands) (Green)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Tosh, Murray (West of Scotland) (Con)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS

Smith, Elaine (Coatbridge and Chryston) (Lab)

The Presiding Officer: The result of the division is: For 14, Against 99, Abstentions 1.

Amendment disagreed to.

The Presiding Officer: The fourth question is, that amendment S2M-1940.2, in the name of John Swinburne, which seeks to amend motion S2M-1940, in the name of Nicola Sturgeon, on a better deal for pensioners, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Byrne, Ms Rosemary (South of Scotland) (SSP)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Davidson, Mr David (North East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fox, Colin (Lothians) (SSP)
 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)
 Harvie, Patrick (Glasgow) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Kane, Rosie (Glasgow) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Martin, Campbell (West of Scotland) (Ind)
 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)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Mundell, David (South of Scotland) (Con)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, Eleanor (Highlands and Islands) (Green)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Tosh, Murray (West of Scotland) (Con)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

AGAINST

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, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 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)
 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, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (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, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS

Smith, Elaine (Coatbridge and Chryston) (Lab)

The Presiding Officer: The result of the division is: For 52, Against 60, Abstentions 1.

Amendment disagreed to.

The Presiding Officer: The fifth question is, that motion S2M-1940, in the name of Nicola Sturgeon, on a better deal for pensioners, 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)

Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fox, Colin (Lothians) (SSP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Kane, Rosie (Glasgow) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Martin, Campbell (West of Scotland) (Ind)
 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)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Davidson, Mr David (North East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marilyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 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)
 Jackson, Gordon (Glasgow Govan) (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)
 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, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 Murray, Dr Elaine (Dumfries) (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)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tosh, Murray (West of Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS

Smith, Elaine (Coatbridge and Chryston) (Lab)

The Presiding Officer: The result of the division is: For 37, Against 76, Abstentions 1.

Motion disagreed to.

The Presiding Officer: The sixth question is, that amendment S2M-1943.1, in the name of Christine Grahame, which seeks to amend motion S2M-1943, in the name of Malcolm Chisholm, on domestic abuse services, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Aitken, Bill (Glasgow) (Con)
 Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Byrne, Ms Rosemary (South of Scotland) (SSP)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Davidson, Mr David (North East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)

Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Fox, Colin (Lothians) (SSP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Rob (Highlands and Islands) (SNP)
 Goldie, Miss Annabel (West of Scotland) (Con)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Kane, Rosie (Glasgow) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Martin, Campbell (West of Scotland) (Ind)
 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)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Mundell, David (South of Scotland) (Con)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, Eleanor (Highlands and Islands) (Green)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Tosh, Murray (West of Scotland) (Con)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

AGAINST

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)
 Gallie, Phil (South of Scotland) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marilyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 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)
 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, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (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)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

The Presiding Officer: The result of the division is: For 51, Against 62, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The seventh question is, that amendment S2M-1943.2, in the name of Margaret Mitchell, which seeks to amend motion S2M-1943, in the name of Malcolm Chisholm, on domestic abuse services, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

FOR

Adam, Brian (Aberdeen North) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Baird, Shiona (North East Scotland) (Green)
 Ballance, Chris (South of Scotland) (Green)
 Ballard, Mark (Lothians) (Green)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Davidson, Mr David (North East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (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)
 Harvie, Patrick (Glasgow) (Green)

Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Martin, Campbell (West of Scotland) (Ind)
 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)
 McLetchie, David (Edinburgh Pentlands) (Con)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (South of Scotland) (SNP)
 Mundell, David (South of Scotland) (Con)
 Neil, Alex (Central Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, Eleanor (Highlands and Islands) (Green)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Tosh, Murray (West of Scotland) (Con)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

AGAINST

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)
 Fox, Colin (Lothians) (SSP)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marilyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gorrie, Donald (Central Scotland) (LD)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Kane, Rosie (Glasgow) (SSP)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Leckie, Carolyn (Central Scotland) (SSP)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Lyon, George (Argyll and Bute) (LD)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Maclean, Kate (Dundee West) (Lab)
 Macmillan, Maureen (Highlands and Islands) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 May, Christine (Central Fife) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)

McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (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)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

The Presiding Officer: The result of the division is: For 47, Against 67, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The eighth question is, that amendment S2M-1943.3, in the name of Shiona Baird, which seeks to amend motion S2M-1943, in the name of Malcolm Chisholm, on domestic abuse services, 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)
 Crawford, Bruce (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Curran, Frances (West of Scotland) (SSP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fox, Colin (Lothians) (SSP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Kane, Rosie (Glasgow) (SSP)
 Leckie, Carolyn (Central Scotland) (SSP)
 Lochhead, Richard (North East Scotland) (SNP)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Margo (Lothians) (Ind)
 Martin, Campbell (West of Scotland) (Ind)
 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)
 Stevenson, Stewart (Banff and Buchan) (SNP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

AGAINST

Aitken, Bill (Glasgow) (Con)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
 Brown, Robert (Glasgow) (LD)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Davidson, Mr David (North East Scotland) (Con)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Fergusson, Alex (Galloway and Upper Nithsdale) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallie, Phil (South of Scotland) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 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)
 Jackson, Gordon (Glasgow Govan) (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)
 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, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Mrs Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Mundell, David (South of Scotland) (Con)
 Murray, Dr Elaine (Dumfries) (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)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tosh, Murray (West of Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

The Presiding Officer: The result of the division is: For 37, Against 77, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The ninth question is, that motion S2M-1943, in the name of Malcolm Chisholm, on domestic abuse services, be agreed to.

Motion agreed to.

That the Parliament recognises the very serious and totally unacceptable problem of domestic abuse in Scottish society; notes in particular the traumatic effect of domestic abuse on children and young people as well as on women; acknowledges the range of initiatives in this area that have been funded by the Scottish Executive in the last few years, and welcomes the Scottish Executive's partnership working and its investment and work to support those experiencing domestic abuse.

The Presiding Officer: The 10th and final question is, that motion S2M-1946, in the name of Margaret Curran, on the designation of a lead committee, be agreed to.

Motion agreed to.

That the Parliament agrees that the Justice 2 Committee be designated as lead committee in consideration of the draft Abolition of Feudal Tenure etc. (Scotland) Act 2000 (Consequential Provisions) Order 2004.

Gretna-Lockerbie-Annan Economic Regeneration Prospectus

The Deputy Presiding Officer (Murray Tosh):

The final item of business is a members' business debate on motion S2M-1877, in the name of David Mundell, on the launch of the Gretna-Lockerbie-Annan economic regeneration prospectus. The debate will be concluded without any question being put.

Motion debated,

That the Parliament welcomes the launch earlier this year of the prospectus published by the Corridor Regeneration Strategy Steering Group outlining key objectives and a number of themes to stimulate economic growth in Gretna, Lockerbie and Annan to address the impact on the area of the cessation of power production at Chapelcross; notes that the regeneration strategy, with its four principal themes of wealth, diversity, inspiration and inclusion, recognises not only the challenges that the Gretna-Lockerbie-Annan corridor now faces, but also the opportunities to be seized; congratulates the steering group on its genuine joined-up and cross-party working to date, and believes that the Scottish Executive should provide all the support that it can to the steering group's work and to the regeneration of the Gretna-Lockerbie-Annan corridor.

17:13

David Mundell (South of Scotland) (Con):

I very much welcome the opportunity of the members' business debate to draw to the attention of the Parliament—and more particularly the Scottish Executive—the impact that the cessation of power production at, and the ultimate closure of, Chapelcross will have not only on the Gretna, Lockerbie and Annan area, but on the whole of Dumfries and Galloway. I also draw attention to the need for an economic regeneration strategy to counter the potential adverse impact of those events on local communities.

Chapelcross has dominated not only the landscape, but the economy, of lower Annandale for more than 50 years. When power production ceased, it was the longest serving nuclear power station in the world. The facts are simple. The plant is one of the area's largest employers. There are more than 400 British Nuclear Fuels Ltd employees and 100 contracted support workers, plus all the ancillary businesses that are associated with the plant. Together, they put an estimated £20 million into the area's economy.

Given that 80 per cent of the work force lives within nine miles of the plant and given the size of the local population, the closure is, in proportional terms, the equivalent of the closure of large industrial plants, such as Ravenscraig, in more urban areas. That is why action needs to be taken.

I very much welcomed the establishment of the corridor regeneration strategy steering group, which has become known as CORES. It involved representatives of key local agencies, including Scottish Enterprise Dumfries and Galloway, the local council, Jobcentre Plus and the BNFL work force.

Importantly, there has been cross-party support. I have been particularly pleased to work closely on this issue with Dr Elaine Murray and the current MP for the area, Russell Brown. This is an issue of such importance that it transcends mere party politics. The group has worked hard to establish a factual basis for its work and has commissioned an independent report that demonstrates the scale of the challenge in an area whose other main industries—manufacturing, agriculture, forestry and tourism—show limited opportunities for growth.

The report shows that, without the necessary action, there will be a cumulative reduction in employment, income and supporting social infrastructure that will simply lead to young families and businesses leaving the area. While the area would not experience the traditional rise in the unemployment rate, it would face depopulation and the end of vibrant and balanced communities with economically active individuals.

This view led to the development of a strategy that has four key objectives. They are set out in the document of which I know the minister has a copy. They are: wealth, to raise the income and living standards of residents of an area that has some of the lowest incomes in Scotland; diversity, to ensure that we do not rely on one or two core industries and can provide new and different opportunities for sustainable growth; inspiration, to develop a vision for the area that everyone can aspire to and be part of; and inclusion, so that everyone can feel part of, and benefit from, regeneration.

The strategy also sets out six key market-led opportunities that have been identified for further development: diversifying the existing Chapelcross base; new sector opportunities; developing the potential of the Gretna and Gretna Green brands; capitalising on the connectivity that the area enjoys because of its proximity to the M74 and the west coast main line; creating greater value business resources; and image development.

Time this evening does not allow me to go into the detail of what is set out in the strategy document, but it is clear that the Executive has a vital role in enabling the strategy to be actioned. Action is what local people want. We can have all the glossy documents in the world—and I must say that the prospectus is actually a rather good one—but it is delivery that matters. It is on delivery that I am calling for Executive support.

Without the Scottish Executive as an active partner, I do not believe that many of the aspirations in the strategy can be achieved. I hope that tonight's debate is the start of a process of partnership working, which is often talked about but less often seen in action.

The prospectus identifies a number of specific issues, such as support for the development of Carlisle airport, which throws up a lot of cross-border issues, the possible dualling of the A709 between Lockerbie and Dumfries and a number of other detailed projects.

Today's debate is not technically about the future of the nuclear power industry, but I have never hidden my view that one of the key elements of ensuring the economic prosperity of Annandale is the building of a Chapelcross 2 power station on the Chapelcross site, which is the largest licensed site in Scotland. In that regard, I welcome the campaign by nUKlear21, a workers group. The cover of the current issue of its magazine features the words:

"Who wants a new nuclear power station on their doorstep? We do! Say Chapelcross ... workers and communities".

Chris Ballance (South of Scotland) (Green): Will the member give way?

David Mundell: Mr Ballance will have a chance to contribute to the debate later.

I welcome that campaign, because I believe that it can make the idea of a new power station in Chapelcross a reality. The fundamental requirement is a commitment to the nuclear industry from the United Kingdom Government, which needs to face down the spurious environmental campaign against the industry.

In a letter that I received this week, representatives of the trade unions at Chapelcross point out that many people who have previously campaigned against nuclear power now realise that it has a key and fundamental part to play in ensuring the security of electricity supply into the future and that, if new nuclear power facilities are to be built, the Chapelcross site is ideal.

Given its powers in respect of planning matters, the Scottish Executive has an important role to play in the future development of the nuclear power industry in Scotland. It would therefore be helpful if, in his summing up, the minister were able to give a clear statement on the Executive's position on further nuclear development in Scotland—which has now been openly suggested by the Secretary of State for Scotland—although the minister might have competing constituency interests on the siting of any plant.

Irrespective of whether a new plant is developed on the Chapelcross site, it is clear that the

Executive needs to take action to support those who have produced the regeneration strategy. I hope that the minister feels able to give a clear and unequivocal commitment to supporting the development of that strategy.

17:21

Dr Elaine Murray (Dumfries) (Lab): I start by congratulating David Mundell on obtaining the debate. I suppose I felt a little bit embarrassed about the fact that we were congratulating the corridor regeneration strategy steering group, since we are members of it and it might have looked as if we were congratulating ourselves. It has been a useful group and a useful exercise.

The group was set up in July 2002, when BNFL announced that it had brought forward to 2005 the date at which power generation would cease at Chapelcross. In fact, power generation has already ceased, although there is still some discussion about when defuelling and decommissioning will commence.

When the steering group was set up, I asked for the Scottish Executive to become involved at official level. At that time, I never expected it to become involved at ministerial level. My colleague, Russell Brown, also asked for engagement from the Department of Trade and Industry. We were a bit disappointed that there was no real engagement at that time. I hope that that will change, now that the document has been published and the work has been done. The opportunity has arrived for the Scottish Executive to get more fully involved in further development. It is certainly not too late for either the Executive or Whitehall to be involved.

We came up with a glossy document. There was some disappointment with it at the time: there was a slight failure to engage with people at all levels of the community. That is something the steering group has to do better. I do not feel that we are engaging the whole community in the way we would like. I was a little bit disappointed at a meeting with some members of the Annan business community. One lady waved the document rather disparagingly at me and she had written on the front—I am quoting her, not being rude:

"This is stating the bloody obvious".

That might be an indication that CORES was getting it right and tapping in to what a lot of people knew were the sorts of solutions that the area needed. Maybe it was a good thing that our solutions were a bit obvious, because it showed that we had engaged with what people were feeling.

We will be able to judge the success or otherwise of the CORES approach only if the prospectus does what it says on the tin and acts as a catalyst. There is no point in having this nice little document lying around; we have to take the ideas forward in the short term, the long term and in the medium term, and engage in these projects.

Scottish Enterprise Dumfries and Galloway is making a bid to Scottish Enterprise for funding to implement some of the suggestions. I urge the minister to support Scottish Enterprise Dumfries and Galloway and to encourage Scottish Enterprise to provide the funding that will help some of those ideas.

The document acknowledges that we have to be proactive in creating the right business environment, concentrating on what has the greatest potential to ensure that the local work force has the necessary skills and knowledge, and in promoting the area as an attractive place in which to live and work. There was a fair amount of discussion within the steering group about a delivery vehicle—I always thought that that was some sort of lorry until I went to those meetings—that involved the private sector implementing some of the suggestions.

I welcome to the chamber some representatives of the Chapelcross work force. We have Sean Marshall, John Rogerson, Ronnie Ogilvie and Jim Tait from nUKlear 21, which David Mundell mentioned. I am pleased that they have been able to come to listen to the debate. They also met the minister this afternoon, so they were able to give him the work force's view directly, which is important.

Sean Marshall and John Rogerson have both been on the CORES group with David Mundell, Russell Brown, me and others, and they have made an important contribution to the work and the production of this vehicle.

My position on the second-generation nuclear power station is not the position of my party or of many of my colleagues. I believe that we need to have a balanced and secure energy policy for the UK, involving energy that is generated in the UK. That energy could be generated from renewable sources, from clean coal and from the new nuclear technologies. Scientific and public opinion is beginning to flow in that direction, and politicians must listen carefully instead of relying on outdated prejudices that refer to old technology that is long past its sell-by date. We are talking about new nuclear generation and new technology. Yes, we must solve the issues of waste, but let us get on and conduct research into that and move things forward. The UK needs nuclear power to keep the lights on in future years.

I believe that there is a future for power generation at Chapelcross. There are interesting proposals for a 250MW biomass power generation station there, and I support those as well. It does not have to be either/or; we can have renewable power generation and new nuclear power generation. We do not have to make a choice between those two. That is one way forward for Chapelcross as a site of power generation, which it always has been. We should look at new technologies to take that forward.

Out of a threat that has hung over the area for a long time—that Chapelcross would cease to exist—we have created a whole load of new opportunities. It is important that the new group, the Scottish Executive and those who engage with it take the opportunities that have come out of the problems arising from the cessation of power generation at Chapelcross to re-create the area, to regenerate it and to provide more and better paid jobs in the area. I will be interested to hear the minister's response to the debate.

17:27

Alasdair Morgan (South of Scotland) (SNP): I, too, congratulate David Mundell on obtaining the debate. I agree with him about the relative seriousness of the closure of Chapelcross power station for the local economy. The problem is not just that the numbers, taken in the context of the Dumfriesshire economy, are relatively high, although they are relatively small in national terms; it is also the relative distance of Annan from other potential sources of employment. Often, in the central belt, there are places where alternative employment is available. In view of the public and private transport infrastructure in Dumfriesshire, other sources of employment are relatively far away.

We all campaign for the expansion of jobs and employment opportunities in rural areas, and we are all very glad when a factory expands or takes on new labour. Nevertheless, every time that happens, if we are alive to the situation, we look nervously over our shoulder and wonder whether it is getting almost too big for the local economy. If an employer in a small community is very successful, the impact on the local economy of that industry closing down can be very damaging.

Assuming that we do not just want to congratulate the members of the steering group or even the present MP for Dumfries, what are we here to do? We are here to tell the Executive what we think it can do in relation to the regeneration of the area.

Any development depends heavily on infrastructure. We need to look much more closely at the local road infrastructure in the area,

especially at the possibilities for trunking and dualling the A709, which is the current Lockerbie to Dumfries road. The Executive should be interested in that, as it would be much cheaper for it than the alternative of keeping both the A701 and the A75 as trunk routes from Dumfries eastwards. That would be a useful addition to the local economy. There may also be the possibility of using the old Annan to Canonbie railway line, which has been closed for some years but which might make a useful access route to the area around Chapelcross. The formation of that railway is still in situ.

As regards training and education in the area, the presence of the Crichton university campus is an important factor, but I know that the Crichton is struggling to some extent, particularly because of what the University of Glasgow sees as the inequitable funding allocation for university places there. That is another thing that the Executive could do something about, through the funding councils.

We have heard a lot about job dispersal to Dumfries and Galloway, which is an area where the Executive can create jobs, but it has not happened. In fact, following the recent announcement of job centre closures throughout Dumfries and Galloway, we have seen jobs flowing the other way. It is rather ironic that that should happen while unemployment increases.

When the ownership of the site eventually passes to the Department of Trade and Industry, as I think it will at some stage, the Executive will have a role in facilitating the transfer of the land from the DTI for alternative uses.

I was disappointed by David Mundell's mention of nuclear power. The future for Chapelcross is not a new nuclear power station that would probably employ about 70 people. That is not the way to replace jobs for 400 people. The problem with having a nuclear power station there is that it would rule out all other potential uses for the site, which has significant potential.

We need to stimulate the overall Scottish economy. Local areas, and rural areas in particular, cannot flourish unless the Scottish economy as a whole is growing—and it is not growing nearly fast enough or nearly as fast as the economies of our competitors in Europe.

17:31

Alex Fergusson (Galloway and Upper Nithsdale) (Con): Like other members, I congratulate my colleague David Mundell on bringing the issue to the chamber. The debate has been the focus of attention for members with interests in the south-west of Scotland, but nonetheless the issue is important.

Chapelcross is not in my immediate constituency, but the footfall of its economic impact most certainly is. Indeed, many former and some current employees live in Galloway and the relevance of the debate is every bit as important in Galloway and Upper Nithsdale as it is in Dumfries. I will speak, if I may, from the regionwide perspective.

I am tempted to say that, for those of us with an interest in the south-west of Scotland, Chapelcross is our Motorola. However, the situation is far worse than that, because the final decision to close Chapelcross came on top of the virtual mothballing by the Ministry of Defence of the West Freugh airbase in the west of the region. That was yet another public sector closure in an area where replacement jobs are nowhere near as easy to find as they are around Livingston, for example. That is a major difference in our region and I hope that that fact gives the Parliament considerable cause for concern.

As the constituency member for Galloway and Upper Nithsdale, I wish the economic regeneration strategy group every success, as the knock-on effect of that success will undoubtedly be keenly felt in my constituency. However, I am slightly concerned that we have several such regeneration groups in the one region: we have the group at Gretna-Lockerbie-Annan; we have a West Freugh regeneration group; we have the Stranraer harbour redevelopment group; and we have a fledgling and badly needed regeneration group in Upper Nithsdale. All those groups are important and badly needed but, given the infinitely superior transport links that the Gretna-Lockerbie-Annan area enjoys over the other areas that I mentioned, there is a danger that the main thrust for economic regeneration could deflect the focus away from those other areas, which are arguably in even greater need of economic regeneration than the Gretna-Lockerbie-Annan area.

After speaking to some of the local enterprise officials this afternoon, I am comforted to learn that they are keenly aware of that danger. I hope that they will therefore try to ensure that the different strategies work as much as possible in a complementary, rather than competitive, manner.

In seeking to highlight the need for economic regeneration throughout the region, we should not underestimate the importance of public sector jobs in an area that one could argue is still too heavily dependent on agriculture, forestry and the traditional industries for its economic well-being. It will be for ever a matter of considerable local regret that the Executive did not see fit to relocate the Forest Enterprise jobs to Dumfries, given the importance of forestry in the region.

To that end, I understand that an interesting ministerial announcement—if I can put it that

way—will be made in Dumfries next week. I hope that ministers will seriously consider the merits of jobs relocation to places such as Newton Stewart and Stranraer—smaller places in more remote areas—as part of any sensible regeneration strategy. Private efforts can do only so much, but I applaud the role that local stakeholders have played in all the strategy groups, along with the enterprise company, right across the region.

The Motorola job losses were hugely regrettable, but they seemed to be absorbed rapidly into the dynamic economic activity of the central belt. The fact that that level of activity is not reflected in Dumfries and Galloway underlines the need for robust, proactive Executive support for the excellent work that is being done locally. Such support can encompass infrastructure improvements in road and rail, to which Alasdair Morgan referred. Moreover, Scottish Water needs some serious heads to be banged together, or even heads to be seriously banged together—both, probably. There is also a crying need for local housing provision, which brings economic regeneration in its wake.

The Executive can and should accelerate all those matters. For the sake of the whole region, as well as for the interests of my immediate constituency, I urge the Executive to do so. I support the motion.

17:36

Chris Ballance (South of Scotland) (Green): I, too, congratulate David Mundell on securing the debate.

I was pleased to meet Scottish Enterprise and regeneration corridor officials earlier this afternoon and to hear them describe Chapelcross as potentially a gem of a site for attracting alternative new businesses. I was also pleased to hear that proposals for possible successors to the site are being discussed confidentially. That is good news indeed.

Chapelcross is a gem of site because of its good connections and its geography. We can celebrate and build on that. I agree with everything that has been said so far in the debate about the Executive's failure to support the Dumfries and Galloway region through jobs dispersals from Edinburgh. I hope that the minister will address that matter and feed it into future Cabinet discussions. The area needs central jobs to give it an identity and to strengthen its economy.

As for inward investment, we must first build on the strengths of Dumfries and Galloway. Forty per cent of the work force is unqualified, according to Scottish Enterprise. There is a strong need for more training to improve the skills of our people. Dumfries and Galloway College and the Crichton

campus have been disappointed by Jim Wallace's responses regarding development and securing the future of the campus. I trust that that issue will be addressed.

I, too, support the idea of having a centre of excellence in nuclear decommissioning at Crichton. I was pleased to hear this afternoon that the liaison issues with BNFL over that appear to have been resolved.

It is important to build up human capital and arts and culture in Dumfries and Galloway. For example, we should provide a good hall as a music venue to attract and keep our young people and to draw them back if they have gone away to college.

We must also build up small-scale investments. I have an interest in that, of which members will be aware. One of the great successes in Dumfries and Galloway over the past 10 years has been the development of Wigtown book town.

I remember after the round of school closures in 1975 being taken round Dumfries and Galloway by an official to be shown the attempts by the schools to set up a craft trail—a trail of craftspeople—in the region. That trail is still in existence and has brought in tourism and industry.

We also need a grade 1, must-see visitor attraction that would draw tourists to the region. For example, an observatory to take advantage of the night skies has been suggested for the Newton Stewart area and there is the National Galleries of Scotland project in Kirkcudbright.

We hear much from the Conservatives and the Scottish National Party about the need to dual more roads. The Conservatives are looking to dual more than 100 miles of road in Dumfries and Galloway, on the A75, the A77, the A701, the A709 and the A7. My plea is that some money should first be spent on rail services, including on reopening the small stations, with increased local services from Lockerbie and Beattock—in parts of the region, rail services are non-existent. Even if that is not possible, disabled access to Lockerbie station should be provided at the very least. That is a real problem and has to be addressed very soon.

In the long term, the Dumfries to Stranraer line could bring more tourists to the region. In a recent study, the Highland rail partnership discovered that 40 per cent of tourists on the rail services in its area would not have come to the Highlands had the rail services not existed there.

I would like to address the question of Chapelcross, which has been raised by David Mundell and Elaine Murray. I have made no secret of the fact that I do not regret the closure of Chapelcross, whose aerial emissions made it one

of the dirtiest reactors in the world. Chapelcross produced more tritium than Sellafield, Sizewell A and Torness put together and it produced less electricity per tonne of nuclear waste than any other nuclear site in the United Kingdom—and all that for the same installed capacity as a large wind farm.

A new BNFL advanced passive 1000 reactor, as is proposed, would create only 70 jobs—half the jobs that are guaranteed by decommissioning. It is a truism that more jobs are guaranteed by decommissioning than by running a nuclear power station. Decommissioning, for which no timeline for Chapelcross is yet available, could take up to 100 years, which is the timeline for Hunterston A, and 95 per cent of the cost of the project will have to be met by the taxpayer, as the nuclear industry has consistently underestimated the cost of decommissioning. The decommissioning of Chapelcross is a real advantage and provides a real opportunity for the region. I very much hope that we can take advantage of that opportunity and I welcome the work that is being done by the regeneration project to bring good alternative jobs into the area.

17:42

Phil Gallie (South of Scotland) (Con): It is no surprise to me that David Mundell has lodged his motion and referred to Chapelcross in the way that he has. I well recall that, even before his election to the Scottish Parliament, he and I visited Chapelcross and talked to the work force about the power station's record. Quite honestly, I find Chris Ballance's remarks about Chapelcross quite shameful. The fact is that Chapelcross was almost the first nuclear generation plant in the world. It was the forerunner of many great successors right across the world, and to deride the achievements of those at Chapelcross is to my mind absolutely wrong and disgraceful.

Chris Ballance talked about a grade 1 visitor centre. Perhaps Chapelcross itself could become that visitor centre, given its place in the history of nuclear generation. Just along the road, at Kirkcudbright, we have another great generation centre with the hydro scheme at Tongland—another visitor centre that could well be developed and used to promote the area. I suspect that, had the Greens been around back in the 1920s, when all that concrete was to be poured into the Glenkens, they would have been up in arms saying, "How disgraceful it is that we drain the lochs and create those great dam monstrosities." The fact is that hydro generation technology has been used in a way that has benefited society for the 70 years that have followed and will be used in that way, I suspect, for the next 30 or 40 years to come.

Minds were concentrated on Chapelcross once again when closure was announced, and there is another feature that has not been mentioned today—the terrible epidemic of foot-and-mouth disease that struck just a year or two ago. I would like to think that one of the things that we will ensure—although it may not be the minister's direct responsibility—is that the results of a foot-and-mouth epidemic will never again be felt in Scotland. To make another point that is perhaps slightly remote from the subject of the debate, it worries me that the situation with regard to veterinary services does not give rise to confidence in our ability to control foot-and-mouth disease in future.

Tony Blair is making the United Kingdom's contribution to the continuing talks under the Lisbon agreement. One of the criteria of that agreement is security of supply. If we really want to meet our emission targets, nuclear energy has to be a major consideration for whichever Government is in place at Westminster and in Scotland.

We should be looking at the wonderfully safe record that nuclear generation in Scotland has at Hunterston, Torness and elsewhere. We have benefited both from supply and, above all, from security of supply.

Chris Ballance: Will the member take an intervention?

Phil Gallie: I will give way in a minute.

When Chris Ballance mentioned the wind farm option, he spoke about Chapelcross being a waste of space and about its low levels of generation. I point him to the situation a little further north of Chapelcross in the triangle between Dalmellington, New Cumnock and Carsphairn in South Ayrshire. There are plans to locate almost 400 wind turbine generators in that area and yet the output will be only about a third of one of the units that is produced at Torness or Hunterston in any one year. To my mind, that is environmental pollution—and pollution without due reward.

Alasdair Morgan: Will the member give way?

Phil Gallie: I promised Chris Ballance that I would give way to him.

Chris Ballance: Phil Gallie spoke about the safety record at Hunterston. Perhaps he is not aware of the news that 81,000 m³ of ground at the plant has been found to be contaminated. The reason that he might not be aware of it is that there was no announcement when the leak happened—in the 1970s. Given this week's news, how can Phil Gallie possibly talk about the safety of Hunterston?

Phil Gallie: I do not have any difficulty whatsoever. We are comparing a postage stamp

of land with the large area on which Chris Ballance wants 400 wind generation monstrosities to be sited. A balance has to be struck. The contamination at Hunterston is not a particular problem; the material can be contained for its lifespan.

If we look at the wider implications of the steering group's recommendations, the minister should take many of them on board. There is merit in looking at the potential to learn from the decommissioning process and the job creation possibilities that it offers. When we look at the expertise that is in the Annan area, we can see that there is a building block in the area that should be developed. The location of Annan—its proximity to the M6 in particular—offers great potential for development that starts in Alex Fergusson's constituency and reaches out throughout the south-west. The development of the A75 would allow the objectives of the steering group to be met.

Again, I congratulate David Mundell on securing the debate and on the motion for debate. As the Tory member for the South of Scotland, the motion speaks of the activities that I would like to see in the Dumfries area and beyond. On that basis, he has my full confidence, as well as the confidence of members of other political parties, in projecting his views on the subject.

The Deputy Presiding Officer: The remainder of the time is yours, minister.

17:49

The Deputy Minister for Enterprise and Lifelong Learning (Allan Wilson): You are generous as ever in your time allocations, Presiding Officer.

The Deputy Presiding Officer: You have about nine minutes, minister.

Allan Wilson: Thank you. The debate has been tremendous. I want to start off where Phil Gallie left off—which is a statement that members do not hear that often—by congratulating David Mundell on securing the debate. Along with my colleague Elaine Murray, David Mundell has done sterling work on the corridor regeneration strategy steering group. Phil Gallie's testimony is not misplaced in that regard.

In many ways, the work of the group is a lesson in how to do things well. Everyone involved—the local council, Scottish Enterprise Dumfries and Galloway and other agencies—saw the end of power production at Chapelcross as an opportunity to stimulate economic development in the area. Through partnership working with BNFL, local agencies and the communities themselves, the group has developed a strategy that is aimed

at regenerating and—which is important and which was mentioned by Alasdair Morgan and others—diversifying the economy of Gretna, Lockerbie, Annan and beyond.

I am delighted that the local enterprise company is playing a central role in the process. That is what it is for. It is providing expertise and input on a wide range of issues, and will ensure that plans for the corridor correspond with the overarching themes of "A Smart, Successful Scotland", which we are in the process of refreshing. I would like the Scottish Executive's input into the process to be channelled through our agents in the enterprise companies and the enterprise network more generally.

I know from my own travels that the corridor around Gretna, Lockerbie and Annan is an area of tremendous potential. Businesses need to be well connected and, with the west coast main line and the A74 connecting the corridor to markets throughout the UK, the region is well placed to attract high-quality investment.

Dumfries and Galloway is also capitalising on its core strengths of tourism, agriculture, food and forestry—an area that I had something to do with over the past few years. For example, as everyone here will know, James Jones and Sons announced last week that it plans to invest £18 million to expand its Lockerbie-based timber business. I had the pleasure of visiting the plant in my capacity as forestry minister comparatively recently, and it was impressive. I am sure that we all wish the company well in its new venture.

There is now the potential to diversify the local economy using some of the area's natural resources. We are well aware of the proposals that Elaine Murray and others mentioned from E.ON UK for a 40MW wood-fuelled biomass power plant at Lockerbie, and from Scottish BioPower for a biomass plant and related energy park at Chapelcross. Like Elaine Murray and others, I do not view the two proposals as incompatible. Dumfries and Galloway is ideally placed for the development of biomass power plants, as it is an area of high wood-fuel resource. Arguably, there could not be a better location. My officials will continue to work with the companies involved as they develop the proposals.

As Elaine Murray said, energy and the Chapelcross site will continue to be prominent features of the local economy. I had much pleasure in meeting the stewards from Chapelcross earlier today—John Rogerson, Sean Marshall and Frank McGovern—and listening to their plans and proposals. I will be pleased to respond to them in the fullness of time.

The decommissioning of the site will give rise to work over the next decade, and Dumfries and

Galloway is well placed to benefit from what is a growing industry. A range of courses is being delivered by Dumfries and Galloway College, in conjunction with the North Highland College, to create a pool of skilled workers who will be able to respond to opportunities within the energy sector. Ultimately, it is hoped that an international decommissioning centre of excellence can be created in Dumfries and Galloway.

David Mundell and Phil Gallie raised nuclear energy and the future of nuclear power more generally. I agreed largely with what Phil said. At this stage, it is important to keep all future options open in order to meet security-of-supply objectives, as well as carbon objectives. It would be wrong to take a firm position now that might rule out any particular energy source over the next 50 years. That is certainly the Executive's position.

There are many other success stories in the region. Rhodia Pharma Solutions, a medical manufacturing company, recently opened a world-class production facility in Annan. Some £1.8 million of additional investment from Scottish Enterprise's R&D plus programme helped to bring forward the timescale of the project and improved capacity within the site. That allowed the company to secure external contracts, resulting in the creation of up to 65 new high-value jobs in the life science sector at the Annan site. As we know, life sciences are a growth sector in the Scottish economy and, as Alasdair Morgan and others have said, it is important to ensure that not all our economic eggs are in one basket and that we can diversify into growth sectors. That is significant investment, which will bring valuable research and development capabilities and skills to Scotland and could spread health benefits throughout the world.

The strategy that has been developed provides a focused direction and will help to ensure that the regeneration of the area is done in a positive, sustainable way. I am very interested in the delivery model that is being proposed down there. Regeneration is not just about improving the physical environment; it is about transforming economically disadvantaged areas, boosting economic activity and improving access to economic opportunity. In that context, we understand the transport issues that have been raised and we are committed to carrying out a strategic transport projects review, which is due to commence and which will inform investment plans across all the transport modes, including the trunk-road network.

The regeneration strategy for Gretna, Lockerbie and Annan is a good example of how a partnership approach has delivered more than what would have been achieved had the individual organisations worked in isolation. It is a solid base

on which to revitalise the area. As I said, I am interested in the proposed delivery model and I would encourage the partners to continue their efforts right through to delivery. I look forward—hopefully in this job—to seeing the results materialise on the ground in the months and, dare I say it, years ahead.

It has been a genuine pleasure to have participated in the debate and to have seen colleagues working together so positively for the common good in Lockerbie, Annan and Gretna.

Meeting closed at 17:58.

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